



# ABSENCE ADVISORY

REGULATORY UPDATES FROM  
AFLAC'S GROUP LIFE, ABSENCE AND  
DISABILITY SOLUTIONS DIVISION



MAY 2026

We are pleased to share the May 2026 Absence Advisory, along with information related to state and other paid leave legislation.

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## COLORADO

The Colorado Department of Labor and Employment has amended three of its regulations for Colorado Family and Medical Leave Insurance (CO FAMILI): 7 CCR 1107-3 Benefits and Employer and Participation Rules, 7 CCR 107-8 Investigations and 7 CCR 1107-9 Appeals. The department adopted these revisions on March 19, and they will go into effect on July 1.

- Amendments to 7 CCR 1107-3 add clarity that other than holiday absences during continuous leave, the department will consider an absence to be caused by a qualifying condition when it would not have occurred except for the condition.
- Amendments to 7 CCR 1107-8 contain minor updates to wording without changing the context of the rules.
- Amendments to 7 CCR 1107-9 make clear that a rule cannot be considered ambiguous unless it is susceptible to multiple interpretations. It further states that if a hearing officer determines that the rule is ambiguous, they must identify multiple interpretations of it. In addition, if a petitioner files a motion to reconsider their determination because there is a lack of alternative interpretations, the hearing office may grant the motion and amend its final decision. If the motion is denied, the denial must include reasons and a basis for the ruling.

For more information, please visit the [CO FAMILI Rules & Guidance web page](#).

## MAINE

As of May 1, eligible workers in Maine may apply for Maine Paid Family and Medical Leave (ME PFML) benefits. The ME PFML program provides paid leave for up to 12 weeks during a 12-month period for employees who need to care for their own serious health condition, care for a family member with a serious health condition, bond with a new child, prepare for a family member's military deployment or take safe leave. Employees who have worked with their employer for at least 120 consecutive days also receive job protection under ME PFML. Covered family members an employee may take leave to care for include:

- Their spouse or domestic partner
- Their child of any age
- Parents
- Grandparents
- Grandchildren
- Siblings
- A parent or child designated by in loco parentis
- Any individual with whom the employee shares a significant personal bond, regardless of biological or legal relationship, as well as anyone who shares this relationship type with the spouse or domestic partner of the employee

For more information, please visit the [ME PFML website](#).

## MARYLAND

The Maryland Register has finalized its Family and Medical Leave Insurance (FAMLI) program and confirmed the program's initial contribution rate and structure. The state will have a 0.90% total contribution rate, applied to covered wages up to the Social Security cap, and split evenly between employers and employees (.45%) for employers with 15+ employees. Employers with fewer than 15 employees are not required to pay the employer portion; however, employees must still contribute 0.45% of their wages.

Contributions begin Jan. 1, 2027, with benefits becoming available starting Jan. 3, 2028. The program provides covered employees with 12 weeks of paid, job-protected leave (up to 24 weeks) and wage replacement up to 90% of wages on a sliding scale not to exceed the benefit maximum, which has been set at \$1,000. Employers in the state must offer leave but have time to decide what plan they would like to choose — either the state plan or an equivalent private plan.

For more information about the program, visit the [Maryland FAMLI website](#). Go to [maryland.gov](http://maryland.gov) to review a copy of the final regulations.

## WASHINGTON

Starting June 11, Washington State House Bill 2345 alters the funding mechanism for Washington's Paid Family and Medical Leave (PFML) program. The PFML program today is funded through premiums paid by employees and employers. The new law allows the state to adjust how premiums are divided between family leave (bonding or care of a family member) and medical leave (an employee's own serious health condition).

With this change, employers can now deduct medical leave premiums from the wages of each employee up to the full amount of the premium required. For family leave premiums, an employer may deduct from an employee's wages an amount equal to the difference between the full premium required for family leave and the sum of 45% of the full premium required for medical leave.

Employers should note this change and be prepared for any additional guidance from the state. To follow this bill in more detail, visit the [Washington State Legislature website](#).



These are educational materials only. Employers should consult their own counsel for obligations for state-mandated leave and disability programs. Products and services are provided by Continental American Insurance Company. In New York, products and services are provided by American Family Life Assurance Company of New York. In California, coverage is offered by Continental American Life Insurance Company. Products may not be available in all states and may vary depending on state law.

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