

# Paid Family and Medical Leave

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Washington  
**Paid Family &  
Medical Leave**

Employment Security Department



# The Path to Today



**2007**

First Paid Family and Medical Leave bill passes the Legislature but does not include a funding mechanism.

**2015**

Governor Inslee receives a federal grant to begin designing Paid Family and Medical Leave program.

**2017**

Paid Family and Medical Leave bill (Title 50A RCW) passes the Legislature with a funding mechanism in place.

**2018**

Rapid program implementation; voluntary plan applications become available in late summer.

**2019**

Eligible employees and employers begin paying premiums on January 1.

**2020**

Employees can begin filing for benefits on January 1.

# Why Paid Family and Medical Leave



- ✓ An essential benefit that gives every Washingtonian support when they need it most.
- ✓ Strengthens companies of every size by making it possible to give every employee a way to be there for care.
- ✓ Share the costs associated with leave among employers and workers.

# Rollout Timeline



2019

Premium Collection  
Reporting Hours & Wages



2020

Benefits Available

# Who Does This Apply To?



Workers & their  
employers in  
Washington

# Collective Bargaining Agreements

*“Nothing in this chapter requires any party to a collective bargaining agreement in existence on **October 19, 2017**, to reopen negotiations of the agreement or to apply any of the rights and responsibilities under this chapter unless and until the existing agreement is reopened or renegotiated by the parties or expires.” RCW 50A.04.235*

# CBA's Continued

- When reopened, renegotiated, or expired, must notify the department.
- Quarterly reports begin with the next reporting period.
- Employees may file for benefits after reopening, renegotiating, or expiration. Department may request hours and wages during time covered by CBA.
- Employees not covered by CBA are required to participate, and their employer has employer responsibilities.



# Qualifying Events

## Family Leave



Caring for family members



Birth or placement of a child



Certain military-related events

## Medical Leave









Your own medical condition












# Eligible for Care in Family Leave?

## Eligible

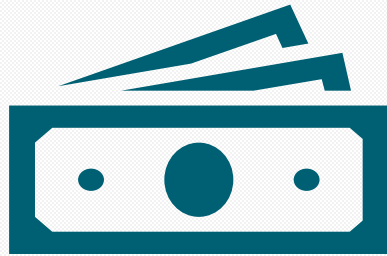
-  Child (step)
-  Grandchild
-  Spouse/Domestic Partner
-  Sibling (step)
-  Parent (step, in-law)
  - Loco Parentis
  - Legal Guardian
  - De Facto Parent
-  Grandparent (in-law)

## Not Eligible

-  Godparents
-  Aunts or Uncles
-  Cousins
-  Distant relatives
-  Roommates
-  Neighbors
-  Coworkers
-  Live-in non-family members
-  Pets

This is not an exhaustive list, and you should consult ESD for specific or special circumstances.

# Benefits



Weekly wage replacement  
Proportion of weekly wages  
from \$100 to \$1,000



Typical leave of up to 12 weeks,  
18 weeks in exceptional  
circumstances.

# Eligibility



## 820 Hours

worked during the qualifying period.  
Portable across employers.

20 Hours/week -> 41 Weeks  
40 Hours/week -> 20.5 Weeks

Qualifying period is the first four of the last five completed calendar quarters from the leave date, or the last four completed calendar quarters.

**BEGIN**

**Qualification**

- Worked 820 hours



**Leave Lifecycle**

**Receive Benefits**

- Claim approved & benefit extended
- Up to 12 weeks as needed with partial wage replacement
- Up to 18 weeks in exceptional circumstances
- Max weekly benefit of \$1,000

