Agenda

Introductions & approve minutes
Premium rates
Upcoming legislative session
Claims data – volumes, payments, types
Medical & bonding leave for birthing parents
Ombuds report
Agenda items for November
Meeting schedule for 2022
Meeting structure

• Only Advisory Committee and the presenters will be unmuted during the meeting, until open comment.
• Public to hold all feedback until the open comment period.
• Comments and questions in the chat will not be reviewed as part of the meeting structure, rather:
  • Open comments will be taken at the end of the meeting.
  • Please frame your questions as a comment.
  • “Raise your hand” if you have a comment.
  • The meeting host will unmute individual line to allow for the open comment.
Introductions

- Advisory Committee

(Note: We will use the Zoom feature to identify who is on the phone rather than announcing during meeting)
Approve August & September minutes

• Discussion
Rates discussion (2022 rates and authority under statue)
Premium rate overview  *(RCW 50A.10.030)*

**Total premium rate**

- Set at 0.4% for 2019-2020
- Starting 2021, total premium rate depends on Account Balance Ratio

\[
\text{Account Balance Ratio} = \frac{\text{Trust fund account balance as of Sep 30}}{\text{Prior fiscal year total wages}}
\]

- Can go up to .6% based on Account Balance Ratio

<table>
<thead>
<tr>
<th>Account Balance Ratio</th>
<th>Premium Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.00% to 0.09%</td>
<td>0.6%</td>
</tr>
<tr>
<td>0.10% to 0.19%</td>
<td>0.5%</td>
</tr>
<tr>
<td>0.20% to 0.29%</td>
<td>0.4%</td>
</tr>
<tr>
<td>0.30% to 0.39%</td>
<td>0.3%</td>
</tr>
<tr>
<td>0.40% to 0.49%</td>
<td>0.2%</td>
</tr>
<tr>
<td>0.50% or Greater</td>
<td>0.1%</td>
</tr>
</tbody>
</table>

- If account balance ratio is less than .05% and insolvency is projected in the coming year, a solvency surcharge must be added at lowest rate to achieve solvency. Surcharge maximum is .6%.
- Total maximum possible (regular rate + solvency surcharge) is 1.2%
- Assessed on wages/salaries up to Social Security Cap ($147,000 in 2022)
Premium rate overview  

( RCW 50A.10.030 )

Family/medical split & employer/employee portions

- Employers may withhold up to 100% of family leave and 45% of medical leave premiums from employees.

- Small businesses with fewer than 50 employees are not required to pay employer portion (except 3 years following a grant).

- Split set at 1/3 Family, 2/3 Medical for 2019-2021.

- Starting 2022, family/medical split depends on proportion of family or medical paid claims in prior fiscal year.
Premium rate calculation for 2022

- Trust fund balance $221,549,805.01
- Wages reported in prior fiscal year

\[
\begin{array}{ll}
22F \text{ Trust Fund Balance} & $221,549,805.01 \\
\text{Wages reported in prior FY} & $238,265,112,074.23
\end{array}
\]

\[\begin{array}{cccc}
\text{Fund Balance Ratio} & \text{Premium Rate} \\
0\% - 0.09\% & 0.60\% \\
0.1\% - 0.19\% & 0.50\% \\
0.2\% - 0.29\% & 0.40\% \\
0.3\% - 0.39\% & 0.30\% \\
0.4\% - 0.49\% & 0.20\% \\
0.5\% or greater & 0.10\%
\end{array}\]
Variable family-medical split -- begins in 2022

- Premium split is proportional to family vs medical claims volumes
  - Claims paid = leave claims with at least one payment in the prior fiscal year
- Employee/employer share varies based on family/medical split
  - Employer's fund 55% of medical and employees fund 45% of medical and 100% of family
## Weekly premium per employee

<table>
<thead>
<tr>
<th></th>
<th>Total Premium</th>
<th>Employee Portion</th>
<th>Employer Portion</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>2021</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>.4% rate with 33% Family and 67% Medical</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum Wage (14.49/hr or $30,139/yr)</td>
<td>$2.32</td>
<td>$1.47</td>
<td>$0.85</td>
</tr>
<tr>
<td><strong>Average Wage ($76,741/yr)</strong></td>
<td>$5.90</td>
<td>$3.74</td>
<td>$2.16</td>
</tr>
<tr>
<td>Paid Leave 2022 Maximum Taxable ($147,000/yr)</td>
<td>$10.98</td>
<td>$6.95</td>
<td>$4.03</td>
</tr>
<tr>
<td><strong>2022</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>.6% rate with 51% Family and 49% Medical</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum Wage (14.49/hr or $30,139/yr)</td>
<td>$3.48</td>
<td>$2.55</td>
<td>$0.93</td>
</tr>
<tr>
<td><strong>Average Wage ($76,741/yr)</strong></td>
<td>$8.85</td>
<td>$6.48</td>
<td>$2.37</td>
</tr>
<tr>
<td>Paid Leave 2022 Maximum Taxable ($147,000/yr)</td>
<td>$16.48</td>
<td>$12.42</td>
<td>$4.54</td>
</tr>
</tbody>
</table>
Annual premium on median payroll for employer size

