

WASHINGTON PAID FAMILY AND MEDICAL LEAVE (PFML)

Paid Family and Medical Leave is a statewide insurance program to care for yourself or your family in life's most trying times.

It is funded by premiums paid by both employees and employers (if employer has 50 or more employees working in Washington). **The total premium for 2019 is 0.4% (payroll tax), shared by the employer (approximately 37%) and employee (approximately 63%).** Premium withholdings are capped at the Social Security cap, \$128,400 in 2018.

Payroll deductions for the premiums will start in January 2019.

Bases for Leave

- A serious health condition of an employee or a member of his or her family;
- The birth, adoption, or foster placement of a child;
- A qualifying military emergency; and
- When employees learn that their military spouses are called to active duty.



You can apply for benefits starting January 2020.

Eligibility

An employee who worked at least 820 hours in Washington in a “qualifying period”.

Qualifying period means the first four of the last five completed calendar quarters or, if eligibility is not established, the last four completed quarters immediately before the employee applies for leave.

The hours worked do not need to be for the same employer for eligibility purposes.

If an employee primarily works in Washington, and most of their work is performed in Washington, they are covered by Paid Family and Medical Leave. This continues to be true even if they sometimes travel for work out of state.

An employee is not covered by Paid Family and Medical Leave, and their employer is not required to withhold premiums, if they are working in Washington for a short period of time.

Conditional Premium Waiver – An employer can request a conditional premium waiver for an out-of-state employee who is temporarily working in Washington.

- Physically based outside of Washington;
- Employed in Washington on a limited or temporary work schedule, and
- Not expected to work in Washington for at least 820 hours during a “qualifying period.”

Employers must file quarterly reports to verify the employee still qualifies for the waiver. If the employee exceeds 820 hours in the qualifying period, the conditional waiver expires and both the employer and employee will be responsible for paying premiums during the qualifying period.

Premiums

Under the program, employers may deduct up to 100% of the premiums for the family leave portion and up to 45% of the premiums for the medical leave portion from employees' wages. An employer is responsible for 55% of the medical leave premiums. Overall, an employer is responsible for approximately 37% of the total premiums. Employers are responsible for reporting hours and wages to the state and for remitting all premiums collected to the state.

In this example, the employer is using the state plan for both family and medical leave. An employee has earned \$2,500 gross pay in a single pay period. The premium is 0.4% in 2019.

First, calculate the employee's total premium.

$$\$2500 * .004 = \$10$$

Second, calculate employer and employee shares of family and medical leave.

Employee share of family leave

$$\$10 * .3333 = \$3.33$$

Employee share of medical leave

$$\$10 * .3000 = \$3.00$$

Add them together for the total employee premium

$$\$3.33 + \$3 = \$6.33$$

\$6.33 is the total employee share of the premium

Employers are not required to pay a portion of family leave.

Employer share of medical leave

$$\$10 * .3667 = \$3.67$$

The employee contributes \$6.33. The employer contributes \$3.67.

Please note:

- Use conventional rounding when necessary.

Eligible Employees are entitled to the following leave each year:

Family Leave	An employee can take up to 12 weeks of paid family leave, which includes caring for a newborn or newly-adopted child or a family member with a serious health condition, which includes a child, spouse, domestic partner, parent, parent-in-law, sibling, grandparent, or grandchild. Employees can also take time to be with a family member injured in military service, or to deal with exigencies of military deployment.
Medical Leave	An employee can take up to 12 weeks of paid medical leave, which can only be used for the employee's own serious health condition, with an additional two weeks available for pregnancy complications.
Combined Family and Medical Leave	For combined family and medical leave (for example, medical leave due to birth of a child plus caring for a newborn), the total combined leave an employee can take in a year is 16 weeks , or 18 weeks if the leave includes a qualifying pregnancy-related complication.

Waiting Period

For all leaves except birth or placement of a child, there is a 7-day waiting period before an employee will be eligible for PFML benefits.

Leave Benefits

To receive benefits under the state program, an employee must file a claim with Washington’s Employment Security Department (ESD), notify the employer of the request, and meet certain eligibility requirements. The benefit amount varies, depending on whether the employee earns more or less than the state’s average weekly wage.

If ESD approves the application, ESD pays benefits for the duration of the leave of absence directly to the employee. The amount an employee receives is a percentage of the employee’s weekly wages, up to \$1,000 per week.

Leave is Job-Protected

Family or medical leave under the program is protected, meaning an employee must be returned to the same or comparable position at the end of the leave period, if the employer has at least 50 employees working in Washington and the employee has worked for the employer for at least 12 months and at least 1,250 hours in the preceding year.

Questions

An employee who has questions concerning PFML is encouraged to contact the Benefits Department at 1-800-568-8310 or email benefitsdepartment@aleroninc.com for more information, clarification and/or appropriate guidance.