



# Patient and Family Guide

to Paid Family and Medical Leave

Paid time off when you need it most.

## What you need to know

### Am I eligible?

Paid Family and Medical Leave is available to almost everyone working in Washington. To be eligible you:

1. Have worked 820 hours (about 16 hours a week) in Washington during the qualifying period, which is about the last year.
2. Experienced a qualifying event.

### How much time do I get?

You can receive up to 12 weeks of medical leave to recover after an illness or injury, or family leave to take care of a qualifying family member who is ill or injured.

You can take up to 16 weeks of combined medical and family leave if you have events covered by both in 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 bedrest, and then take bonding leave.

### What benefit do I receive?

You may receive up to 90 percent of your average weekly wage, depending on your income. The amount is capped at \$1,000 per week. A benefit estimator is available at [paidleave.wa.gov/estimate-your-weekly-pay](http://paidleave.wa.gov/estimate-your-weekly-pay).

### How do I apply?

You apply for leave with the Employment Security Department. You do need to notify your employer at least 30 days in advance of planned leave. If the leave is not foreseeable, provide as much notice as you can.

### Do I have to use other leave first?

Taking Paid Family and Medical Leave is entirely up to you. There is no requirement to use Paid Family and Medical Leave before other paid time off you might have, like paid sick days or vacation leave.

### What if I need to care for a family member?

Paid Family and Medical Leave is all about caring for yourself and your family. If you are eligible for Paid Family and Medical Leave and have a family member with a serious health condition who needs care, this program is here for you. You need to:

- Meet the eligibility requirements of the program.
- Notify your employer in writing at least 30 days in advance of planned leave, or as soon as you can for unplanned leave.
- Get required documentation from your family member's healthcare provider.
- Apply for Paid Family and Medical Leave at [www.paidleave.wa.gov](http://www.paidleave.wa.gov)

## Qualifying events

### Medical leave (for yourself)

- Recovery from your own serious health condition or injury, including pregnancy and childbirth.

### Family leave

- Caring for a family member with a serious health condition or injury.
- Bonding with a new child coming into your family through birth, adoption or foster placement.
- Certain events for military families.

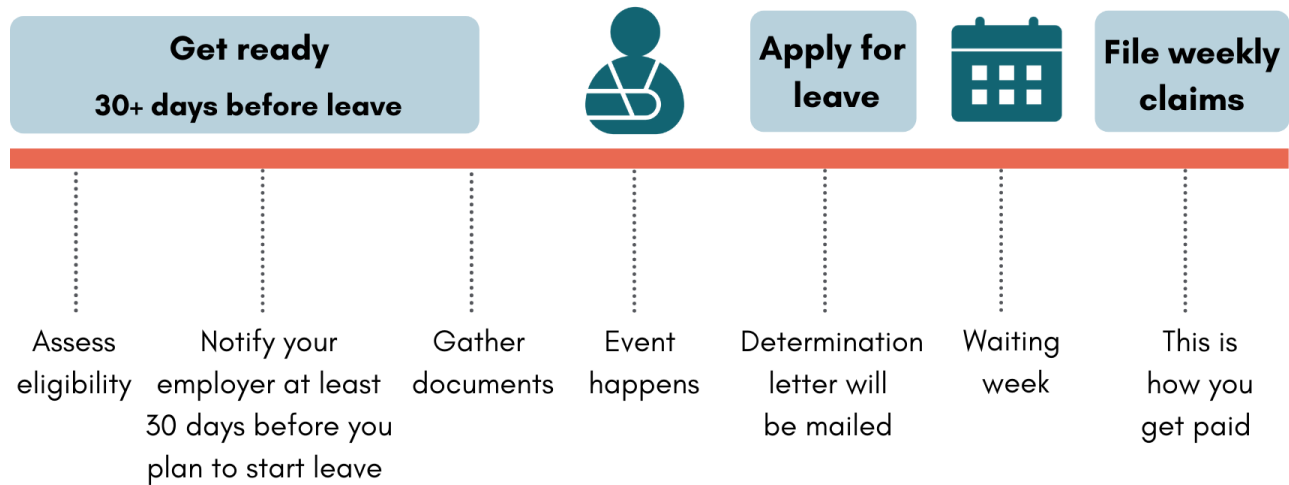
## You can take leave for

- Yourself

### Or a family member:

- Spouse
- Domestic partner
- Children (including step and foster)
- Grandchildren
- Siblings
- Parents (including in-law and loco parentis)
- Grandparents
- Son-in-law and daughter-in-law

## Application process



## Get ready to apply

### Assess eligibility.

Use the questionnaire on page 7 or visit [paidleave.wa.gov/quiz](http://paidleave.wa.gov/quiz).