2021
.4% rate with 33% Family and 67% Medical

- Small <50 (est. taxable wages $116,294) $171
- Medium 50-150 (est. taxable wages $3,408,884) $5,000
- Large >150 (est. taxable wages $14,074,264) $20,644

2022
.6% rate with 51% Family and 49% Medical

- Small <50 (est. taxable wages $116,294) $187
- Medium 50-150 (est. taxable wages $3,408,884) $5,477
- Large >150 (est. taxable wages $14,074,264) $22,615
Upcoming legislative session

April Amundson
Claims data

Trends in volumes, payments & types
Claims submitted: Monthly totals
Submitted claims: Monthly trends by subtype
Submitted claims: Monthly trends by subtype

• Zooming into past 15 months
Benefits paid monthly

- Zooming into past 15 months
Trend in Paid Leave claims: Rolling 12-month period
Medical & bonding leave for birthing parents
Medical-family leave taking

Questions we aimed to answer

• What is the leave-taking behavior of customers who appear to be birthing mothers?
  • How are they combining their leave?
  • Lengths of leave? How much medical leave are they taking? What percent are maxing out possible leave?

Approach

• Administrative data & survey of subset using only bonding
  • Approximating birthing parents
Sample approximating birthing parents

• Female customers with at least one approved Pregnancy Complication or Bonding claim
  • Included these customers’ medical claims
  • Excluded 2019 births

• Sample caveats
  • Includes bonding for placement/adoption
  • Excludes birthing parents who identify as male

• 37,991 claims
• 24,813 female customers
How much total leave did customers use in their claim year?

- Pregnancy Complication Only: 9.39
- Bonding Only: 10.65
- Medical OR Pregnancy Complication AND Bonding: 15.58
- Whole Sample: 12.84
For those who took medical/pregnancy complication and bonding leave, how long was each?
Did customers use all the leave available to them?

Overall, about 44% are using the maximum possible leave in their claim year

<table>
<thead>
<tr>
<th>Category</th>
<th>Leave Taken on Average</th>
<th>Percentage of Full Leave</th>
</tr>
</thead>
<tbody>
<tr>
<td>Medical &amp; bonding</td>
<td>Took 14.8 weeks</td>
<td>53%</td>
</tr>
<tr>
<td>Pregnancy complication &amp; bonding</td>
<td>Took 16.1 weeks</td>
<td>34%</td>
</tr>
<tr>
<td>Only bonding</td>
<td>Took 10.7 weeks</td>
<td>53%</td>
</tr>
</tbody>
</table>

Medical & bonding

Took 14.8 weeks of leave on average

53% used a full 16 weeks

Pregnancy complication & bonding

Took 16.1 weeks of leave on average

34% used a full 18 weeks

Only bonding

Took 10.7 weeks of bonding leave on average

53% used a full 12 weeks of bonding leave
Why do some customers only take bonding leave?

Survey of approximately 7,500 customers
• Customers who identified as female and took approved bonding leave but did not take medical leave

Initial analysis on 898 responses
• 93.5% gave birth to a child
• 1.5% had a spouse or partner give birth to a child
• 2.9% had a child placed in their home

Of birthing parents
• 61% said they knew they could take medical leave
• 401 wrote-in responses when asked why they didn’t take medical leave
Why didn’t they take medical leave?

