

## Washington Paid Family Medical Leave FAQ for Employees

### There are two main types of Paid Leave available:

#### 1. Medical leave

##### **When a serious health condition prevents you from working.**

For example, you can qualify because of a major surgery, during pregnancy, to receive treatment for a chronic health condition and to receive inpatient treatment for substance abuse or mental health. The amount of paid leave you can take is determined by your medical provider (up to 12 weeks a year).

#### 2. Family leave (includes bonding leave and military family leave)

You can take paid time off to care for a family member with a serious health condition, or if you're bonding with a new baby or child in your family. Military family leave allows you to spend time with a family member who is about to be deployed overseas or is returning from overseas deployment. Documentation about your relationship to the person or certification of their medical need may be required.

##### **You may use family leave to care for:**

- Spouses and domestic partners
- Children (biological, adopted, foster or stepchild)
- Parents and legal guardians (or spouse's parents)
- Siblings
- Grandchildren
- Grandparents (or spouse's grandparents)
- Son-in-law and daughter-in-law
- Someone who has an expectation to rely on you for care—whether you live together or not.

### How do I know I'm eligible?

#### **You must have worked 820 hours in your qualifying period.**

Nearly every worker can qualify for Paid Leave if they worked a minimum of 820 hours (about 16 hours a week) in Washington during their [qualifying period](#). All hours you work in Washington count toward eligibility, even if you work multiple jobs or switch employers.

### What is the Application process?

1. Notify your employer at least 30 days before you plan to take leave (if the event is foreseeable)
2. Experience a qualifying event
3. Apply for leave (please wait to apply until after your qualifying event)
4. Receive a determination letter in the mail
5. Waiting week begins (exceptions: bonding leave or military exigency don't have a waiting week)
6. File weekly claims to get paid (you may have an unpaid waiting week)

### **How much time do I get?**

Within your claim year, you can take:

**Up to 12 weeks of medical leave or family leave.** Medical leave is for recovering from or getting treatment for a serious health condition. Family leave is for taking care of a qualifying family member who has a serious health condition, for bonding with a new child or for certain military events.

**Up to 16 weeks of combined medical and family leave** if you have more than one qualifying event in the same claim year. This could include medical leave for pregnancy or to recover from giving birth, then family leave to bond with your baby. Or you could qualify for family leave to care for a family member, then medical leave for yourself within the same year.

**Up to 18 weeks of combined medical and family leave** if you experience a condition in pregnancy that results in incapacity, like being put on bed rest or having a C-section. There is a checkbox on the Certification of Serious Health Condition form where your healthcare provider should certify that your serious health condition is related to pregnancy.

### **How do I use my Paid Leave?**

When you take Paid Leave, you do not have to take it all at once. But you must claim eight consecutive hours of leave each week. For example, you can take one day off a week to care for a family member undergoing chemotherapy treatment. Or you can take your leave in full weeks to recover from your own major surgery.

You cannot collect unemployment insurance or workers' compensation benefits at the same time as Paid Family and Medical Leave. You can collect short-term disability at the same time, if your plan allows you too.

Your employer may offer supplemental paid time off (different from regular paid time off), and this will not affect your weekly payment. More information can be found on the next page regarding how to utilize this.

You must Log into your account each week to file your weekly claim. Your payment will then be processed within two weeks.

Remember: You must file every week, even during your waiting week. (There is no waiting week for parental bonding leave, medical leave taken during the "postnatal period" and military exigency.) You are not paid during your waiting week, but you can use vacation or sick days from your employer.

### **What's a weekly claim?**

Weekly claims are how you get paid once your leave begins. During your leave, you'll file a weekly claim each week to receive your pay. The claim will include the hours you missed work and want to be paid using your Paid Leave. If you applied with a paper application, you submit weekly claims by calling the Customer Care Team. If you applied online, file your weekly claims by logging in to your Paid Leave account.

## **File My Weekly Claim**

### **How much will I get paid?**

When you take Paid Leave, you can receive up to 90% of your weekly pay—up to a maximum of \$1,427 in 2023.

Use our [calculator](#) to find out about how much your pay could be if your leave starts in 2023.

A direct deposit to your bank is available if you file online.

### **Can I use my PTO to make my pay whole?**

If you receive wages or paid time off at the same time as Paid Family and Medical Leave, it will reduce the benefit payment, unless the paid time off is designated a “supplemental benefit.”

