

Washington **Paid Family & Medical Leave**



Employment Security Department
WASHINGTON STATE



The Path to Paid Family & Medical Leave

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



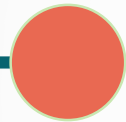
- ✓ An essential benefit that gives every Washingtonian support when they need it most.
- ✓ Strengthens companies of every size by making it possible to give every employee a way to be there for care.
- ✓ Share the costs associated with leave among employers and workers.

Who Does This Apply To?



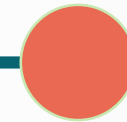
Workers & their
employers in
Washington

Rollout Timeline



2019

Premium Collection
Reporting Hours & Wages



2020

Benefits Available

Paid Family and Medical Leave

Family Leave



Caring for family members



Birth or placement of a child



Certain military-related events

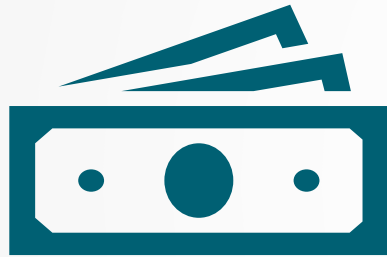
Medical Leave



Your own medical condition

Be there for care.

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.

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.

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**

Eligibility



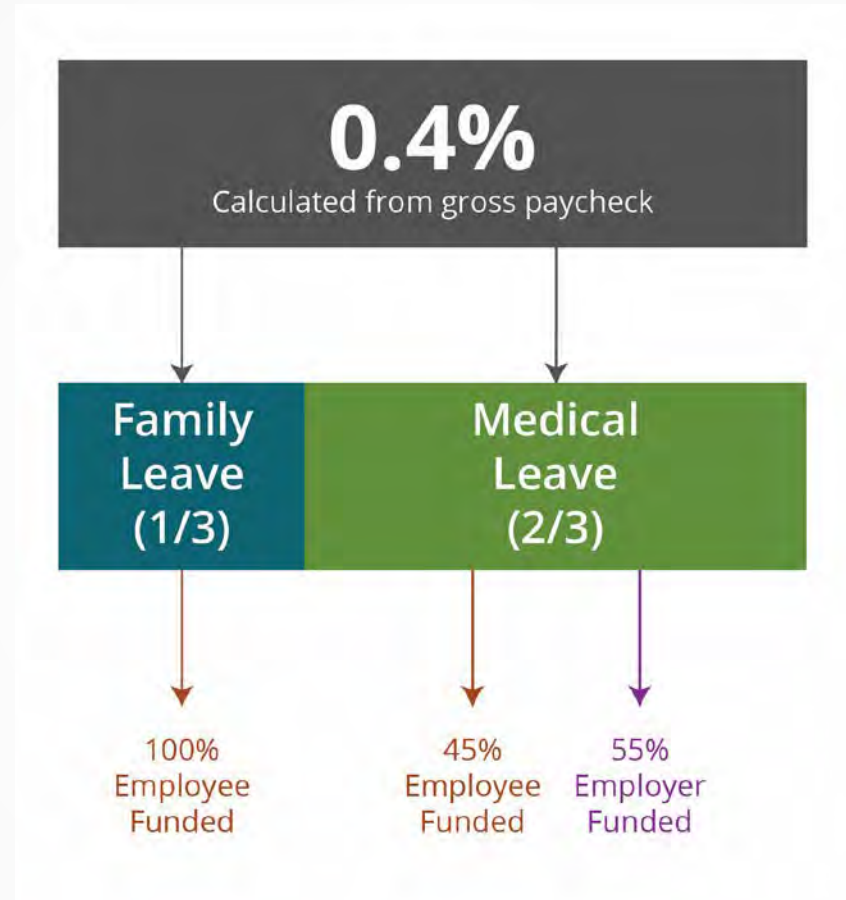
820 Hours

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.

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 (Earned \$2500 in Gross Wages)

▶ $\$10 = \$2500 * .004$

2. Calculate Employer & Employee Portion

▶ $\$3.67^1 = \$10 * .3667$

▶ $\$6.33 = \$10 * .6333$

¹Fewer than 50 employees: Employer not required to pay employer portion.

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

Reporting

- ▶ Employers will remit premiums to ESD on a quarterly basis starting April 30, 2019

- ▶ Calendar Quarters:

Jan. – Mar.

Apr. – Jun.

Jul. – Sept.

Oct. – Dec.

