



# Parents' 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?

- All parents can receive up to 12 weeks of bonding leave in the first year after your child's birth or placement.
- If you give birth you can be eligible for up to 16 weeks of combined medical and family leave.
- 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 a birth came early or you developed a pregnancy complication, notify your employer(s) as soon as you are able.

### 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.

### A new child came into my family in 2019, can I apply?

Yes! You have 12 months from the date of your child's birth, adoption or placement to take your paid leave, even if it happened in 2019.

#### ***Your child was***

*Adopted June 1, 2019*

You can apply for and take leave before May 31, 2020.

*Placed September 12, 2019*

You can take your full 12 weeks of leave any time before September 12, 2020.

*Born Dec. 22, 2019*

You can take up to 12 weeks of family leave to bond with your child.

## Qualifying events

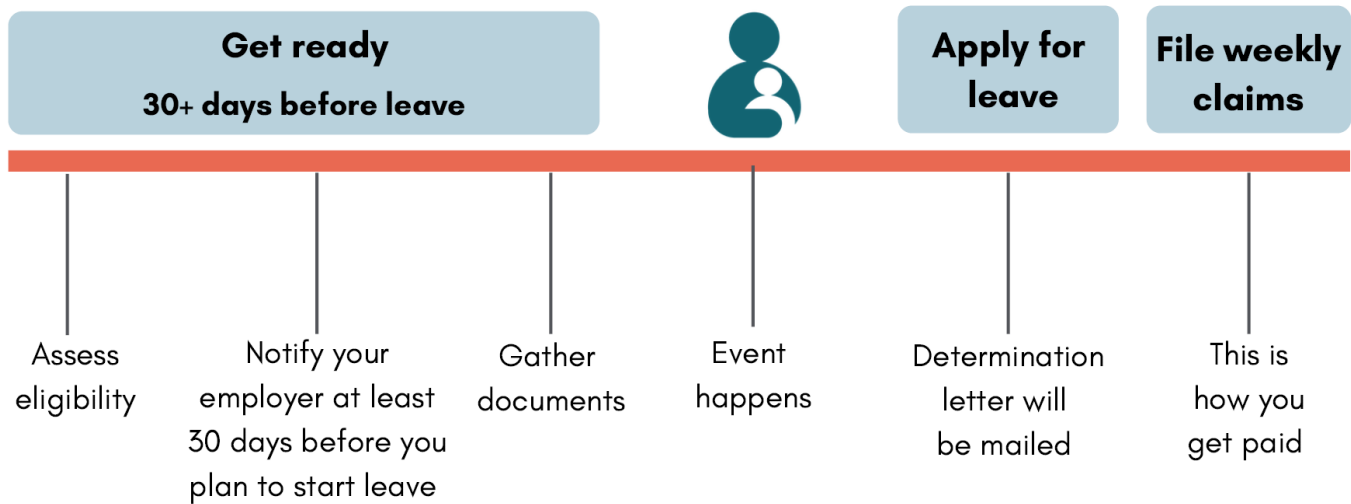
### Family leave

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

### Medical leave (for yourself)

- Recovery from your own serious health condition or injury

## Application process



## Get ready to apply

### Assess eligibility.

Use the questionnaire on page 7.

**Apply for leave after your child is born or placed.**

### Provide written notice to your employer at least 30 days before you plan to start leave.

If a birth came early or you develop a pregnancy complication, provide written notice as soon as you are able. Notice can be provided in various ways, including text or email. You can also download a template notification on our website [www.paidleave.wa.gov/get-ready-to-apply](http://www.paidleave.wa.gov/get-ready-to-apply). You may also want to retain a copy of the notification you give your employer 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 [www.paidleave.wa.gov/get-ready-to-apply](http://www.paidleave.wa.gov/get-ready-to-apply)).
- The documentation or form you'll need depends on the type of leave you're applying for.
  - **For medical leave related to pregnancy or childbirth**, use our Certification of Serious Health Condition form, or the US Department of Labor's FMLA Certification of Health Care Provider for Employee's Serious Health Condition form.
  - **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).
  - **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, adoption or guardianship placement or other documentation that establishes the child's placement date, like a letter from an assigned social worker or agency.

Note: For medical leave or bonding leave for the birth of a child, you may use other forms or letters given to you by your medical provider so long as it has all the required information and is signed by your healthcare provider.

Video tutorials and instructions are posted to [paidleave.wa.gov/technical-support](https://paidleave.wa.gov/technical-support).

## Apply for leave

Here is what you will do:

### Create account(s)

- Go to [www.paidleave.wa.gov](https://www.paidleave.wa.gov). From our website you will be directed to the state's log-in service, SecureAccess Washington. 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(s)

- If you are pregnant and plan to take a combination of medical and family leave, you will fill out two applications. Fill out the first application for medical leave and upload a Certification of a Serious Health Condition form with your application. Then, once you have received a determination on your first application, you can submit an application for family (bonding) leave in your Paid Leave account. You will need to provide a Certification of Birth form or documentation from the hospital showing your child's date of birth with your family leave application.
- If you are only taking bonding leave, fill out your application for family leave.
- Be sure to upload your proof of ID document(s) and Certification of Serious Health Condition or Certification of Birth form, if applicable, to complete the application.
- 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)
- Certification of Birth form (if applicable)
- Documentation for placement (if applicable)

### Get your determination

- After you submit your application and you've provided the necessary documents, we will review your application and may contact you if we have questions.
- Once we make a decision, we will 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.

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

### 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 leave.

### Important tip!

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

## File a weekly claim

- 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. That's one day for full-time employees but may be more than one day if you work part time. If you do not wish to claim benefits because you are taking leave intermittently, worked or used paid time off, you can file '0' on your weekly claim. This will not subtract hours from your available leave.
- 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

**All parents are eligible!** Moms, dads, non-birth parents and guardians are eligible for paid family leave to bond with a child coming into their home through birth, adoption or foster placement.

**Parents and guardians do not have to take leave at the same time**, and leave does not need to be taken all at once (you can take a minimum of eight consecutive hours per week). For example: a non-birth parent may want to take four weeks off right after a child is born, and then use the remaining eight weeks after the birth parent returns to work.

**Parental leave can be taken anytime in the first year after a child's birth, adoption or placement.** Are you a foster or adoptive parent to an older kid? Bonding leave applies to any children under the age of 18.

**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.

**It's yours –  
you've earned it.**

**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.

**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)

**Applying for medical and then family leave after giving birth?** You will need separate applications for your medical leave and family leave events, like if you are taking medical leave to recover from giving birth and then take family leave to bond with your baby. Please submit a medical certification with your medical leave application and proof of birth documentation with your bonding leave application.

**Upload your documents.** All applications require proof of ID, but if you're applying for medical or family leave, you will also need to submit documents that certify your need for leave. You can download our certification forms from [paidleave.wa.gov/library](http://paidleave.wa.gov/library), fill them out with your healthcare provider and upload the documents to your Paid Leave account. You may also choose to have your healthcare provider submit the documentation or use other forms, such as FMLA paperwork or a birth certificate.

**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.

Find frequently asked questions and more information at [paidleave.wa.gov](http://paidleave.wa.gov) and in our 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.

### Change log:

January 2020

- Updated information about weekly claims (p 6)
- Updated information around January 2020 applications

March 2020

- Updated information about hardship policy (p 6)

May 2020

- Updated information about the Certification of Birth form (p 3, 4)