**Provide written notice to your employer at least 30 days before you plan to start leave.** Provide notice as soon as you are able to if the leave is not planned. Notice can be provided in various ways, including text or email. You can also download a template notification on our website, [paidleave.wa.gov/get-ready-to-apply](http://paidleave.wa.gov/get-ready-to-apply). It is always a good idea to retain a copy for your records.

### Get your documents ready

- Proof of ID, including a driver's license, passport or utility and phone bills (a complete list of documents is available at <http://www.paidleave.wa.gov/get-ready-to-apply>).
- Certification of a Serious Health Condition form, FMLA paperwork or other documentation that meets the requirements. This needs to be signed by a doctor or qualifying medical provider. (It can sometimes take two weeks or more for your doctor's office to process this paperwork, so be sure to submit it as soon as possible.)

**Don't apply for leave until after your medical event has taken place.**

Go to [www.paidleave.wa.gov/get-ready-to-apply](http://www.paidleave.wa.gov/get-ready-to-apply) for a complete list of documents and to download the Certification of a Serious Health Condition form.

Video tutorials and instructions are available at [paidleave.wa.gov/technical-support](http://paidleave.wa.gov/technical-support).

[www.paidleave.wa.gov](http://www.paidleave.wa.gov)

## Apply for leave

**Applications are available now.** Here is what you will do:

### Create account(s)

- Go to [www.paidleave.wa.gov](http://www.paidleave.wa.gov). From our website you will be directed to the state's log-in service, SecureAccess Washington ([www.secureaccess.wa.gov](http://www.secureaccess.wa.gov)). Use an existing SAW login or create a new one. (Not sure if you have a SAW login? Click the "Get Help" button on the SAW homepage to find out.)
- You will then create a Paid Family and Medical Leave account.

### Fill in the application

- You'll provide basic information and verify your employment history.
- Please note: Your employer will also be notified by mail when you apply. They will have 18 days to contest your application if they feel you are not eligible for the program.

### Upload documents

- Proof of ID documents
- Certification of a Serious Health Condition (if applicable)

### Get your determination

- Once your application is submitted and you've provided the necessary documents, we will review your application and then mail you a determination letter at the mailing address you gave us.
  - If approved, this letter will provide a maximum weekly benefit amount you may receive and confirm the dates of your approved leave and claim year.
    - We may contact you if we have questions about your application.
- Once your application is approved, there is a "waiting week." This is required by law for all types of leave except parental bonding leave. During this time, you may use paid time off from your employer, including paid vacation or sick days. If the first week of your paid family or medical leave happens before you receive your approval letter and are able to begin filing weekly claims, that first week still counts as your waiting week.
  - For example, say your paid family or medical leave start date is April 13 and you receive your approval letter on April 22. Once you are approved and can file weekly claims, the first week of your approved leave is your waiting week, so the first week you can claim is the week of April 19.
  - You can begin filing for past weeks right away. You may go up to four weeks without filing and receive those payments retroactively.

### What is in the application?

- Basic information about yourself (full name, date of birth, address, contact information, Social Security Number. If you do not have a Social Security Number, you may fill out a paper application or call our Customer Care Team for more information).
- Verification of your employment history.
- The date you notified your employer about your planned leave.

### Important tip!

Doublecheck your name and your SSN before finalizing your account creation and application.

Can't apply online? You can also apply on paper via postal mail. Request an application from our Customer Care Team.

## File a weekly claim

- Your “waiting week” is the first week you are approved to file a weekly claim. Claim weeks always end on Saturday night. If the qualifying event occurred mid-week, the “waiting week” may be less than a week.
- Weekly claims are how you receive your pay. Once your claim is approved you can begin filing weekly claims. Claims can also be filed for weeks you were on leave after your qualifying event occurred but before your application was approved. You also may be able to backdate your claim because you were unable to file for Paid Family and Medical Leave right after your event occurred.
- You can file weekly claims online or by calling each week. You may go up to four weeks without filing and receive those payments retroactively.
  - Each week, we will ask you if anything has changed about the length of leave or your qualifying event, and if you worked or received paid time off from your employer during the past week.
  - If you worked or received other benefits, like employer-provided paid time off that is not designated as a supplemental benefit, your payment will be reduced that week.
  - You cannot collect Unemployment Insurance or workers’ compensation benefits at the same time as Paid Family and Medical Leave.
  - If you go four weeks without filing, your claim will become inactive and you’ll have to take additional steps to restart your claim.
- If you apply online, you can choose to be paid via direct deposit or a prepaid debit card. If you apply on paper, you can only receive a prepaid debit card at this time.
- If you use paid time off at the same time as Paid Family and Medical Leave your benefit payment will be affected. However, your employer may choose to offer additional pay to you while you are using Paid Family and Medical Leave – this is called a “supplemental benefit.” Not all paid time off is a supplemental benefit, so you need to check with your employer if this is available to you. It is your employer’s choice to offer a supplemental benefit, and your choice to take it if it is available.
- The minimum claim for each week is eight consecutive hours.
- Visit [paidleave.wa.gov/after-you-apply](https://paidleave.wa.gov/after-you-apply) for more information and tips on what to expect after you apply.

