Paid Family and Medical Leave

Washington Paid Family and Medical Leave is a state-run insurance program that is funded by both employers and employees. Paid Leave offers stability to Washington workers and employers during times of uncertainty and gives workers support when they need it most. Eligible employees can receive up to 18 weeks of leave with weekly pay replacement to provide care for themselves or their family, bond with a new child in the home, or for military related events. This leave may be job protected.

Program overview

Employer responsibilities

- Employers submit quarterly wage reports to ESD
- Employers also assess 0.6%* premium rate of all wages paid each quarter
  - Premium is split between employer and employee at a rate of about 73% to 27%**, respectively.
- Employers may not interfere with employee's rights under Title 50A RCW

*Rate as of January 1, 2022
** Small businesses are not assessed the employer share

Qualifying events

- Family leave
  - Bond with a new child
  - Care for a family member with a serious health condition
  - Military exigency
- Medical leave
  - Care for own serious health condition
Benefits

- Employee must have worked 820 hours in the qualifying period and experience a qualifying event
- Generally, up to 16 times the employee's typical workweek hours of leave are available
- Benefit is calculated based on wages earned during the qualifying period relative to the state's average weekly wage
- Low-income earners will earn up to 90% of their normal pay

Applying for benefits

- Employees must file an initial application for benefits that substantiates their qualifying event, describes their intended leave dates, and establishes their claim year
- Employees must file a weekly claim to determine the number of hours of leave claimed and to initiate payment

Job protection

- To be eligible for job protection, an employee must:
  - Work for an employer with at least 50 employees
  - Have worked for their employer for at least one year
  - Have worked at least 1,250 hours in the year preceding leave
- Employees who use FMLA concurrently with Paid Leave for at least one day are also entitled to the continuation of health benefits for the remainder of their paid family or medical leave

Voluntary plans

- Employers may elect to operate a voluntary plan for medical leave, family leave, or both
- Voluntary plans must offer benefits that match or exceed those offered by the state
- Employers with approved voluntary plans will not remit premiums to the state

Premiums

Premium assessment for Paid Family and Medical Leave began on January 1, 2019. By statute, the overall premium rate was set at 0.4% of all wages paid to employees each calendar quarter. The rate is recalculated annually.
The initial cost-share was determined based on projections of the utilization of family leave and medical leave. This resulted in an overall cost share between employers and employees of about 37% and 63%, respectively.

The cost-share was recalculated based on program information we had as of September 30, 2021, using actual claim data as opposed to projections. Of all claims actually filed, 51% were for family leave, whereas 49% were for medical leave. This results in an overall cost share between employers and employees of about 27% and 73%, respectively, and increases the premium rate from 0.4% to 0.6% in 2022.

Benefits

The Paid Family and Medical Leave benefit is a weekly wage replacement designed to ensure that the lowest income workers receive the highest percentage of their normal pay. By statute, the weekly benefit amount is calculated by comparing the employee's average weekly wage as reported by employers to the statewide average weekly wage as calculated by the department.

For calendar year 2022, the maximum weekly benefit amount is $1,327. This number is set at 90% of the state's average weekly wage.

Application and benefit data

Applications by leave type since program launch

Source: Employment Security Department
Benefit payments by leave type since program launch

Total benefit payments as of 12/6/2021: $1,445,929,157 (Family: $784,942,573 | Medical: $660,986,584)

Source: Employment Security Department

Learn more

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