

June 24, 2025

# **Parental and Family Leave Expands on 7/1/25**





**Effective July 1, 2025**, Vermont's Parental and Family Leave Act (PFLA) provides **expanded job-protected leave to more workers** based on new qualifying reasons for leave.

Act [H.461](#) was signed into law by Governor Scott on May 22, 2025. It contains the General Assembly's stated intent "to align Vermont's family leave policies with inclusive and equitable standards, ensuring that LGBTQ+ families, workers with low income, and individuals in nontraditional family structures have equal access to caregiving leave without undue burden." The law provides for unpaid leave, but eligible employees who have accrued paid leave balances can opt to apply their accruals toward the PFLA leave.

The PFLA applies to Vermont employers, including municipalities, that have 10 or more employees who work 30 or more hours per week, for parental leave and for the newly created bereavement leave, safe leave, and leave for a qualified exigency, described below. For leaves due to the employee's own or a family member's serious health condition ("family leave"), the PFLA applies to employers with 15 or more employees who work 30 or more hours per week.



It is important to note that some smaller VLCT members have personnel policies containing language that is more generous than the law requires, obligating them to follow PFLA even if they have fewer than 10 employees

As noted below, the definition of "family member" has been expanded. **To be eligible, employees must have worked for a covered employer for at least 12 months and at least 30 hours per week** (i.e., 1,560 hours per year.)

Except as noted below under bereavement leave, PFLA provides up to 12 weeks of qualifying leave within a 12-month period. Family leave can be taken for the employee's own serious health condition or for that of their family member. Parental leave is for the birth of the employee's child or bonding time within a year of the birth. As of July 1, it will also include recovery from childbirth or miscarriage or the need to care for a foster child up to age 18 (previously this was age 16.)

## New Qualifying Reasons for PFLA Leave

**Bereavement leave** can be taken due to the death of the employee's family member within one year of the death. It may include leave related to the administration or settlement of the deceased family member's estate. The maximum amount of leave is two weeks, with up to five days taken consecutively within a 12-month period.

**Safe leave** can be taken **if three factors are true:**

(A) the employee or the employee's family member is a victim or alleged victim of domestic violence, sexual assault, or stalking;

(B) the employee is using leave for one of the following reasons related to domestic violence, sexual assault, or stalking:



- (i) to seek or obtain medical care, counseling, or social or legal services, either for themselves or for a family member;
- (ii) to recover from injuries;
- (iii) to participate in safety planning, either for themselves or for a family member;
- (iv) to relocate or secure safe housing, either for themselves or for a family member;
- (v) to respond to a fatality or near fatality related to domestic violence, sexual assault, or stalking, either for themselves or for a family member; or
- (vi) to meet with a State's Attorney or law enforcement officer, either for themselves or for a family member;

**and** (C) the employee is not the perpetrator or alleged perpetrator of the domestic violence, sexual assault, or stalking.

**Leave for a qualifying exigency** can be taken due to a qualifying exigency that relates to active duty service by a family member in the U.S. Armed Forces, identified pursuant to federal law under [29 C.F.R. § 825.126](#).

## Now A “Family Member” Is

The definition of the term “**family member**” has been expanded to include domestic partners, grandparents, grandchildren, and siblings. The term “in loco parentis” refers to someone who serves in place of a parent. Here is the expanded definition of family:

(A) regardless of age, an employee's biological, adopted, or foster child; an employee's stepchild or legal ward; a child of the employee's spouse or civil union or domestic partner; or a child to whom the employee stands in loco parentis, regardless of legal documentation; an individual to whom the employee stood in loco parentis



when the individual was under 18 years of age; or any individual for whom the employee provides caregiving responsibilities similar to those of a parent-child relationship;

(B)

(i) a parent of an employee or an employee's spouse or civil union or domestic partner, regardless of whether the relationship to the employee or the employee's spouse or civil union or domestic partner is a biological, foster, adoptive, or step relationship;

(ii) a legal guardian of an employee or employee's spouse or civil union or domestic partner; or

(iii) a person who stands in loco parentis for the employee or who stood in loco parentis when the employee or employee's spouse or civil union or domestic partner was under 18 years of age;

(C) a person to whom the employee is legally married under the laws of any state or a civil union or domestic partner of an employee; or

(D) a grandparent, grandchild, or sibling of the employee or the employee's spouse or civil union or domestic partner, regardless of whether the relationship to the employee or the employee's spouse or civil union or domestic partner is a biological, foster, adoptive, or step relationship.

## **What Does the Expansion of PFLA Coverage Mean for VLCT Members?**

*Consider the following questions:*



### 1. Does PFLA apply to our municipality?

**Yes, if** the municipality has 10 or more employees who work 30 or more hours per week;

**Potentially yes for smaller employers, if** the municipality has language in its personnel policy or a collective bargaining agreement that is more generous than what the law requires. Have legal counsel review your policy or contract wording for compliance or request assistance from the PACIF workplace team by clicking [here](#).

**No, if** your municipality has fewer than 10 employees who work 30 or more hours per week and does not have wording in a personnel policy or collective bargaining agreement that provides for such leave.

### 2. If we answered yes to #1, do we need to change our personnel policy wording?

Quite possibly. The nature and extent of needed updates will depend upon the language that's in your policies. Review your current policies and assess necessary compliance modifications.

### 3. What should we do if employees ask for leave that may fall under PFLA?

Employee leave laws can be confusing, as they often overlap. Personnel policies and collective bargaining agreements may also apply, and the specific details of each situation matter. If you are unsure about how to handle an employment matter, seek assistance from legal counsel or request assistance from the PACIF workplace team using their online form.



#### 4. **Do we need to replace the PFLA workplace poster?**

As of the date of this article's publication, the Vermont Department of Labor has not yet updated the mandatory [PFLA workplace poster](#) to include the July 1 changes. When the state updates this, you should replace yours with the new one.