- Didn’t know: 88%
- Didn’t want/need to: 63%
- Thought they did: 45%
- Used other PTO/STD: 33%
- Concerned about job protection: 22%
- Couldn’t afford to: 13%
- Thought they were denied: 13%
- Misinformed by employer: 12%
- Misinformed by HCP: 2%
- Misinformed by ESD: 3%
- Process too long/difficult: 20%
- Misinformed (source unknown): 13%
- Misinformed by ESD: 3%
- Misinformed by HCP: 2%
Ombuds report

Edsonya Charles
Summary of calls (January – June 2021)

1,134 calls received

Average of 189 per month

• Low of 144 in February
• High of 217 in March
Top reasons for calls (January – June 2021)

- Application assistance: 26%
- Education (worker & employer): 31%
- Weekly claims: 17%
- Redeterminations: 7%
- Account access (includes SAW): 6%
- Employer unlawful acts: 5%
- Employer reporting: 3%
- FMLA (includes job protection & continuation of health benefits): 5%

Note: Chart excludes topics with less than 3% of calls each. They are:
- Other
- 1099 tax forms
- Short term disability
- Supplemental benefits
- COVID-19
- Records request
- Appeals
- Fraud
- Delays
Complaints

108 received between January and June 2021

<table>
<thead>
<tr>
<th>Subject</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Weekly claim correction</td>
<td>38%</td>
</tr>
<tr>
<td>Redetermination</td>
<td>29%</td>
</tr>
<tr>
<td>SAW</td>
<td>6%</td>
</tr>
<tr>
<td>Weekly claim assistance</td>
<td>5%</td>
</tr>
<tr>
<td>Technology</td>
<td>4%</td>
</tr>
<tr>
<td>Leave extension</td>
<td>3%</td>
</tr>
<tr>
<td>Underpayment</td>
<td>3%</td>
</tr>
<tr>
<td>Payment</td>
<td>3%</td>
</tr>
<tr>
<td>Application processing</td>
<td>2%</td>
</tr>
<tr>
<td>Letters</td>
<td>2%</td>
</tr>
<tr>
<td>Employer</td>
<td>2%</td>
</tr>
<tr>
<td>Redetermination assistance</td>
<td>2%</td>
</tr>
<tr>
<td>Elective Coverage</td>
<td>1%</td>
</tr>
<tr>
<td>Employer payments</td>
<td>1%</td>
</tr>
<tr>
<td>Processing delay</td>
<td>1%</td>
</tr>
<tr>
<td>Withdrawn</td>
<td>1%</td>
</tr>
</tbody>
</table>
Hardship requests (January – June 2021)

Total hardship requests

- Approved: 14
- Denied: 34
- Other: 6

Denial reasons

- Did not meet four-week criteria: 33
- Other: 1
## Reasonable accommodations (March – June 2021)

<table>
<thead>
<tr>
<th>Month</th>
<th>Details</th>
</tr>
</thead>
</table>
| March | • Two received  
       | • Referrals from UI |
| May   | • Two received  
       | • One approved, one referred for interpreter services |
| June  | • Two received  
       | • One legislative referral, one referred for interpreter services |
November meeting

Details

• 9 a.m. on Thursday, November 19, 2021

Agenda

• Topics?
Open comment
Continue the conversation

Lisa Kissler
Director, Paid Family & Medical Leave
Employment Security Department
lisa.kissler@esd.wa.gov

Visit us online at www.paidleave.wa.gov

Join our listserv at bit.ly/PaidLeaveList
# Operations Telephony Data

## 8/9-10/15

<table>
<thead>
<tr>
<th></th>
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<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Calls Presented to PFML</td>
<td>12,736</td>
<td>11,810</td>
<td>10,603</td>
<td>10,847</td>
<td>12,004</td>
<td>13,993</td>
<td>12,434</td>
<td>14,395</td>
<td>16,562</td>
<td>20,778</td>
</tr>
<tr>
<td>Calls Presented</td>
<td>9,032</td>
<td>7,895</td>
<td>8,012</td>
<td>8,164</td>
<td>7,471</td>
<td>9,091</td>
<td>9,109</td>
<td>9,523</td>
<td>10,797</td>
<td>10,689</td>
</tr>
<tr>
<td>Calls Answered</td>
<td>3,619</td>
<td>3,373</td>
<td>3,507</td>
<td>3,812</td>
<td>2,763</td>
<td>3,586</td>
<td>3,382</td>
<td>4,051</td>
<td>4,222</td>
<td>3,527</td>
</tr>
<tr>
<td>Calls Abandoned</td>
<td>5,413</td>
<td>4,522</td>
<td>4,505</td>
<td>4,352</td>
<td>4,708</td>
<td>5,505</td>
<td>5,727</td>
<td>5,472</td>
<td>6,575</td>
<td>7,162</td>
</tr>
<tr>
<td>Average Handle Time</td>
<td>0:10:23</td>
<td>0:09:28</td>
<td>0:09:26</td>
<td>0:10:02</td>
<td>0:09:33</td>
<td>0:09:34</td>
<td>0:10:04</td>
<td>0:09:40</td>
<td>0:08:52</td>
<td>0:09:19</td>
</tr>
</tbody>
</table>
Application & Weekly Claim data through 10/16/21

