

## **e-Alert - Washington State Passes Paid Family Leave Law**

Soon after the passage of Washington DC's paid family leave law, Washington State passed its own family leave law requiring companies to give workers three months of paid leave for either the birth or adoption of a child, as well as other family health reasons. Employees will start paying into the program in 2019, and the law will officially go into effect in 2020. In addition to the District of Columbia, Washington State joins four other states that have enacted these laws.

According to the state, the program will run similarly to the way insurance works. Employees and their employers will both pay a small premium through payroll deductions, similar to insurance premiums. Starting January 1, 2020, when an employee needs family or extended medical leave, that employee will then receive a benefit from the state. Benefits are progressive and vary based on the yearly income of the employee requesting leave.

### **About the leave laws**

When the law takes effect in 2020, employees will be eligible to take up to 12 weeks of paid **family leave**. This leave covers caring for a newborn or newly adopted child, or a direct family member with a serious health condition. The 12 weeks of leave can also be used to spend time with a family member injured in military service, or to deal with exigencies of military deployment.

Employees can also take up to 12 weeks of paid **medical leave**, which can only be used for the employee's own serious health condition. Employees are granted an additional two weeks for a complication related to pregnancy. The total combined leave a worker can take in a year is 16 weeks, or 18 weeks if the leave includes care for a pregnancy-related complication.

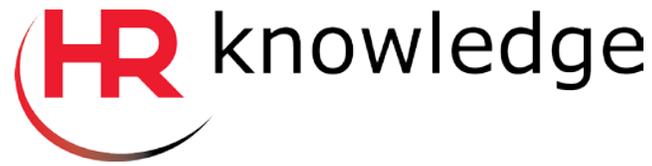
Any employee who has worked at least 820 hours in the previous year will be covered. Paid family and medical leave is also portable between jobs, including periods between jobs as well.

### **What does this mean for employers?**

The family and medical leave law will be paid for by payroll premiums. Both employers and employees pay into the system, and weekly benefits are calculated based on a percentage of the employee's wages and the state's weekly average wage. Employers with 50 or fewer employees are exempt from paying the employer share of the premiums. Companies that already offer such programs can opt out, as long as they are at least equivalent to the state program.

Other provisions of the law include:

- Companies with less than 50 employees who choose to pay the employer share of premiums become eligible for small business assistance funds.
- Companies with less than 150 employees that pay employer premiums may apply for \$3,000 to cover the costs of training new replacement workers, or up to \$1,000 for other costs related to coverage for employees out on leave.
- Companies have the option of providing their own benefits of equal length and financial compensation. If they do so, they can apply for a waiver from the state program.



### **Next steps for employers**

Begin preparing by reviewing your current leave policies and starting to update them in advance of the new law. Be prepared also to start paying premium costs when the payment program begins in 2019. If you have additional questions or need help modifying your policies or benefit plans in response to the new law, please [contact us](#).

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