

Workers

Support for employees, stability for companies

Washington workers will be able to use Paid Family and Medical Leave benefits starting in 2020. These benefits will generally allow up to 12 weeks of paid leave per year to care for yourself or a family member. You can get up to 16 weeks if you have both family and medical events in a year, or up to 18 if a serious health condition in pregnancy results in incapacity.

This is a statewide insurance program, so workers and employers will contribute premiums together through payroll withholding.

If I have a child in 2019, can I apply for benefits?

You have 12 months from the date of a child's birth or placement (foster or adoption) to take family leave. If your child was born or placed in your family in 2019, you can apply for benefits beginning Jan. 1, 2020.

For example, if your child was born Feb. 1, 2019, you could apply for benefits on Jan. 1, 2020 and receive the benefit until Feb. 1, 2020. If your child is placed with you in November 2019, you can apply for benefits and take leave any time before the one-year anniversary of their placement.

How does Paid Family and Medical Leave work?

• Am I eligible for benefits?

Paid Family and Medical Leave benefits will be available starting Jan. 1, 2020.

There are two things that need to happen for you to be eligible to apply for benefits: you need to work 820 hours in the qualifying period and experience a qualifying event.

Qualifying period

The "qualifying period" is the first four of the last five consecutive calendar quarters.

Nearly all employers in Washington began reporting their employees' names, gross wages and hours worked (among other things) to our program on July 1, 2019. They will continue to submit these reports every three months following this schedule:

Reporting quarter	Report due
January, February, March (quarter one)	April 30
April, May, June (quarter two)	July 31
July, August, September (quarter three)	October 31
October, November, December (quarter four)	January 31

When you apply for benefits, we will look at the total number of hours your employer(s) reported for you in the qualifying period to determine if you are eligible for benefits. You must work 820 hours in the four quarters we look at, but the hours you work are cumulative across employers, so if you have more than one job, the hours you work at every employer are added together. During the benefit application process, you'll be able to see what your employer reported for you and let us know if you think they made a mistake.

Qualifying event

For medical leave, a qualifying event is your own serious health condition, illness or injury that causes you to be unable to work. As part of the application process, you will need your healthcare provider to complete and sign our Serious Health Condition Certification form certifying that your illness or injury meets the definition of "serious health condition" under the [Paid Family and Medical Leave law](#).

Generally, a serious health condition could include an illness, injury, impairment, or physical or mental condition that involves:

- Inpatient care in a hospital, hospice, or residential medical care facility, including any period of incapacity; or
- Continuing treatment by a healthcare provider for:
 - An illness or injury that incapacitated you for three or more consecutive days.
 - A chronic serious health condition (like diabetes or epilepsy).
 - Incapacity during pregnancy or for prenatal care.
 - Treatment for substance abuse.
 - Any period of absence from work to receive treatments and recover, like for radiation, chemotherapy or dialysis.

Ultimately, it is your healthcare provider's responsibility to determine whether your illness or injury meets the legal definition of a "serious health condition".

For family leave, a qualifying event could be a family member's serious health condition (as certified by their healthcare provider using the same definition and process listed above), the birth or placement (adoption or foster) of a child under the age of 18, or certain activities related to a family member's military duty.

• What do the benefits cover?

When the benefits of Paid Family and Medical Leave become available in 2020, if you are eligible, you will be entitled to take up to 12 weeks (18 weeks in limited special circumstances) of paid leave. Washington's law includes partial wage replacement, and your benefits will depend on how much you earn in a typical week.

• How much does it cost?

Paid Family and Medical Leave is an insurance program funded through premiums paid by nearly everyone working in Washington and many of their employers. The rate for 2019 is 0.4 percent of a worker's wage, about 63 percent of which is paid by the worker and about 37 percent is paid by the employer. Employers can opt to cover some or all their employees' premiums. Premium collection began on Jan. 1, 2019.

Example:

- A worker makes \$50,000 a year.
 - Worker pays about \$2.44 a week.
 - Their employer pays about \$1.41 a week.
 - Worker receives a benefit of about \$731 per week when out on Paid Family and Medical Leave.

• Is participation in the program mandatory?

Generally, yes: Nearly everyone who works in Washington will participate in the program.

Exceptions include workers who are:

- Federal employees
- Employed by a federally recognized tribe
- Self-employed

Important details:

- Self-employed people may [opt in](#) to gain access to the benefit.
- Employees covered under a CBA that was in existence on or before Oct. 19, 2017 are not subject to the rights or responsibilities of paid family and medical leave until the agreement is reopened, renegotiated, or expires. You will not pay premiums or be eligible for leave until the CBA is reopened, renegotiated, or expires.
- Some employers may choose to offer benefits through a private plan called a [voluntary plan](#). If your employer has an approved voluntary plan, they are required to offer benefits that are equal to or greater than the state plan.

How do I apply for benefits?

• How do I apply?

Beginning Jan. 1, 2020, you'll be able to apply for paid leave benefits online.

The complete process is still in development, but we know you'll need to create an account, complete an application and upload documentation that proves you experienced a qualifying event. The application includes details like your name, contact information, Social Security or Individual Taxpayer Identification Number, birthdate and the type of leave you're requesting, as well as the dates you expect your leave to begin and end, and the date you gave notice to your employer that you planned to take leave. You will also review our records of your employment information for accuracy.

• What kind of documentation will I need to provide?

We require documentation that proves you experienced an event that qualifies you to take paid leave. The types of documentation you'll need depend on the reason you're requesting leave, but generally:

- For medical leave for yourself, or family leave to care for someone else during their serious illness or after an injury, you will need the patient's healthcare provider to complete our Certification of Serious Health Condition form and then you will upload it during the application process.
- For family leave related to a covered military deployment, event or activity, you'll need to provide documentation like active duty orders.
- For family leave to bond with a child after their birth or placement, you can have your healthcare provider complete the Certification of Serious Health Condition form to certify their birth, or you can upload a birth certificate or placement-related court documents.

• Do I need to tell my employer before I apply for benefits?

If you know you will need to take leave for a foreseeable event, like the birth of a child or a planned surgery, you need to give your employer 30 days' notice in writing (emails, text messages and printed or handwritten

notes all count). If you need to take leave for an unforeseeable event, like an accident or sudden illness, you need to tell your employer as soon as it is possible and practical for you to do so. If you are unable to provide notice yourself, someone else can do so on your behalf. For example, if you're in emergency surgery, your spouse, parent, coworker or neighbor could send an email to your employer for you.

If you could have given your employer at least 30 days' notice but chose not to, we may temporarily deny or delay your benefit payments.

- Will you tell my employer I applied for benefits?

When you apply for benefits, we will send a notice to your employer that lists the type of leave you're applying for (medical or family), the dates you expect your leave to begin and end, and the date you gave your employer notice of your intent to take leave.