

# WASHINGTON

## PAID FAMILY AND MEDICAL LEAVE (WA PFML) FACT SHEET



<b>Effective Date</b>	Benefits became available to eligible workers January 1, 2020.	
<b>Employee Eligibility</b>	Any employee who works at least 820 hours during the “qualifying period” is eligible for WA PFML benefits. Self-employed individuals, including sole-proprietors, independent contractors, or partners, may opt in.	
<b>Covered Employers</b>	Nearly all Washington employers (regardless of size) are required to comply with the WA PFML requirements. Employers with less than 50 employees are not required to pay the employer portion of the premium to fund the program.	
<b>Contribution Rates and Funding</b>	<p>The WA PFML program is funded with employer and employee payroll contributions. The amount of wages subject to premium assessment is capped at the maximum wages subject to social security tax (\$142,800 for 2021).</p> <p>Two-thirds of the premium amount is allocated to medical leave benefits and one-third to family leave benefits. Employers may deduct 100% of the premium for family leave benefits and 45% of the premium for medical leave benefits from employees’ wages. Employers are required to pay the remaining 55% of medical leave premiums.</p>	
<b>Reasons for Leave</b>	<p><b>Family Leave:</b></p> <ul style="list-style-type: none"> <li>To participate in providing care, including physical or psychological care, for the employee’s family member due to the family member’s serious health condition;</li> <li>To bond with the employee’s child during the first 12 months after the birth (or the first 12 months after the placement of a child under the age of 18 with the employee); and</li> <li>For a qualifying exigency as permitted under the federal Family and Medical Leave Act (FMLA).</li> </ul>	<p><b>Medical Leave:</b></p> <p>An eligible employee can take paid medical leave due to the employee’s own serious health condition.</p> <p>For purposes of WA PFML, a serious health condition is defined similarly to the <b>FMLA’s definition of serious health condition</b>.</p>
<b>Weekly Benefits</b>	<p>Up to 90% of average weekly wage (AWW) up to the maximum weekly benefit, as follows:</p> <ul style="list-style-type: none"> <li>An employee whose AWW is 50% or less than the state AWW may receive 90% of his or her AWW.</li> <li>An employee whose AWW is greater than 50% of SAWW may receive the sum of 90% of employee AWW up to 50% of the SAWW; plus 50% of the employee’s AWW that is greater than 50%. <ul style="list-style-type: none"> <li>In any case, the maximum weekly benefit for WA PFML is \$1,206 in 2021.</li> </ul> </li> </ul>	
<b>Timing of Benefits</b>	Eligible employees will begin receiving payment of WA PFML benefits following a seven-day waiting period, which begins the previous Sunday of the week when the employee takes leave. Benefits begin on eighth day of leave. The waiting period does not apply to bonding leaves. Employees may also receive a salary and paid time off, if offered by the employer, while receiving WA PFML benefits.	
<b>Maximum Leave Benefit</b>	<p>The WA PFML program provides the following leave amounts during a consecutive 52-week period:</p> <ul style="list-style-type: none"> <li>Family Leave Up to 12 weeks</li> <li>Medical Leave Up to 12 weeks (14 weeks if the employee experiences a serious health condition with a pregnancy that results in incapacity)</li> <li>Combined Family/Medical Leave Up to 16 weeks (18 weeks if the employee experiences a serious health condition with a pregnancy that results in incapacity)</li> </ul>	
<b>Voluntary Plan</b>	<ul style="list-style-type: none"> <li><b>State-administered</b></li> <li><b>Voluntary Plan:</b> Must fully meet or exceed the state plan and be approved.</li> </ul>	
<b>Interacting with Other Laws</b>	The WA PFML law specifically prevents any localities from enacting any paid family or medical leave insurance program that alters or amends the requirements under the statewide law. Employers cannot require employees to use paid family and medical leave before or after other paid or unpaid time off they have available, like paid sick days or vacation leave.	
<b>Additional Resources</b>	For more information, visit Washington State’s Paid Family and Medical Leave <a href="#">website</a> . <b>To learn more about HR Knowledge’s Paid Family Medical Leave Solution, please contact us at <a href="mailto:info@hrknowledge.com">info@hrknowledge.com</a>.</b>	