Applications Submitted (weekly)

- Family Applications
- Medical Applications
# Application & Weekly Claim data past 10 weeks

<table>
<thead>
<tr>
<th>Week Ending</th>
<th>14-Aug</th>
<th>21-Aug</th>
<th>28-Aug</th>
<th>4-Sep</th>
<th>11-Sep</th>
<th>18-Sep</th>
<th>25-Sep</th>
<th>2-Oct</th>
<th>9-Oct</th>
<th>16-Oct</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applications submitted</td>
<td>4,051</td>
<td>4,111</td>
<td>4,173</td>
<td>4,238</td>
<td>3,574</td>
<td>4,275</td>
<td>4,185</td>
<td>4,116</td>
<td>4,033</td>
<td>4,206</td>
</tr>
<tr>
<td>Submitted via paper</td>
<td>37</td>
<td>27</td>
<td>45</td>
<td>34</td>
<td>27</td>
<td>39</td>
<td>62</td>
<td>61</td>
<td>55</td>
<td>67</td>
</tr>
<tr>
<td>Family total</td>
<td>47%</td>
<td>47%</td>
<td>48%</td>
<td>47%</td>
<td>48%</td>
<td>47%</td>
<td>49%</td>
<td>48%</td>
<td>48%</td>
<td>48%</td>
</tr>
<tr>
<td>Family Bonding</td>
<td>34%</td>
<td>35%</td>
<td>36%</td>
<td>35%</td>
<td>36%</td>
<td>35%</td>
<td>34%</td>
<td>37%</td>
<td>35%</td>
<td>37%</td>
</tr>
<tr>
<td>Family Care</td>
<td>13%</td>
<td>12%</td>
<td>12%</td>
<td>12%</td>
<td>12%</td>
<td>13%</td>
<td>13%</td>
<td>12%</td>
<td>13%</td>
<td>13%</td>
</tr>
<tr>
<td>Family Military</td>
<td>0.1%</td>
<td>0.1%</td>
<td>0.1%</td>
<td>0.0%</td>
<td>0.1%</td>
<td>0.2%</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.1%</td>
<td>0.1%</td>
</tr>
<tr>
<td>Medical total</td>
<td>53%</td>
<td>53%</td>
<td>52%</td>
<td>53%</td>
<td>52%</td>
<td>53%</td>
<td>51%</td>
<td>52%</td>
<td>51%</td>
<td>51%</td>
</tr>
<tr>
<td>Medical Self</td>
<td>45%</td>
<td>46%</td>
<td>45%</td>
<td>45%</td>
<td>45%</td>
<td>44%</td>
<td>45%</td>
<td>42%</td>
<td>38%</td>
<td>37%</td>
</tr>
<tr>
<td>Medical Pregnancy</td>
<td>8%</td>
<td>7%</td>
<td>7%</td>
<td>8%</td>
<td>7%</td>
<td>8%</td>
<td>7%</td>
<td>9%</td>
<td>14%</td>
<td>13%</td>
</tr>
</tbody>
</table>
Application & Weekly Claim data – through 10/16/21
Application & Weekly Claim data – through 10/16/21
## Processing time – past 10 weeks

<table>
<thead>
<tr>
<th>Week Ending</th>
<th>14-Aug</th>
<th>21-Aug</th>
<th>28-Aug</th>
<th>4-Sep</th>
<th>11-Sep</th>
<th>18-Sep</th>
<th>25-Sep</th>
<th>2-Oct</th>
<th>9-Oct</th>
<th>16-Oct</th>
</tr>
</thead>
<tbody>
<tr>
<td>Avg weeks processing time for applications processed in the week indicated</td>
<td>1.9</td>
<td>2.0</td>
<td>2.0</td>
<td>2.1</td>
<td>2.5</td>
<td>2.6</td>
<td>2.5</td>
<td>2.5</td>
<td>3.0</td>
<td>2.9</td>
</tr>
<tr>
<td>Median weeks processing time for applications processed in the week indicated</td>
<td>1.4</td>
<td>1.6</td>
<td>1.7</td>
<td>1.9</td>
<td>2.1</td>
<td>2.3</td>
<td>2.3</td>
<td>2.1</td>
<td>2.6</td>
<td>2.7</td>
</tr>
</tbody>
</table>