



Employment Security Department
WASHINGTON STATE

PAID FAMILY & MEDICAL LEAVE

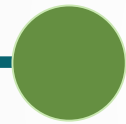


Why Paid Family and Medical Leave



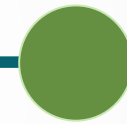
- ✓ Position WA as a leader in a globally competitive economy.
- ✓ Ensure all Washingtonians have access to critically important paid leave during major life events.
- ✓ Share the costs associated with leave among employers and workers.
- ✓ Ensure a healthy economy by improving employee retention and other economic benefits.

Rollout Timeline



2019

Premium Collection
Reporting Hours & Wages



2020

Benefits Available

Who Does This Apply To?



Workers & their
employers in
Washington

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



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.”

Benefits

Family Leave



Caring for family members



Birth or placement of a child



Certain military-related events

Medical Leave








Your own medical condition

Leave to care for your family or yourself.

Weekly wage replacement: Proportion of weekly wages from \$100 to \$1,000
Typical leave of up to 12 weeks, 18 weeks in exceptional circumstances.

Covered Events: Examples

-  Taking time to receive cancer treatment
-  Caring for a sibling getting treatment for opioid addiction
-  Recovering from a back injury following a car accident
-  Extended hospital stay with a premature baby
-  Spending time with a parent before a military deployment

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.

What about paid sick leave?

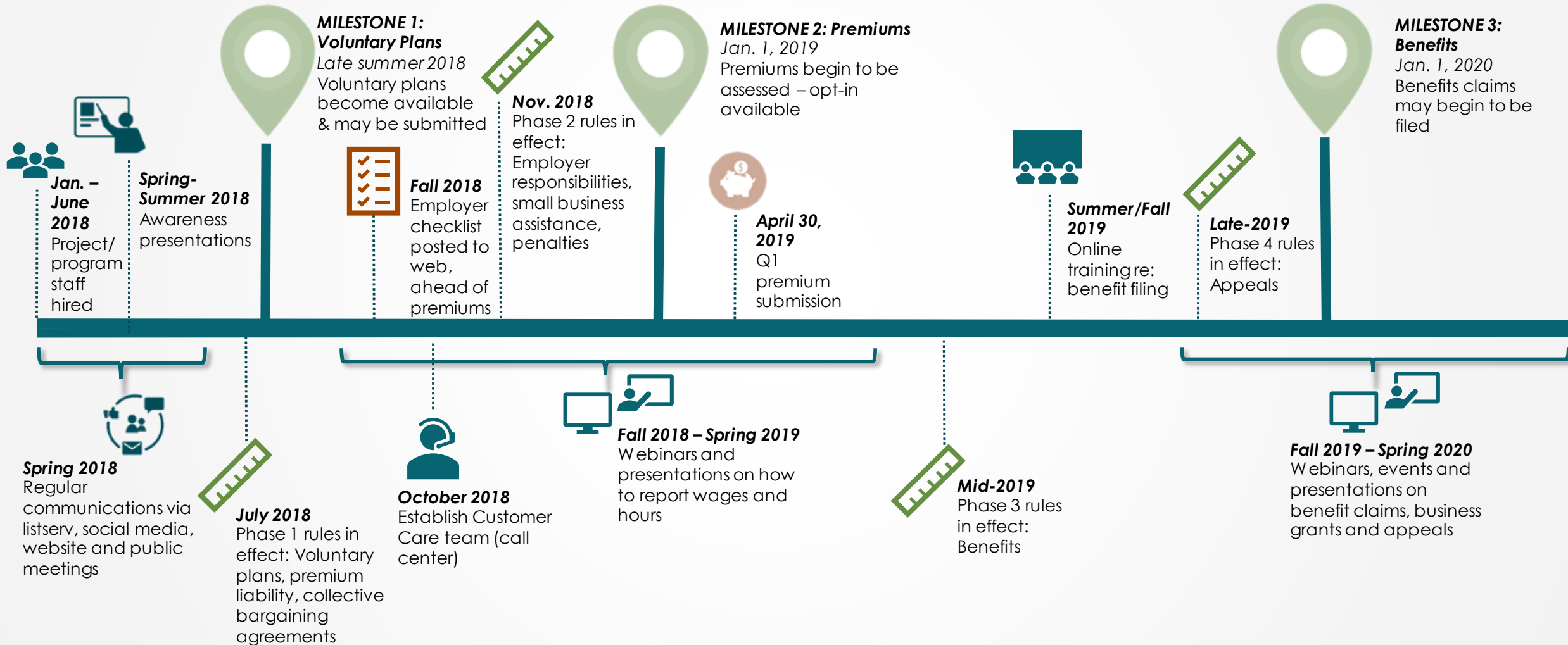
Paid Sick Leave	Paid Family and Medical Leave
Benefit is 100% of wage.	Benefit is proportion of wage.
Leave accrued in proportion to hours worked.	Leave in proportion to medical need.
100% employer funded	Split funding by employer (37%) and employee (63%)

Paid Sick Leave and Paid Medical and Family Leave cannot be used at the same time.

What about FMLA?

