

Paid Family Medical Leave Frequently Asked Questions

Paid Family and Medical Leave (PFML) is a benefit administered by the Employment Security Department (ESD). As such, employees should direct all questions to the ESD. This frequently asked questions document is only provided as a reference to assist King County employees with questions related to notifying King County they will be utilizing PFML and how PFML may interact with other protected leave laws. If any information found within this FAQ conflicts with federal and state law then the law takes precedence. ESD contact information:

Email: paidleave@esd.wa.gov

Phone: 833-717-2273

Web: www.paidleave.wa.gov

What is PFML?

The PFML provides partial wage replacement for eligible employees approved for family/medical leave by ESD.

How do I determine if I am eligible for PFML and how do I apply?

The ESD determines eligibility for PFML. Employees who wish to apply for PFML should contact ESD.

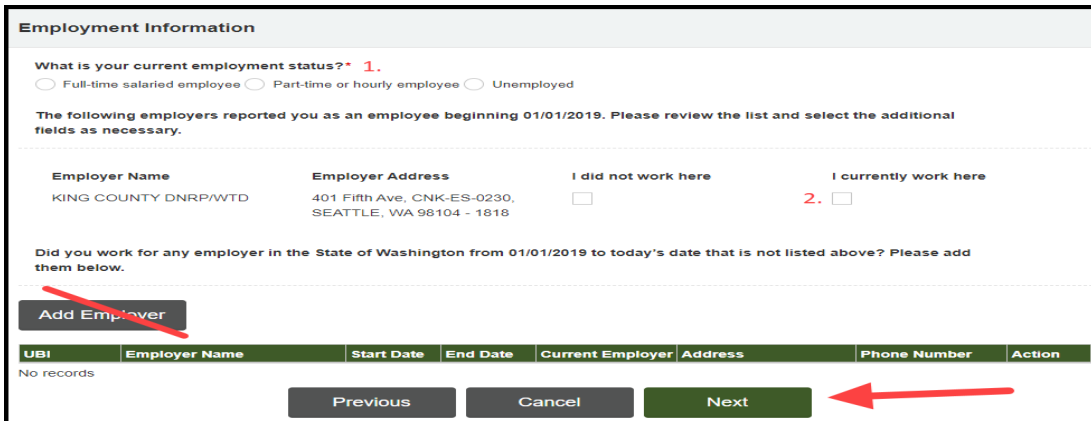
Does ESD provide an Employee Benefit Guide to better understand how PFML works?

Yes, the guide can be found here: [Benefit-Guide-V.18.2.pdf](#).

Which Employer name is used when completing the PFML application on the ESD website?

All King County employees should use “KING COUNTY DNRP/WTD” which is how King County’s ESD account is named. Applications using other names may not be processed correctly.

- 1) Select your employment status.
- 2) Check the “I currently work here” box.
- 3) DO NOT click the Add Employer button.
- 4) Click the Next button.



Employment Information

What is your current employment status? * 1.

Full-time salaried employee Part-time or hourly employee Unemployed

The following employers reported you as an employee beginning 01/01/2019. Please review the list and select the additional fields as necessary.

Employer Name	Employer Address	I did not work here	I currently work here
KING COUNTY DNRP/WTD	401 Fifth Ave, CNK-ES-0230, SEATTLE, WA 98104 - 1818	<input type="checkbox"/>	2. <input type="checkbox"/>

Did you work for any employer in the State of Washington from 01/01/2019 to today's date that is not listed above? Please add them below.

~~Add Employer~~

UBI	Employer Name	Start Date	End Date	Current Employer	Address	Phone Number	Action
No records							

Previous Cancel Next

What if ESD shows a former employer as the current employer?

Newer King County employees may see a former employer name listed when completing the initial PFML application. In this case, employees will need to do the following on the *Employment Information* page:

- 1) Select your employment status.
- 2) Click the “I did not work here” (even if you did work at that former employer).
- 3) Click the “Add Employer” button.
- 4) Type in “King County DNRP” in the “Employer Name” box. Click *Search*.
- 5) Select “KING COUNTY DNRP/WTD” from the list of Employers (The associated UBI# is 578-055-920. The address listed should be 401 Fifth Ave, CNK-ES-0230, Seattle, WA 98104. Yes, we know this is not necessarily your agency but King County cannot change the name now)

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Employment Information

What is your current employment status? **1.**

Full-time salaried employee Part-time or hourly employee Unemployed

The following employers reported you as an employee beginning 01/01/2019. Please review the list and select the additional fields as necessary.

