



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. You can receive the benefit when you have:

1. Worked 820 hours (about 16 hours a week) in employment in Washington during the "qualifying period."
2. Experienced a "qualifying event."

Full-time, part-time, temporary and seasonal work counts. The benefit is also portable between jobs, so if you work more than one job or switch employers all the reportable hours you work in Washington count toward eligibility.

How much time do I get?

Within your "claim year" you can take:

- Up to 12 weeks of medical leave to recover from or get treatment for a "serious health condition," or family leave to take care of a qualifying family member who is ill or injured with a "serious health condition" or to bond with a new child or for certain military events.
- Up to 16 weeks of combined medical and family leave if you have events covered by both in the same claim 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.
- You can take leave intermittently, as long as you are on leave for a minimum of eight consecutive hours each week.

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 \$1,206 per week for 2021. A benefit estimator is available at paidleave.wa.gov/estimate-your-weekly-pay.

How do I apply?

You can apply online (paidleave.wa.gov/apply-now) or with a paper application.

Paper applications are available upon request. Translated versions of the paper application are available for download at paidleave.wa.gov.

When should I apply?

Submit your application after your qualifying event has taken place, for example, after you've had surgery.

- You can complete most of the application process ahead of time. This includes creating an online account, getting your documentation ready and your medical certification signed, and filling in most of the application.
- You'll also need to notify your employer at least 30 days in advance if you know about the need that far ahead of time.

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.

Do I have to use other leave, like vacation or sick time, before I use Paid Family and Medical Leave?

No. Your employer can't make you use paid or unpaid time off before you use Paid Family and Medical Leave. Taking Paid Family and Medical Leave is your choice.

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

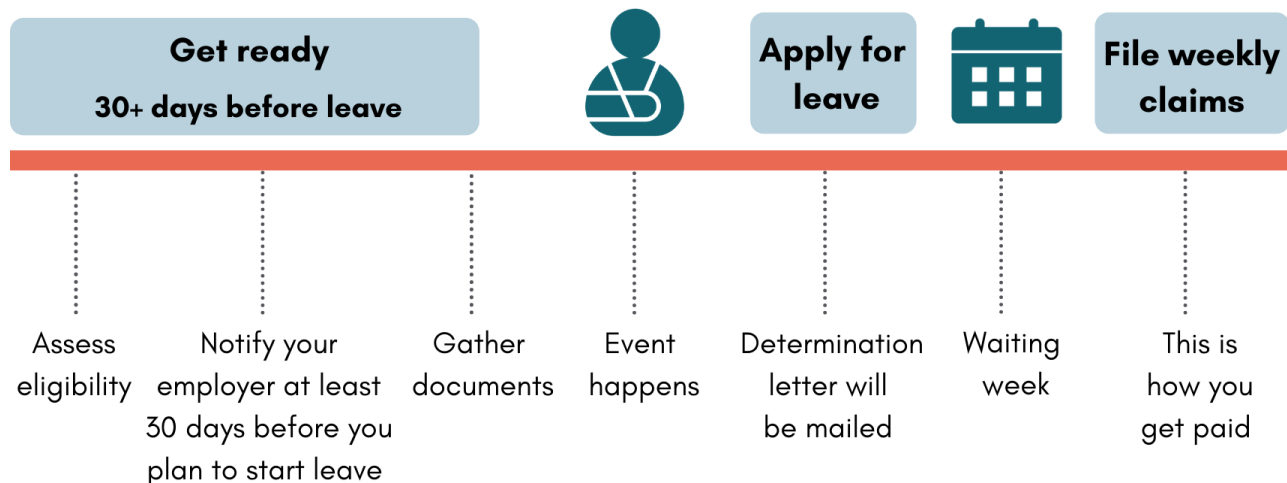
You can take leave for

- 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.
- Go to our website to take a short quiz (paidleave.wa.gov/quiz).

Give written notice to your employer at least 30 days before you plan to start your leave. If your leave was not foreseeable, provide written notice as soon as you are able. You can give notice in various ways, including text or email. You can also download a template notification at paidleave.wa.gov/get-ready-to-apply. You may also want to keep a copy of the notification you give your employer for your records.

www.paidleave.wa.gov

Get your documents ready

- **Proof of ID**, such as:
 - Driver's license,
 - Passport or
 - Utility and phone bills (a complete list of documents is at paidleave.wa.gov/get-ready-to-apply).

