

WASHINGTON PAID FAMILY & MEDICAL LEAVE

- If an Employer DID NOT start collecting the employee share of premiums from its employees on January 1, 2019, the Employer can begin withholding the employee share of its premiums at any time, provided that the Employer gives employees notice of the withholding one pay period in advance of making such a withholding from employee paychecks.
- Employers CANNOT retroactively withhold premiums from employees. If an Employer fails to collect the employee share of the premium, it is the Employer that is responsible for paying any missed premiums on the employees' behalf.
- To qualify for Paid Family and Medical Leave, you must work 820 hours or more in the qualifying period. The qualifying period is either:
 - The first four of the last five completed calendar quarters; or
 - The last four completed calendar quarters.
- All Washington employers, including out-of-state Employers with Washington employees, are required to participate with few exceptions. Those exceptions being:
 - Self-employed individuals (May opt-in)
 - Federal employees
 - Federally recognized tribes (May opt-in)
- In rare cases, an Employer may be granted a conditional premium waiver for an employee who meets three specific conditions. To qualify, a worker must meet all three of the following requirements:
 - Physically based outside of the state of Washington; and
 - Employed in Washington state on a limited or temporary basis; and
 - Not expected to be employed by any employer in the state for 820 hours or more in a qualifying period (four consecutive reporting quarters).
- Paid Family and Medical Leave cannot be taken without a qualifying event. Leave events can be either Family or Medical.
- Family Leave Qualifying Events include:
 - Care and bond after a baby's birth or the placement of a child younger than 18;
 - Care for a family member experiencing an illness or medical event; or
 - Certain military-connected events.

- Medical Leave Qualifying Events include:
 - Care for yourself in relation to an illness or medical event
- When qualified, Employees will be eligible for up to twelve (12) weeks of paid family leave or medical leave. An additional two (2) weeks of paid leave is available when the leave is a result of pregnancy complications.
- Employees are eligible for up to sixteen (16) weeks of leave when family leave and medical leave are used in combination. For example, an expecting mother could use eight (8) weeks of medical leave for bed rest. The mother could then use an additional eight (8) weeks of family leave after giving birth to care and bond with the new child.
- The weekly benefit for Paid Family and Medical Leave is the dollar amount a covered employee will receive from ESD while claiming these benefits. The dollar amount is capped at \$1,000 with a minimum of \$100 and is a calculated percentage of the employee's gross wages.
- A bill to provide updates to Washington's new Paid Family and Medical Leave program was signed into law by Gov. Jay Inslee on Wednesday. House Bill 1399 makes several technical corrections to the new program, and clarifies a key provision related to supplementing wages while an employee is out on leave.
- Under the original law, employers would not be allowed to supplement the pay of an employee out on Paid Family and Medical Leave with other forms of paid leave, including vacation or sick leave. HB 1399 changes this, essentially allowing an employee the option to top-off their Paid Family and Medical Leave benefit with company provided paid leave. This is in alignment with other states' policies and was supported by stakeholders representing the interests of both employers and employees.
- The bill also makes some technical corrections to the law, including clarifications related to employer-run voluntary plans, appeal rights for employees covered by a voluntary plan, disclosure and privacy provisions, and some definitions within the law.