Employer Name	Employer Address	I did not work here	I currently work here
Petco	123 Bunny Road, Seattle, WA 98104	2. <input checked="" type="checkbox"/>	<input type="checkbox"/>

Did you work for any employer in the State of Washington from 01/01/2019 to today's date that is not listed above? Please add them below.

3. Add Employer

UBI	Employer Name	Start Date	End Date	Current Employer	Address	Phone Number	Action
No records							

Next (indicated by a red arrow)

Employer Search

Employer Name (starts with)

King County **4.**

Search (indicated by a red arrow)

Search Results

Select your employer from the list below and update any missing information.

Unified Business Identifier	Employer Name	Employer Address	Action
578-055-920	KING COUNTY DNRP/WTD	401 Fifth Ave, CNK-ES-0230, Seattle, WA 98104	Select 5.
881-549-060	KING COUNTY ACADEMY OF FAMIL...	140 LAKESIDE AVE STE A13, SEATTLE, WA 98122 - 6592	Select
884-102-460	KING COUNTY ACCOUNTABLE COM...	1801 5TH AVE, SEATTLE, WA 98101 - 3615	Select
883-335-243	KING COUNTY ANESTHESIA ASSOCI...		Select
880-045-572	KING COUNTY BAR ASSOCIATION	900 4TH AVE #600, SEATTLE, WA 98164 - 1001	Select
881-798-298	KING COUNTY BAR FOUNDATION		Select
882-312-127	KING COUNTY BAR INSTITUTE		Select
880-048-113	KING COUNTY CARPENTERS	20424 72ND AVE S, KENT, WA 98032 - 2319	Select
882-103-568	KING COUNTY CHAPTER OF THE NA...		Select
883-303-197	KING COUNTY CITIZENS AGAINST F...	10939 SE 183RD CT, RENTON, WA 98055 - 7170	Select

79 records

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Is there a waiting period before I can receive any money from ESD?

Yes, there is a seven-calendar day waiting period for most conditions. Contact ESD for more information.

Does King County allow employees to “supplement” their PFML payment with paid accruals to reach up to 100% of their regular pay?

No. When receiving PFML, employees are eligible for up to 90% of their normal pay. King County does not allow an employee to “supplement” their PFML payment with King County paid accruals to reach 100% of their normal pay ([Estimate your weekly pay – Washington State's Paid Family and Medical Leave](#)). Employers are required to notify employees of this information which can be found on the last page of the [Leave Request Form](#).

How much notice is an employee required to provide to their employer if they want to take PFML?

ESD requires that the employee provides the employer with at least 30 days in advance written notice of their intent to take PFML, if foreseeable. If unforeseeable, an employee must provide notice as soon as practicable. The employee’s notice must contain the anticipated timing and duration of the leave, including which days of the week the employee plans to be on PFML.

What forms am I required to provide to my human resource professional?

Employees will be asked to submit King County’s [Leave Request Form](#) so that your agency human resources professional can review your expected dates of leave and determine your protections under other state, federal, and county laws. When an employee is eligible for other leave laws, such as FMLA, employees may be asked to submit a medical certification and other documentation. To be clear, PFML law does not require employees to

share medical documentation with employers, but employers are required to assess other protected leave eligibility so will request information.

What other information should employees expect to receive from their human resource professional?

Although questions regarding PFML should be directed to ESD, your agency human resource professional may provide basic information on the interaction of paid accruals and other leaves available.

Are employees required to use other protected leave such as FMLA and KCFML?

Yes, the rules and processes for other protected leaves have not changed. If employees are eligible for other protected leave in addition to PFML, the county will designate the time off and run the leaves concurrently.

Are employees required to apply for PFML benefits?

No.

What are the advantages and disadvantages of using King County paid accruals versus PFML payments?

King County fully supports the right of eligible employees to take PFML. Additionally, it is an employee's choice to apply for PFML, King County cannot require employees apply. Here are some aspects to consider:

- PFML does not provide 100% wage replacement. When using PFML, your benefit will be up to 90% of your weekly wage depending on your income level ([Estimate your weekly PFML pay from ESD](#)).
- PFML payments from ESD are not wages from King County and are considered unpaid leave. This means that unpaid time associated with PFML reduces the hours reported to the Department of Retirement Systems which may impact overall retirement credits.
- King County employees that choose to use their own paid accruals will continue to receive the pay and retirement credits that they normally receive when working and being paid by King County.
- Employees are not required to use paid leave accruals prior to using PFML but may choose to do so.