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

The documentation or form you'll need depends on the type of leave you're applying for:

- **Medical leave:**
 - Medical certification signed by a healthcare provider:
 - Certification of a Serious Health Condition form,
 - FMLA paperwork, or
 - other documentation that meets the requirements.
 - It may take two weeks or more for your doctor's office to process this paperwork, so send it to them as soon as possible.

Video tutorials and instructions are available at paidleave.wa.gov/technical-support.

Apply for leave

Create your account(s)

- Go to paidleave.wa.gov/log-in. Click on the "Worker log in" button. This will take you 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.)
- In SAW you'll add Paid Family and Medical Leave to your services by:
 - Selecting "Browse a list of services"
 - In the list of services find "Employment Security Department" and click it
 - Click the "Apply" button next to Paid Family and Medical Leave
- You will then create a Paid Family and Medical Leave account.

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.

Fill in the application(s)

- You'll provide basic information and verify your employment history.
- A paper application is available if you do not have a Social Security Number.
- 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.
- 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.

Important tip!

Double-check your name and your SSN before finalizing your account creation.

Upload documents

- Proof of identification documents
- [Certification of a Serious Health Condition](#) (if applicable)

www.paidleave.wa.gov

- [Certification of Birth form](#) (if applicable)
- Documentation for placement (if applicable)

Get your determination

- Submit your application and 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.
 - This letter will tell you your maximum weekly benefit amount and confirm the dates of your approved leave and claim year.

Waiting week

- The law requires a “waiting week” for all types of leave except parental bonding leave and military exigency.
- Your “waiting week” is the first week you are approved to file a weekly claim. You will not be paid for that week.
- Claim weeks always start on Sunday and end the following Saturday. To qualify as a waiting week, you must claim a minimum of eight consecutive hours. If your qualifying event occurs after Sunday in the first week you need to take leave, the waiting week may be less than a week.
- During this time, you may use paid time off from your employer, including paid vacation or sick days, without impact on your Paid Family and Medical Leave benefits.
- If the first week of your paid family or medical leave happens before you receive your approval letter and can begin filing weekly claims, that first week still counts as your waiting week.

For example, your paid medical leave start date is July 13, 2021. You receive your approval letter on July 22, 2021. 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 18, 2021.

WEEKLY CLAIMS AND PAYMENTS

Weekly claims

- Weekly claims are how you receive your payments.
- Once we approve your application, you can begin filing weekly claims.
- You can file claims for weeks you were on leave after your qualifying event occurred but before we approved your application.
- 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 (see page 5 for more on backdating).
- The minimum claim for each week is eight consecutive hours. That’s one day for full-time employees but might be more than one day if you work part-time.
- You can file weekly claims in your Paid Leave account or by calling us.
 - You may go up to four weeks without filing and receive those payments retroactively.
 - If you go four weeks without filing, your claim will become inactive and you’ll have to take additional steps to restart your claim.
- 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.
- You cannot collect Unemployment Insurance or workers’ compensation benefits at the same time as Paid Family and Medical Leave.

Payments

- 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.

- 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.
- 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.

Visit paidleave.wa.gov/after-you-apply for more information and tips on what to expect after you apply.

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.

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

Multiple people can provide care for the same 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 qualifying family member, 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.*

Find frequently asked questions and more information at paidleave.wa.gov and in our Benefit Guide (<http://www.paidleave.wa.gov/benefit-guide>).

**It's yours –
you've earned it.**

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">• Welcoming a new child into your family through birth, adoption or foster placement;• Your own serious health condition or illness, like recovering from surgery or a serious injury;• Caring for a seriously ill or injured family member;• A qualifying military family leave event. |
| 3. | <input type="checkbox"/> | <input type="checkbox"/> | None of these conditions apply to me: <ul style="list-style-type: none">• Solely employed by the federal government• Working for an employer with an approved voluntary plan (if you are unsure, ask your employer)• Covered by a collective bargaining agreement that hasn't expired, been opened or renegotiated since October 19, 2017• Self-employed and have not opted in to Paid Family and Medical Leave• Solely employed by a federally recognized tribe that has not opted in to Paid Family and Medical Leave |

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

Changes log

November 2019

- Clarified the "waiting week" (p 4)

January 2020

- Updated information around January 2020 applications
- Added link to paidleave.wa.gov/after-you-apply

March 2020

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

May 2020

- Added information about the Certification of Birth form (p 4)

June 2021

- Updated information about the maximum weekly benefit amount (p 2)
- Removed information about the hardship policy and events in 2019 (p 6)