**START  
Planned Leave**



**File Claim**

**Eligibility**

- Experiences a covered reason for leave



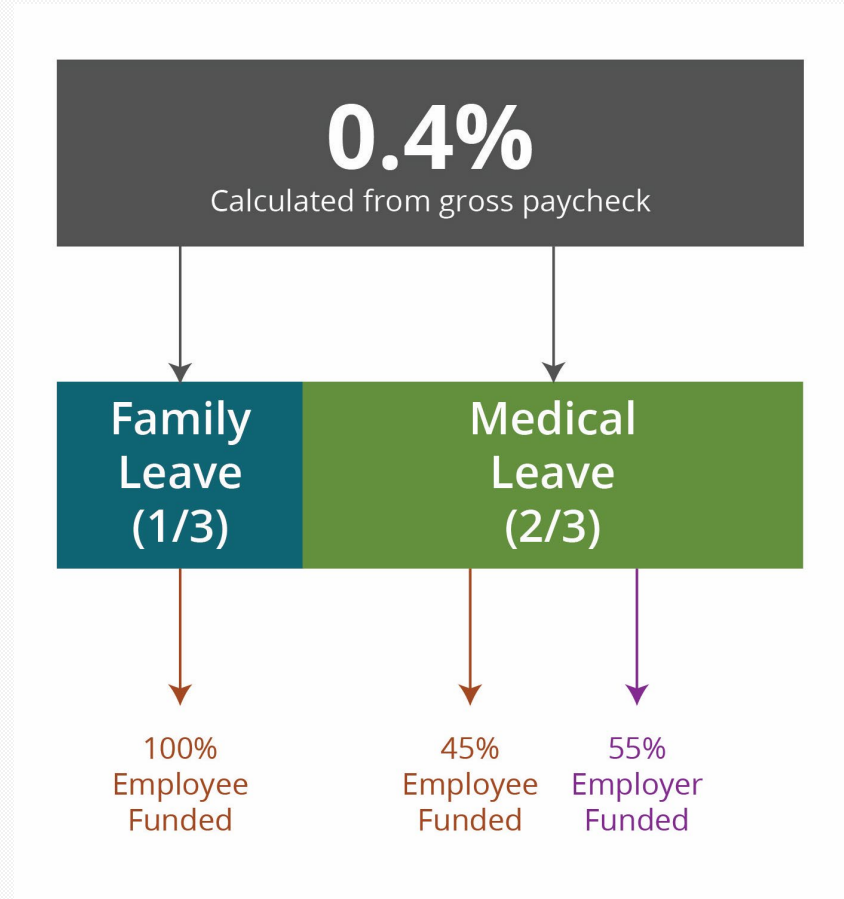
**START  
Unplanned Leave**

# Paid Sick Leave and FMLA

- Paid Sick Leave and Paid Family and Medical Leave can not be used at the same time.
- In most cases Paid Family and Medical Leave runs concurrently with FMLA.
- Benefits rulemaking ongoing. See [paidleave.wa.gov/rulemaking](https://paidleave.wa.gov/rulemaking)



# Premiums



\$50,000/year wage  $\Rightarrow$  Employee: \$126.67 • Employer: \$73.33

**Small businesses with fewer than 50 employees don't pay employer premium.**

Still required to remit employee portion of premium and all reporting requirements

# Premium Calculation

## 1. Calculate Premium

▶ Total Premium = Gross Wages \* .004

## 2. Calculate Employer & Employee Portion

▶ Employer Portion = Total Premium \* .3667

▶ Employee Portion<sup>1</sup> = Total Premium \* .6333

<sup>1</sup>Fewer than 50 employees: Employer not required to pay employer portion.

Calculations for state plan only. Voluntary Plan employers will use different method.

# Calculating Business Size

Quarter 1  
20 employees

Quarter 2  
40 employees

Quarter 3  
40 employees

Quarter 4  
140 employees

Average:  
60 employees

Calculated **September 30** each year.

- Headcount, not FTE or other counting method
- Based on required quarterly reporting
- Once counted, set for year

# Small business assistance



**\$3,000**

Grants if you hire a temporary employee to replace an employee on leave for more than seven days.



Up to **\$1,000**

Grants for significant additional wage-connected costs.

Who is eligible?

- ▶ Employers with between 50-150 employees
- ▶ Employers with between 1-49 employees who elect to pay the employer share of premiums

# Reporting: Anticipated Process in 2019

- First report April 2019
  - Report wages and hours worked
- Department then calculates premium bill
  - Based on employer reporting
- Submit payment to department
  - Separate from UI payment
  - Quarterly, not monthly payments



# Reporting Fields

## In General

- UBI
- Business Name
- Quarter reporting for
- Total premiums collected
- Who prepared the report

## Each Employee

- SSN/ITIN
- Last Name
- First Name
- Middle Initial
- Wages paid in quarter and associated hours

# Reporting Options



## Manual

Manual type entry for up to 50 employees.



## CSV Upload

Upload a CSV file for a single employer or UBI.



## Bulk upload

ICESA file with many employers, used by employer agents.

An alternative method of reporting will be available for employers who can't use online tools.

# Voluntary Plans

- Employer-operated paid family and medical leave program
  - Like your existing plan? Turn it into a Voluntary Plan.
- Must apply to all employees
  - You can choose Family, Medical, or both for voluntary plan.
- Benefits must be equal or better than state plan
  - Duration of leave, premium amount, weekly benefit, and more.
- Download guide at [paidleave.wa.gov/voluntary-plans](https://paidleave.wa.gov/voluntary-plans)



# More To Come



Reporting, application,  
and benefit tools being  
built now.

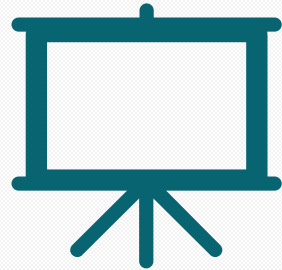


Rulemaking is ongoing.  
Benefits phase open  
now.



