

Frequently Asked Questions regarding Washington State's Paid Family and Medical Leave

(PFML)

1. COVID-19: Can I request PFML for COVID-19 concerns?

Testing positive for COVID-19 may meet the definition of a qualifying condition under the PFM law. Absences for self-isolation without a diagnosis do not meet the definition of a qualifying condition. For more information on when PFML is available for COVID related reasons please visit <https://paidleave.wa.gov/coronavirus/>.

2. Whom do I contact about PMFL?

The Employment Security Department (ESD) will administer all aspects of this program. **Employees will still be required to provide at least 30 days' notice to their employer if they plan to take PFML leave.** When the need for leave is not foreseeable, employees must provide written notice to the employer as soon as is practicable under the facts and circumstances of the particular situation.

3. How long can an employee be absent due to PFML?

PFML absences can be 12-18 weeks, depending on the qualifying condition.

4. Does FMLA run concurrently with PFML?

Generally, if the employee qualifies for FMLA for a condition that also qualifies for PFML then PFML and FMLA will run at the same time except PFML is in addition to any leave for sickness or temporary disability because of pregnancy or childbirth.

5. How much money will I get from PFML if I file a claim?

ESD will determine how much you will receive. The PFML checks are issued weekly and are based on a percentage of your typical weekly earnings with a maximum of \$1,000 a week. There is a benefit calculator on the ESD website at: <https://paidleave.wa.gov/estimate-your-weekly-pay/>

6. What are Supplemental Benefit Payments?

Starting August 1, 2020 EWU will allow employees the option of using their approved time off during the same time they are receiving the PFML benefit. This is called a "Supplemental Benefit" and isn't reported to ESD as wages paid. Supplemental benefits include: sick time, vacation time, holiday, personal holiday, personal leave day (if applicable) and compensatory time off.

Employees are not required to take accrued time off before, in place of, or at the same time as PFML benefits. Employees decide whether or not to use supplemental benefits while on PFML.

Supplemental Benefits Example:

When an employee uses 40 hours of their accrued EWU sick time during an approved PFML leave, as long as the sick time is designated as a supplemental benefit (via EWU timesheet) and also not reported to ESD, the employee receives their full weekly pay from EWU and the full PFML benefit amount from ESD.

7. If my circumstances change and I need to be on leave for longer than I thought, whom do I contact?

As always, first follow the established EWU leave request or extension processes. Next, contact ESD to file (or reopen) a weekly claim for PFML benefits.

8. I am a cyclic employee and I have a qualifying condition. Can I request PFML?

Yes, you may file a claim to receive PFML benefits in periods when you are not working at EWU and/or have been terminated. ESD will make the final determination regarding your PFML benefits.

9. My work location is outside of Washington. Am I eligible for PFML?

Generally work performed outside of the state of Washington is not eligible for PFML, but please contact Human Resources for specific questions.

10. Do I receive paid holidays during a PFML leave of absence?

The University's holiday pay rules apply during a PFML leave of absence. If you have specific questions about how your unpaid leave will impact your holiday pay, please contact Human Resources.

11. Do I need to submit medical documentation to EWU to take a medical leave if I have already submitted medical documentation to ESD in order to receive PFML benefits?

Yes. EWU's procedures for submitting medical documentation in connection with FMLA, disability leaves of absence and other medical leaves will not change. *ESD and the EWU will not share medical documentation.* ESD may accept medical documentation you have already provided to EWU to support your PFML claim.

12. Can I receive workers compensation and PFML benefits at the same time?

No, per RCW50A.15.100: "In any week in which an employee is eligible to receive benefits under Title [50](#) or [51](#) RCW, or other applicable federal or state unemployment compensation, industrial insurance, or disability insurance laws, the employee is disqualified from receiving family or medical leave benefits under this title."

13. Can I submit a request for supplemental leave retroactively?

No.

14. If I gave birth in 2019 am I eligible for PFML parental leave?

Yes. You have 12 months from date of your child's birth, adoption or placement to take your paid leave. For example: If baby was born 6/1/2019 an employee could qualify for paid leave until 5/31/2020.

15. Will the money I receive from ESD be considered income for tax reporting?

ESD is waiting for a definitive response from the IRS on this topic.

16. Can I be on Long Term Disability (LTD) and PFML at the same time?

Any PFML benefit that you receive may serve as an offset to LTD benefits. Employees are urged to contact Standard Insurance for more information.

How can I learn more?

You can find more information at the Employment Security Website (ESD) www.paidleave.wa.gov

You can reach ESD by phone at (833) 717-2273, Monday through Friday from 8:30 a.m. to 4:30 p.m. (Closed holidays)

You can also send your questions by email to: paidleave@esd.wa.gov.