Paid Family & Medical Leave: Welcoming a new child in Washington

Marilyn Watkins
Gabriela Quintana
March 24, 2020
1. Basics of Washington PFML
2. Examples
3. How to apply
4. Frequently Asked Questions
5. Paid Leave and COVID-19
When can you use Paid Family & Medical Leave?

- Recover from your own serious illness or injury
- Care for a newborn or new foster or adopted child
- Care for a seriously ill family member
- Cope with a family member’s military deployment
Who Is Eligible?

Anyone who worked at least 820 hours in Washington last year

Including:
- Multiple jobs
- Between jobs
- New to job

Except for:

Federal employees,
- some Tribal employees,
- workers covered by collective bargaining agreements
- unchanged since October 2017.
How much leave do I get?

12 weeks of either family or medical leave...

Up to 16 weeks combined.

14 weeks medical leave with pregnancy-related complication...

Up to 18 weeks combined.

opportunityinstitute.org
How does this work for new parents?

Both parents may take up to 12 weeks family leave at any time during the first 12 months following birth or placement of a foster or adopted child.

The birth parent may also take medical leave when unable to work due to pregnancy or recovery from birth for a combined total of up to 16 weeks.

People with serious pregnancy-related complications can take an additional 2 weeks medical leave and a total of 18 weeks.

Leave may be taken all at once or intermittently.
How much will I get paid?

Benefits are based on your average weekly gross earnings last year.

You’ll receive payment by your choice of direct deposit or prepaid card.

<table>
<thead>
<tr>
<th>If average weekly pay was:</th>
<th>Your weekly benefit will be:</th>
</tr>
</thead>
<tbody>
<tr>
<td>$577</td>
<td>$518</td>
</tr>
<tr>
<td>$962</td>
<td>$731</td>
</tr>
<tr>
<td>$1,538</td>
<td>$1,000</td>
</tr>
</tbody>
</table>
How is it paid for?

Workers & employers pay payroll premiums

A full-time minimum wage worker pays $1.36 per week

Someone making $54,000 pays $2.60 per week

Workers apply to state for benefits paid from trust fund
What else do I need to know?

- There is a week waiting period for medical leave, during which you may use sick leave or paid time off.
- A week always runs Sun-Sat. You can collect benefits starting the next week, whether you took off 1 day or 7 during your wait week.
- Medical leave and leave to care for ill family require certification by a health professional.
- There is no waiting week for family leave to bond with a new child or family military leave.
For Example...
Marie takes 16 weeks + waiting week; Gabe takes 12 weeks

Marie takes a week off before the birth and uses sick leave – her waiting week.
Marie uses 6 weeks medical leave to recover from childbirth, then 10 weeks family leave.

Gabe takes the first 3 weeks home with Marie and the baby.

Marie returns to work when baby is 16 wks old and Gabe takes 9 more weeks family leave.
For Example...

Pronita takes 18 weeks + wait week; Ari takes 12 weeks

At 7 months, Pronita’s doctor puts her on bedrest. She takes the rest of that week off - her waiting week - then 7 weeks medical leave.

After the birth, Pronita takes 7 more weeks medical leave, then 4 weeks family leave.

Ari takes the first 2 weeks home with Pronita and the baby.

Pronita returns to work when baby is 11 wks old and Ari takes 10 more weeks family leave.
For Example...

Jerry & Jose both take 12 weeks, 10 intermittently

Jerry and Jose have adopted a child.

They both stay home full-time for the first two weeks.

Then both return to work half-time for 20 weeks, sharing childcare duties.

opportunityinstitute.org
How do I apply for PFML?

See “Get Ready to Apply” at paidleave.wa.gov

Three simple steps:

1. Notify your employer in writing (text, note or email), at least 30 days before you expect to start leave if you can.

2. Gather documents: identification, Social Security or Taxpayer Identification Number, certification from a health provider for medical leave.

3. Fill out your application at paidleave.wa.gov.
High Demand:
Target 2 weeks by June

The paid family and medical program started in January 2020 and is experiencing very high demand.

Currently, it will take several weeks after you apply to have your leave approved.

Once approved, you will still receive benefits retroactively for your full leave.

Delayed benefits are hard for everyone! In cases of extreme hardship, you may receive expedited approval: call (833) 717-2273

opportunityinstitute.org
How do I know I’ve been approved?

You can check the status of your application at paidleave.wa.gov

The Employment Security Department will mail your approval, then you can start filing weekly claims for every week you take leave.

They’ll also notify your employer.

If you start leave before receiving approval, you can still file claims for leave you’ve already taken and receive benefits retroactively.

For more information, visit paidleave.wa.gov, e-mail paidleave@esd.wa.gov or call (833) 717-2273.
Answers to frequent questions:

**Is my job guaranteed?**

Your employer cannot deny you the right to take PFML, but if you work for a company with fewer than 50 employees, they may not have to hold your job.

If you’ve worked at least 1 year at a firm with 50+ employees, your employer probably must hold your job and continue your health insurance.

If you work for an employer with 50 or more employees and are also covered by FMLA, your state paid family and medical leave will likely run concurrently with federal leave.
Answers to frequent questions:

What is a “serious health condition”?

A serious health condition requires a health care provider certification and:

- In-patient treatment, or

- On-going treatment by a health professional and incapacity to work for at least 3 days, or for chronic condition

opportunityinstitute.org
Answers to frequent questions:

Which family members are covered?

Family members include:

Child of any age, including stepchild, in loco parentis, etc.; Spouse or register domestic partner;

Parent, grandparent, grandchild, sibling, including in-laws
Answers to frequent questions:

What are other important details?

Many employers will supplement benefits – ask!

Minimum leave per week to receive benefits is 8 hours.

Self-employed and gig workers may opt in.

For language translation, a written application, or other assistance, call (833) 717-2273.

opportunityinstitute.org
• You may use PFML if you or a family member have a serious health condition certified by a health care provider, including COVID-19.

• Most employees in WA have the right to earn and use Paid Sick Days, including for work or school closures due to COVID-19. (See lni.wa.gov)

• Emergency federal law effective through 2020 provides many workers in companies with fewer than 500 employees 2 additional weeks paid sick leave for COVID-19 quarantine or illness + up to 10 weeks partly paid leave if child’s school or daycare is closed. (See dol.gov for details)

• If your hours are cut or business is closed due to coronavirus, you may receive Unemployment Insurance: esd.wa.gov.
More resources

Resources:
- Paidleave.wa.gov
- Opportunityinstitute.org/paidleave/