**Providing complete and accurate information will help us process your application and weekly claims faster.**

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## More to know

**You may be eligible for job protection.** If you work for a company that employs more than 50 people in Washington, you have worked there for at least a year and for a total of 1,250 hours in the past year for that employer (about 24 hours per week), you are likely eligible for job protection.

**Even if you took leave in 2019, you can still use Paid Family and Medical Leave in 2020.** Use of other paid or unpaid leave in 2019 doesn’t limit your ability to take Paid Family and Medical Leave in 2020 (including using FMLA). You still must meet the eligibility requirements for the program however and depending on how much time you took off you may not be eligible for job protection.

**If your qualifying event happened in 2019, you may be eligible for the program if you still have a medical reason to be on leave.** *For example, if you had surgery in December 2019 and are still recovering, you can apply for benefits in 2020.*

**It's yours –  
you've earned it.**

**Using this program is your choice.** It is yours – you earned it. While you are welcome to use other leave options you may have before or after you take Paid Family and Medical Leave, your employer cannot require you to use other leave options before Paid Family and Medical Leave.

**Check with your employer if they offer a “supplemental benefit.”** You cannot use employer provided paid time off at the same time as Paid Family and Medical Leave, unless your employer offers what is called “a supplemental benefit.” Supplemental benefits are something an employer may choose to offer that can be used along with Paid Family and Medical Leave to provide additional pay while you are receiving the benefit. Ask your employer if this option is available to you.

**This is not the same as paid sick leave.** Paid sick days are for short-term health conditions that keep you from working, typically for less than a week. For more information on paid sick leave, visit [www.lni.wa.gov/workers-rights/leave/paid-sick-leave](http://www.lni.wa.gov/workers-rights/leave/paid-sick-leave)

**Multiple people can provide care for a qualifying family member.** Caregivers do not have to take leave at the same time and more than one person can take leave for the same event as long as they all meet eligibility requirements. Each person will fill out a separate application.

**Leave does not have to be taken all at once.** You can take as little as eight consecutive hours per week. *For example, you could take two days off per week for chemotherapy treatment or one day off each week to care for a parent in the hospital.*

**We know waiting while we process your application may cause hardship.** We do have a process to request accelerated review of your application if you have been waiting at least four weeks for us to process your application and can demonstrate imminent financial hardship. Please visit [paidleave.wa.gov/hardship](http://paidleave.wa.gov/hardship) to see if you qualify for accelerated application review.

Learn more about the program and get ready to apply at [www.paidleave.wa.gov](http://www.paidleave.wa.gov) and in our Benefit Guide ([www.paidleave.wa.gov/benefit-guide](http://www.paidleave.wa.gov/benefit-guide)).

## Should you apply? Answer these questions

- |    | Yes                      | No                       |   |
|----|--------------------------|--------------------------|---|
| 1. | <input type="checkbox"/> | <input type="checkbox"/> | Did you work at least 820 hours (about 16 hours a week) in the last year in Washington state? (The 820 hours can be for one job or multiple jobs)   |
| 2. | <input type="checkbox"/> | <input type="checkbox"/> | Have you experienced a “qualifying event”? Events include: <ul style="list-style-type: none"><li>• Welcoming a new child into your family through birth, adoption or foster placement;</li><li>• Your own serious health condition or illness, like recovering from surgery or a serious injury;</li><li>• Caring for a seriously ill or injured family member;</li><li>• A qualifying military family leave event.</li></ul>   |
| 3. | <input type="checkbox"/> | <input type="checkbox"/> | None of these conditions apply to me: <ul style="list-style-type: none"><li>• Solely employed by the federal government</li><li>• Working for an employer with an approved voluntary plan (if you are unsure, ask your employer)</li><li>• Covered by a collective bargaining agreement that hasn’t expired, been opened or renegotiated since October 19, 2017</li><li>• Self-employed and have not opted in to Paid Family and Medical Leave</li><li>• Solely employed by a federally recognized tribe that has not opted in to Paid Family and Medical Leave</li></ul> |

If you answered “Yes” to each of these, you likely will qualify for the program.

### **The next update to this guide is expected to be made:**

April 2020

## Change log

Nov. 22, 2019

- Clarified the “waiting week” (p 4)

January 2020

- Updated information around January 2020 applications
- Added link to [paidleave.wa.gov/after-you-apply](http://paidleave.wa.gov/after-you-apply)

March 6, 2020

- Updated information about hardship policy (p 6)
- Added “son-in-law and daughter-in-law” to list of qualifying family members (p 2)