Where can employees view the mandatory PFML payroll deductions on pay advice?

All employees and employers are required to pay into the PFML program. The amount of the employee mandatory deduction can be found on the pay advice under the “*Employee Taxes*” section. The deductions are split into two parts – one part is PFML medical (WA MLI/EE) and one part is PFML family coverage (WA FLI/EE).

What is the maximum number of weeks under PFML?

Eligible employees are entitled for up to 12 weeks of family leave (caring for an eligible family member or bonding with a new child) or medical leave (self-care), or a combination of the two up to 16 weeks annually. Women who experience maternity complications are eligible for 2 additional weeks, for a total of 18 weeks per year. ESD determines PFML entitlements and benefits.

How does PFML interact with Long-Term Disability?

Income received from other sources, including PFML, will offset county-sponsored LTD payments. If a condition appears to be eligible for PFML, King County's LTD carrier will offset payments regardless of whether PFML payments are being received.

How will PFML be tracked by ESD?

Any questions related to remaining PFML benefits should be directed to ESD.

What notices does King County receive from ESD?

ESD provides employers with the initial notice of employee application, notice of approval/denial, and tracking spreadsheets to show full/partial PFML use. ESD also asks the employer to confirm if the employee provided the required notice and when they did so. Other employer interactions may include requests for information.

Can former employees still apply for PFML even when no longer employed by King County?

Contact the ESD to determine eligibility.

Can employees receive workers' compensation and PFML payments for the same hour?

No.

Can employees submit PFML requests retroactively for a leave of absence already started?

PFML leave requests can be filed with ESD retroactively for "good cause" as outlined in WAC 192-610-040.

Contact ESD for more information.

Do employees need to have approval for PFML before beginning their leave?

No, King County assumes the start date of PFML given by the employee to the county is the correct start date until or unless the county receives contrary information. But, if PFML leave is not approved then attendance and other policies of King County may apply.

Does PFML provide job protection?

Yes, job protection under PFML applies if the employee has worked for King County at least the 180-calendar days prior to taking PFML leave.

Do the 180 calendar days mean working or employed?

The job restoration requirement of 180 calendar days means being employed, not necessarily working.

Will healthcare benefits continue while on unpaid PFML leave?

Healthcare benefit coverage (medical, dental, vision) continues for any period that PFML job protection applies. Once an employee enters an unpaid status they will be responsible for self-paying for non-medical coverage (life, AD&D, LTD, voluntary benefits). Many employees could also be eligible for healthcare coverage through other types of protected leave like FMLA and KCFML.

What is the minimum weekly claim duration under PFML?

Employees must claim a minimum of at least 4 consecutive hours each claim week. For example, an employee could take 2 hours at the end of one shift and two hours at the beginning of the next shift to meet the four-hour requirement.

What if the ESD does not approve the employees PFML leave?

Approval and eligibility for PFML is determined by ESD. Most employees will be eligible for other protected leave laws (i.e., FMLA, KCFML) and may receive job protection through those laws. If an employee is not eligible for PFML or other leave laws then the leave would be considered unauthorized leave without pay and may be subject to discipline, up to and including termination.

Will ESD ever seek reimbursement of PFML overpayments?

If an employee fails to accurately report income or use of paid accruals, ESD may seek repayment of PFML funds received by the employee. This overpayment is handled between ESD and the employee.

How does PFML interact with King County's paid leave policies?

Employees have the right to use their protected leave according to the King County Code and [King County Paid Sick Leave Policy](#). When an employee uses paid accruals, the hours and pay are reported to ESD.

Do PFML rules apply when an employee is not approved or not submitting claims for PFML payment?

No. When an employee is not submitting PFML claims for reimbursement the rules of PFML do not apply. For example, an employee submitting PFML claims on Monday, Tuesday and Wednesday each week would not be

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covered by PFML rules for Thursday and Friday each week. Employees would be required to follow existing King County policies.

When should agencies calculate job protection?

Agency human resource professionals should determine job restoration rights under PFML at the time the employee begins their PFML.

Why is it important for employees to submit claims to ESD for all unpaid time taken for a PFML reason?

Employees approved for PFML should submit weekly claims to ESD for all time away from work for the PFML reason. Employees that inform King County that they are taking PFML must submit claims for the work time missed or it could be considered an unexcused absence and may result in discipline. Except for the initial 7-day waiting period, where applicable, the job protections under PFML apply only while claims for PFML reimbursement from ESD are being submitted.