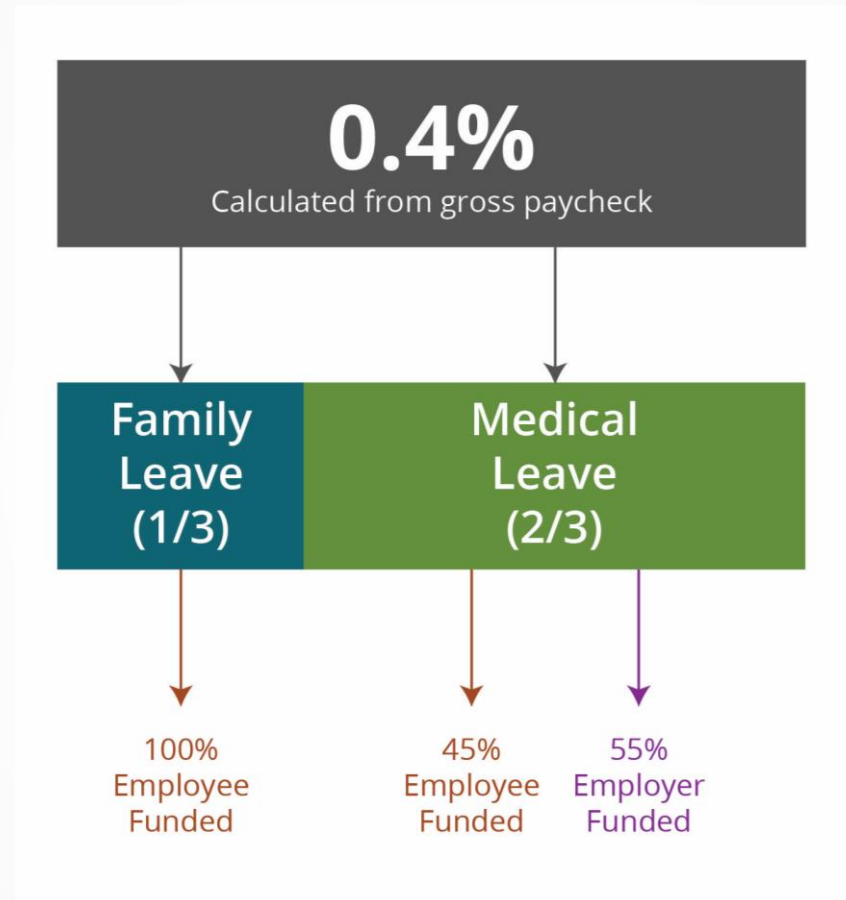
*“Unless otherwise expressly permitted by the employer, leave taken under this chapter must be taken **concurrently** with any leave taken under (FMLA).” RCW 50A.04.250*

Implementing in Phases



This timeline is an approximate timeframe for the implementation of the Paid Family and Medical Leave.

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

▶ Total Premium = Gross Wages * .004

2. Calculate Employer & Employee Portion

▶ Employer Portion¹ = Total Premium * .3667

▶ Employee Portion = Total Premium * .6333

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

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

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.

Business Size



Fewer than **50**
Employees

- Not required to pay employer portion of premium
- Required to do all other parts of state plan
- Can choose to pay employer premium for access to assistance



50 - 150
Employees

- Required to pay employer premium
- Eligible for up to \$3,000 in small business assistance

Calculating Business Size

Quarter 1
20 employees

Quarter 2
40 employees

Quarter 3
40 employees

Quarter 4
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

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

Reporting

- ▶ Reporting schedule is in rulemaking
 - See phase 2 of rulemaking
- ▶ Benefit is portable between employers
 - All Washington workers with 820 hours are eligible.
- ▶ Penalties for missing or misreporting
 - Reporting starts in 2019



Reporting in 2019

- ▶ As proposed in rulemaking: Wages, hours worked, and more
 - ▶ In phase 2 rulemaking, which is open now
- ▶ Reporting portal development ongoing
 - ▶ Will be separate from UI reporting
 - ▶ Will use SecureAccess.wa.gov for login information

Self-Employed

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Review

Paid leave to care for yourself or your family.

Voluntary Plans

- ▶ Employer-operated paid family and medical leave program
 - Like your existing plan? Turn it into a Voluntary Plan.
- ▶ Must apply to all employees
 - You can choose Family, Medical, or both for voluntary plan.
- ▶ Benefits must be equal or better than state plan
 - Duration of leave, premium amount, weekly benefit, and more.



Voluntary Plans

- ▶ Must meet or exceed state plan benefits:
 - Employee Eligibility
 - Employee Premium Amount
 - Leave Duration
 - Weekly Benefit
 - Job Protection
 - Health Benefits While on Leave

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

More To Come



Reporting, application,
and benefit tools being
built now.

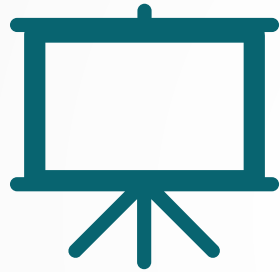


Rulemaking is ongoing.
Benefits phase starting
this month.



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

Learn More



Employer Webinar Series
Paidleave.wa.gov/Employer-webinar



Outreach Events
Paidleave.wa.gov/events

Getting ready for 2019

1. Prepare to withhold premiums.
2. Prepare to report wages and hours worked.
3. Choose State Plan or Voluntary Plan.



Continue the Conversation



Give us Feedback:

<https://www.surveymonkey.com/r/NDGQ526>



Email us:

paidleave@esd.wa.gov



Call us:

833-717-2273



Our Website:

paidleave.wa.gov



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