- Paid time off is vacation leave, personal leave, holiday, medical leave, sick leave, compensatory leave or any other paid leave offered by an employer under their established policy.

Please verify with MainVue what payments are a supplemental benefit and not regular PTO. You should not report supplemental benefits on your weekly claim as doing so will reduce your benefit amount.

### **Are there Retroactive Payments?**

You will get paid for all weeks from your approved leave start date. For example, if it takes two weeks to process your application, you’ll file for two weeks at once and get those payments retroactively.

If you are taking leave intermittently, working or using paid time off instead of taking leave, you must still submit a weekly claim. Enter the number of hours you worked or took other paid time off on the questionnaire. This will not subtract hours from your available leave.

If you go four weeks without filing a weekly claim, you will not be able to file for the current week until you have filed all weekly claims in your queue.

### **What do I need to do first when I need to take a Leave of Absence?**

If you know you will be taking Paid Leave well before it happens, you will need to give your employer written notice at least 30 days in advance. MainVue has a Leave of Absence Request Form for this purpose. Please ask your manager or Asure Consulting for this form.

If you need to take Paid Leave unexpectedly, you still need to provide written notice to your employer as soon as you are able. Or ask someone else, like a family member or a neighbor, to provide notice for you. In your written notice, let your employer know about how long you expect you will be out.

### **What documentation will I need when applying for PFML?**

To apply, you will need to provide documents that prove your identity and your eligibility for leave:

**Proof of ID:** This can include a driver's license, passport, utility bills and more.

Other documentation depends on the type of leave you are applying for:

**For medical leave and for family leave to care for a family member with a serious health condition, including medical events related to pregnancy or childbirth, you must provide ONE of the following:**

1. Certification of a Serious Health Condition form filled out by you and your healthcare provider. It can take two weeks or more for your doctor's office to process this paperwork, so be sure to submit it to them as soon as possible. [Forms](#)
2. Your Family Medical Leave Act form
3. A doctor's note. Just make sure it includes the same information as the Certification of Serious Health Condition form.

**For military family leave:** Documentation that shows eligibility for military family leave, like active duty orders.

**For family leave to bond with a child who was born into your family:** Both parents can use our Certification of Birth form. If you give birth to a child and apply for medical leave before bonding leave, you can use the Certification of Serious Health Condition form for both applications if the form reflects your child's actual date of birth (not due date). Download forms.

**For family leave to bond with a child who was adopted or placed in your family:** You will need to provide court documents to show foster care, or other documentation that shows the adoption or guardianship placement date, like a letter from a social worker or agency.

### **After you notify your employer and gather the documents needed, how do you start the application process?**

1. Create Your Account
2. Fill out the online application that applies to you (medical leave or family leave)
3. Upload Documents
4. Submit a Complete and Accurate Application Form

### **What to expect after you apply:**

1. Check your Application Status online



Log in to your benefit account, where you'll see "Claim Status" listed in the box labeled "Current Claim."

- "Submitted" means we've received your application but haven't started processing it yet.
  - "In Review" means the Customer Care Team is reviewing your application. At this point, they may reach out to you for additional information if needed.
  - "Approved" means your application has been approved. You will also receive a formal approval letter in the mail. Once your application is approved, you will start filing weekly claims for all weeks for which you were approved.
  - "Denied" means your application has been denied. You will receive a letter in the mail that explains the reason for the denial.
2. Your determination letter will be mailed to you.
    - a. This will provide the maximum weekly benefit amount you may receive and confirm that dates of your approved leave.
  3. The waiting week. This is the first week of your approved leave.
    - a. Claim weeks always start on Sunday and end the following Saturday, regardless of what day your work week starts.
    - b. During your waiting week, you may use paid vacation or sick days from your employer without impacting your Paid Family and Medical Leave benefits.

For example: Your paid medical leave start date is July 13, 2022. You receive your approval letter on July 22, 2022. The first week of your approved leave is your waiting week, so the first week you will receive payment is the week beginning on Sunday, July 17, 2022. But you still need to file a weekly claim for the waiting week.

### **Is there Job protection through Paid Leave?**

Your employer is not required to keep your job for you if any of the following is true:

- You work for a company that employs fewer than 50 people
- You've worked for the company for less than a year
- You've worked less than 1,250 hours (about 24 hours a week) for the company in the year before you took leave

For More Information:

[Washington State's Paid Family and Medical Leave – Washington workers will have up to 12 weeks of paid family or medical leave starting in 2020. Employers begin payroll withholding in 2019.](#)

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