

From: [Disability Leave Mgmt](#)
To: [DIST- ALL City of Tacoma](#)
Subject: Latest Update on Washington State's New Paid Family and Medical Leave Program
Date: Tuesday, February 18, 2020 11:47:54 AM

Latest Updates on the State's New PFML Program

As you know, in 2017, the Washington State Legislature approved establishment of a new statewide Paid Family and Medical Leave (PFML) program. Ability to apply with Employment Security Department (ESD), effective January 1, 2020.

Although the PFML program is administered and managed by the Washington State Employment Security Department (ESD), and *not* the City of Tacoma's Disability and Leave Management (DLM) Office, here is what we currently know.

- A higher-than-projected number of PFML applications have been received by the Washington State ESD, which has resulted in applicants experiencing longer-than-expected processing times.

Tip: One thing *you* can do to help ESD process your application more quickly is to be sure you submit a complete and accurate application. ESD has provided a [PFML Checklist](#) and [Benefit Guide](#) at paidleave.wa.gov/get-ready-to-apply.

- The Washington State ESD is *not* finished with its work to finalize and establish statewide rules surrounding its PFML program.

Here is what this means for you as a City employee.

- At this time, the City does *not* have the details needed to develop a comprehensive policy addressing the PFML program.
- Until further guidance is provided from ESD, the City's DLM Office may be unable to provide employees with [the](#) specific information you are seeking.

Thank you for your patience and understanding.

We know this period of uncertainty is difficult and frustrating, and the City of Tacoma's DLM Office thanks you for your patience and understanding as we await more information from the Washington State ESD.

Washington State ESD Resources

As more information becomes available regarding the PFML program, that information will be made available on the Washington State ESD's website. In the meantime, here is some information they have recently shared:

- A brief video message from [ESD Commissioner Suzi LeVine](#)
- [Recent notice from ESD on PFML](#)
- [ESD's PFML "More Answers" page](#)

City of Tacoma Resources

Information pertaining to this program that is specific to City employees will be made available on the [City's website](#) regarding the PFML program. On these

Here is how the City, as an employer, is currently managing its PFML program responsibilities during this interim stage.

Notification

When the City's DLM Office is made aware that an employee is experiencing an event that could qualify for PFML, the employee is provided with information on PFML.

Use of Leave

When an employee is on PFML, they have the ability to either use their accrued leave or take leave without pay. This could mean the employee could go in and out of paid status, depending on how they choose to apply their accrued leave. The employee will then have to declare any accrued leave used in the same week they make a PFML claim, and the employee's PFML benefit would be prorated.

Note: The City does *not* offer a supplemental benefit. (If an employer designates accrued leave as "supplemental", the employee would not have to report these earnings as wages and their weekly PFML benefit would not be affected.)

Job Protection

While PFML is a paid benefit from the State of Washington, employees may also qualify for job protection while on PFML. To qualify for this, the employee must have worked 12 months, and 1,250 hours for the City.

Benefit Continuation

Reports as of the end of 2019 stated this piece was included in the final phase of rulemaking. As of January 1, 2020, however, final guidance has *not* been released as to what an employer's responsibility will be to continue health insurance benefits while an employee is on PFML. The Washington State ESD has recently shared that this topic is still being deliberated at the state level.

This has been challenging for City employees who are pursuing PFML, as the City is not currently able to confirm what its responsibilities are in this critical area. The City will continue to monitor benefits eligibility per its normal procedures, and will respond to employee inquiries based on the information available at the time.

Note: Continuation of benefits is an entitlement under

pages, you'll find information regarding:

- PFML eligibility requirements
- How to apply for PFML through Washington state's ESD
- Employee responsibilities while applying and utilizing the new statewide PFML program
- PFML frequently asked questions

Previous Communications From the City's DLM Office Regarding the statewide PFML Program

- [2018 PFML Overview recording](#)
- [2019 Benefit Newsletters and Take 5 Article](#)
- [2020 Benefits Newsletter and Open Enrollment sessions \(recording\)](#)

Questions?

Please direct your questions or concerns to the City's DLM Office at disabilityleavemgmt@cityoftacoma.org or (253) 591-5452.

the Family Medical Leave Act (FMLA), and employees can utilize the PFML and FMLA programs at the same time to ensure their health insurance is maintained until additional guidance is made available. Employees do *not* have to apply for FMLA to be eligible for PFML, nor does the use of FMLA affect their eligibility for PFML.