Customer Care Team  
taking calls and emails  
now.

# Learn More



**Employer Webinar Series**  
[Paidleave.wa.gov/events](https://paidleave.wa.gov/events)



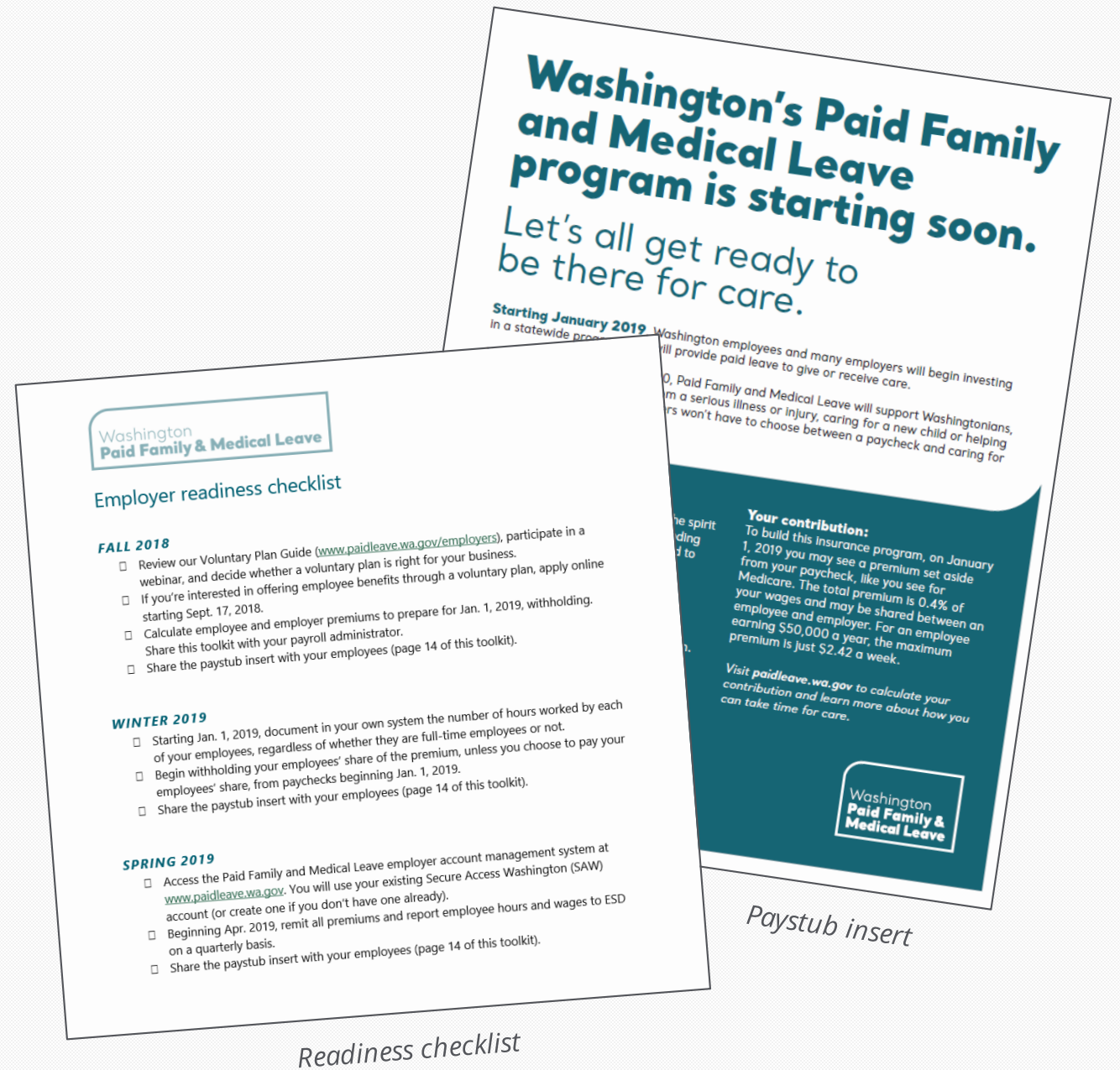
**Employer Toolkit**  
[Paidleave.wa.gov/employers](https://paidleave.wa.gov/employers)



# Employer Toolkit

## EMPLOYER TOOLKIT CONTENTS:

- About This Toolkit
- About the Program
  - Employer Responsibilities
  - Premiums
  - Reporting
  - About the Benefit
- Readiness Checklist
- Sample Employee Communications
  - Employee Handbook Materials
  - Sample text for a blog, newsletter or email
  - Sample paystub insert/attachment
- Document Change Log



Readiness checklist

Paystub insert

# Continue the Conversation



Give us Feedback:  
[SURVEY LINK](#)



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