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FAQS FOR EMPLOYEES AND DC RESIDENTS

Q. Why does DC Need a Paid Family and Medical Leave Program?

- A. Nearly everyone will face a time in their life when they need to access long-term leave to care for themselves or a loved one. Nationally, only 4% of the lowest wage earners have access to paid family leave. In DC, 18.6% of residents live below the poverty line, forcing new mothers, for example, to abandon their newborns just two weeks after birth in order to return to work. No one should have to choose between caring for the people they love and earning the income they need. The Universal Paid Leave Act of 2015 was introduced to support our DC working families.

Q. Who is covered by the proposed legislation?

- A. This legislation will cover everyone living OR working in the District. In addition to those working in the private sector in DC, whether in a for-profit or non-profit business, this bill covers any working resident of Washington, DC. This includes people who work for the federal government, are members of the military, work in Maryland or Virginia, and those who are self-employed. Residents not covered by an employer contribution to the paid leave fund will make a personal contribution of 1% or less of wages which will be collected through a mechanism similar to the DC income tax. Self-employed residents will be able to opt out of the program; coverage will be universal for all other DC residents. Since everyone will need paid family or medical leave at some point in their lives we did not want to leave any DC residents out of this important and necessary program.

Q. What are my benefits under the proposed legislation?

- A. DC's Paid Family and Medical Leave Program will cover up to 16 weeks annually of paid leave for a variety of qualifying events (adoption, fostering, or birth of a new child, or personal/family medical issues). 100% of your wages will be replaced for the first \$1,000 of your average weekly salary and then 50% thereafter up to a maximum benefit \$3,000 a week.

Example: Your annual salary is \$52,000. Therefore, your average weekly salary is \$1,000. You are a new father and want to take time off to be with your adopted child. You elect to take off 8 weeks and qualify to take leave after applying and having your eligibility verified. Because your average weekly wages are \$1,000, you will receive a paycheck replacement equivalent to your entire normal pay for the entire 8 weeks of your leave.

Example: Your annual salary is \$28,000 (or approximately \$14 per hour). Therefore, your average weekly salary is \$540. Your benefit when caring for an aging grandparent would include 100% of your average weekly pay, and you would receive a paycheck replacement of \$540 per week.

Example: Your annual salary is \$104,000, and therefore your average weekly salary is \$2,000. When undergoing back surgery and throughout your 13 weeks recovery your benefit would include 100% of your first \$1,000 plus 50% of the second \$1,000 for a total benefit of \$1,500 a week.

Q. Does an employee have to work a minimum number of hours or days before becoming eligible for benefits?

- A. No. Medical emergencies cannot be planned or predicted, and you deserve to continue earning an income in these difficult times. The amount of benefits you receive will be determined based on your average weekly wages in the previous year, not by the number of hours or days worked for any one particular company. Job protection is calculated differently (see below).

Q. Do I get to keep my job?

- A. Whether your job must be held for you is determined by the D.C. Family and Medical Leave Act of 1990 (DC FMLA). Small employers - companies of 19 or fewer staff - are not required to hold your job while you take paid leave, though you will still get paid the weekly benefit. If you're an employee of a larger company, you will earn job protection once you have worked for your employer at least 6 months and 500 hours. Job protection enables you to return to your previous job or to a similar position in the company after taking leave.

Q. What if I change jobs frequently or just took a new job?

- A. You will still be eligible for benefits. Your paycheck replacement is based on your average weekly wages from the year preceding a claim.

Q. What if I commute out of the city, or my employer is not mandated to pay into this fund?

- A. If your employer is not a covered employer who is required to pay into the fund, then you will pay into the system on your own behalf, enabling you to receive benefits when you become a parent or if a personal or family medical situation

arises. Again, job protections are calculated differently and only apply to certain employers, but you will still be eligible for paid leave benefits when you need them.

Q. How do I apply for benefits?

- A. When you are facing a personal medical emergency, a family member is experiencing a serious medical condition, or you are preparing to welcome a new child to your family, you will file a claim for benefits with the District government in person or online. Your claim will be reviewed by the administering agency during a five-day waiting period and once approved you will receive benefits biweekly. You may choose to use paid sick days or your company's earned vacation days to cover your salary during that initial waiting period.

Q. What other jurisdictions have paid leave?

- A. In addition to nearly every other country in the world with paid maternity leave, California (2002), New Jersey (2008), and Rhode Island (2013) have statewide family leave and temporary disability insurance policies. We have learned from the strengths and challenges with these programs and incorporated their best practices and lessons into the DC legislation.