**Each calendar quarter,
employers will report:**

- Full Name
- Social Security Number (or ITIN)
- Wages earned
- Hours worked
- Total premium deducted from all employees, if any



Reporting in 2019

- ▶ Premiums should be withheld with each paycheck
- ▶ Employers cannot collect missed premiums in later pay periods
- ▶ Reporting portal development ongoing
 - ▶ Will be separate from UI reporting
- ▶ Reporting requirements expected to be finalized early Dec. 2018



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

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

Calculating Business Size

Quarter 1	Quarter 2	Quarter 3	Quarter 4
20 employees	40 employees	40 employees	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

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.

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.”

Self Employed

- ▶ Can elect to participate
 - Sole proprietor, independent contractor, partner, or joint venture

- ▶ Opt-in for 3 years initially, 1 year after initial period
 - Must work for 820 hours to qualify for benefits

- ▶ Must pay employee portion of premium
 - Must report wages and hours worked if you opt-in



Voluntary Plans

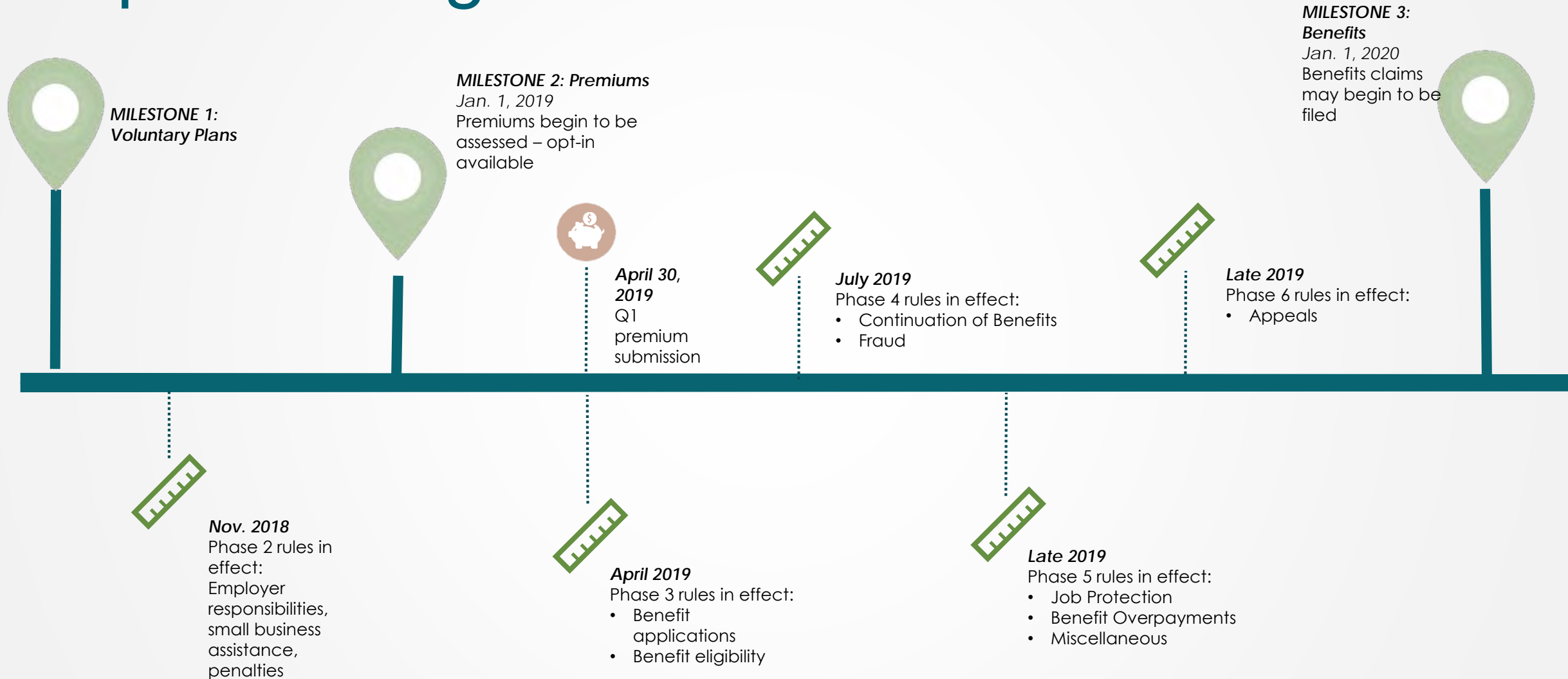
- ▶ Applications available now

- ▶ \$250 application fee
 - Reapproved for first 3 years, then only if changed

- ▶ Download guide at paidleave.wa.gov/voluntary-plans



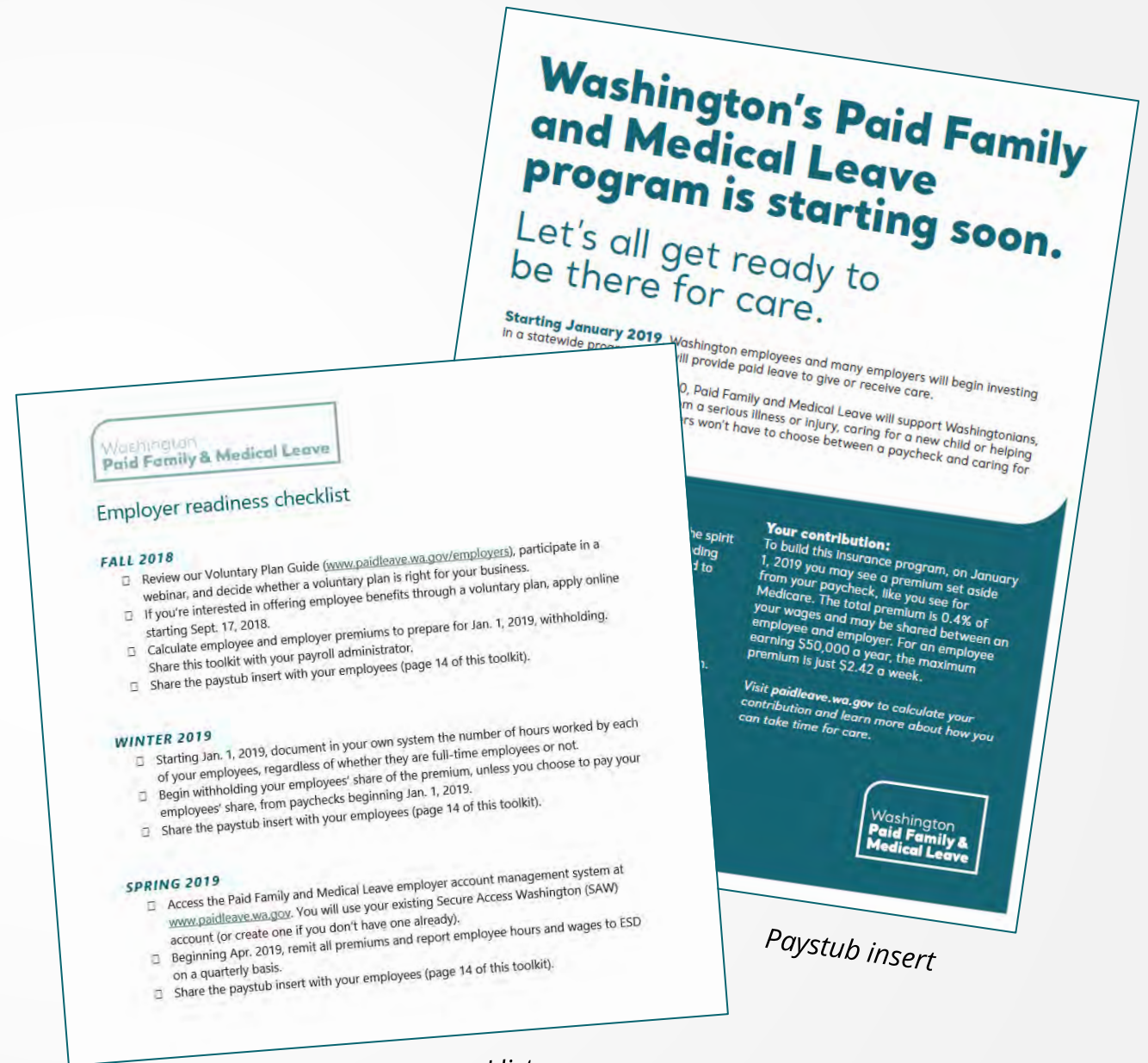
Implementing in Phases



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

More To Come



Reporting, application,
and benefit tools being
built now.

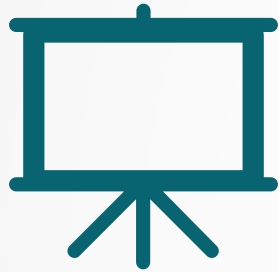


Rulemaking is ongoing.
Benefits phase starting
this month.



Customer Care Team
taking now about
Voluntary Plans. Later
open to public.

Learn More



Employer Webinar Series
[Paidleave.wa.gov/Employer-
webinar](https://paidleave.wa.gov/Employer-webinar)



Read the law
[Leg.wa.gov](https://leg.wa.gov)
(search SB 5975)

Continue the Conversation



Give us Feedback:
[SURVEY LINK](#)



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paidleave@esd.wa.gov



Call us:
833-717-2273



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paidleave.wa.gov



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