

Excerpted from Mason County Personnel Policies - Revised September 3, 2019  
Resolution No. 89-19

#### 7.9 WASHINGTON PAID FAMILY & MEDICAL LEAVE

Effective December 31, 2019 Mason County shall remove the Shared Leave Program based on the Washington Paid Family & Medical Leave, which pays employees who qualify, for family medical leave based on a qualifying event.

The Human Resources Manager [~~PER RESOLUTION 58-05, 6/28/05~~] may authorize employees to donate their accrued vacation or sick leave to another County employee who is suffering from, or whose parent, spouse or child is suffering from an extraordinary or severe illness, injury, or physical or mental condition which has caused or is likely to cause the employee to take leave without pay or to terminate his/her employment. The following conditions apply:

- ~~1. To be eligible to donate vacation leave, the employee who donates leave must have more than ten (10) days of accrued leave. In no event shall a leave transfer result in the donor employee reducing his/her vacation leave balance to less than ten (10)~~

days. To be eligible to donate sick leave, the employee who donates leave must have more than thirty (30) days of leave. In no event shall a leave transfer result in the donor employee reducing his/her sick leave balance to less than thirty (30) days. Transfer of leave will be in increments of one day of leave. All donations of leave are strictly voluntary.

2. The employee receiving donated leave shall have exhausted all his/her accumulated leave time. Donated vacation leave shall be converted to sick leave for the recipient.
3. While an employee is using shared leave, he or she will continue to receive the same treatment, in respect to salary and benefits, as the employee would otherwise receive if using vacation or sick leave.
4. The transfer of leave and the amount of leave shall be authorized by the Board in advance.
5. No employee shall receive more than 260 days of donated leave during their employment with the County.

#### [\[RESOLUTION 89-19 – 9/3/19\]](#)

Paid Family and Medical Leave Overview:

Paid Family and Medical Leave, [RCW 50A.04](#) is a mandatory statewide insurance program that will provide almost every Washington employee with paid time off to give or receive care.

If you qualify, this program will allow you to take up to 12 weeks, as needed, if you:

- Welcome a child into your family (through birth, adoption or foster placement)
- Experience a serious illness or injury
- Need to care for a seriously ill or injured relative
- Need time to prepare for a family member's pre- and post-deployment activities, as well as time for childcare issues related to a family member's military deployment.

For specifics on military-connected paid leave, visit

[www.dol.gov/whd/regs/compliance/whdfs28mc.pdf](http://www.dol.gov/whd/regs/compliance/whdfs28mc.pdf)

If you face multiple events in a year, you might be eligible to receive up to 16 weeks, and up to 18 weeks if you experience a serious health condition during pregnancy that results in incapacity.

Payment of Premiums:

The program is funded by premiums paid by both employees and employers. It will be administered by the Employment Security Department (ESD).

Premium collection started on Jan. 1, 2019. In 2019, the premium is 0.4 percent of wages. Employers can either pay the full premium or withhold a portion of the premium from their employees. Employers who choose to withhold premiums from their employees may withhold up to about 63 percent of the total premium, or \$2.44 per week for an employee making \$50,000 annually. The employer is responsible for paying the other 37 percent. Businesses with fewer than 50 employees are exempt from the employer portion of the premium but must still collect or opt to pay the employee portion of the premium.

Premium collection began Jan. 1, 2019. Your employer will calculate and withhold premiums from your paycheck and send both your share and theirs to ESD on a quarterly basis.

#### Washington Paid Family & Medical Leave Coordinated with Other Leaves:

Employees who have accrued vacation, sick or other paid time off may choose to take such leave or receive paid family and medical leave benefits, as provided for in [RCW 50A.04.020](#).

An employee receiving Washington Paid Family and Medical Leave payments during a family and/or medical related leave shall use only the number of leave hours that, together with the Washington Paid Family & Medical Leave benefits payments, represents the employee's normal pay for the same period. Financial Services "Payroll" will calculate use of paid leave hours on a retroactive basis back to the first day in which the employee was off work. In no event shall the accumulation of leave and Washington Paid Family & Medical Leave income result in any employee receiving income in excess of 100% of their regular straight-time income for the same period of time.

If the employee elects to use paid leave to supplement the employee's earnings, the employee must notify Human Resources at the start of his/her Washington Paid Family & Medical Leave. Once the employee elects to use paid leave to supplement his/her earnings, the employee may not reverse the election. An employee may not elect to use only a portion of his/her accrued leave.

Employees who elect to use his/her accrued leave to supplement their wage while on family and/or medical leave shall bring their Washington Paid Family & Medical Leave check in to their department payroll to purchase back all or a portion of his/her leave hours used and paid to the employee during the family and/or medical leave. Once the employee makes payment to Mason County and Financial Services "Payroll" approves the deposit, the employee's number of leave hours will be added back to the accrual record.

Any employee who collects both a full-accrued leave paycheck and a Washington Paid Family & Medical Leave payment SHALL remit the Washington Paid Family & Medical Leave payment to the county. In the event an employee does not submit, the Washington Paid Family & Medical Leave payment to the county may be subject to disciplinary action for misuses, falsifying, or abusing leave.

#### Taking Leave:

Starting Jan. 1, 2020, employees who have worked 820 hours in the qualifying period (equal to 16 hours a week for a year) will be able to apply to take paid medical leave or paid family leave. The 820 hours are cumulative, regardless of the number of employers or jobs someone has during a year. All paid work over the course of the year counts toward the 820 hours, including part-time, seasonal and temporary work.

While on leave, you are entitled to partial wage replacement. That means you will receive a portion of your average weekly pay. The benefit is generally up to 90 percent of your weekly wage, with a minimum of \$100 per week and a maximum of \$1,000 per week. You will be paid by the Employment Security Department rather than your employer.

Unlike the federal Family and Medical Leave Act (FMLA), employees of small businesses may take Paid Family and Medical Leave if they meet the standard eligibility requirements.

More information on applying for benefits will come in 2019. Please go to [paidleave.wa.gov](http://paidleave.wa.gov) for more information.

#### Leave Protection:

Employees who return from leave under this law will be restored to a same or equivalent job if they work for an employer with 50 or more employees, have worked for this employer for at least 12 months, and have worked 1,250 hours in the 12 months before taking leave (about 24 hours per week, on average).

You can keep your health insurance while on leave. If you contribute to the cost of your health insurance, you must continue to pay your portion of the premium cost while on leave.

Your employer is prohibited from discriminating or retaliating against you for requesting or taking paid leave.

[\[RESOLUTION 89-19 – 9/3/19\]](#)