

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Employment Services



Public Oversight Roundtable On

**“Implementation of Law 21-264, the Universal Paid Leave Amendment
Act of 2016”**

Testimony of
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Before the

Committee on Labor & Workforce Development
Council of the District of Columbia
The Honorable Elissa Silverman, Chairperson

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Virtual Meeting Platform
John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004

Good afternoon, Chairperson Silverman, councilmembers, and staff of the Committee on Labor and Workforce Development. I am Dr. Unique Morris-Hughes, Director of the Department of Employment Services (DOES), and this afternoon I will provide an update on the implementation of Law 21-264, the “Universal Paid Leave Amendment Act of 2016” (the Act).

Today, I am happy to report that DOES successfully launched the District’s Paid Family Leave Benefits program on July 1, 2020. With the vision and support of Mayor Muriel Bowser, City Administrator Rashad Young, and the amazing team at DOES, Paid Family Leave (PFL) in Washington, DC has been fully implemented as promised and on time. We are thrilled to make the PFL program available as an important spoke in the wheel for District employees on their pathway to the middle class. PFL works in concert with other public service spokes supported in the Mayor’s budget, including education, accessible healthcare, affordable housing, public safety, and public transportation to give District residents and employees a fair shot. The PFL program furthers the Mayor’s commitment to equity by providing District employees with the ability to take the time they need to care for their own health and the health of their families without sacrificing the opportunity for prosperity.

Last Wednesday, the District began receiving claims for paid leave benefits from District employees. It is still very early and, due to the public health emergency, early claims may not be fully representative of what the District can expect going forward. However, I want to share some preliminary data on the PFL claims DOES has received. Since the start of benefits administration, DOES has received 283 claims for PFL benefits and 700 calls to our PFL call center with an average wait time of 25 seconds.¹ Our dedicated benefits claims examiners have already been hard at work adjudicating these claims for parental, family, and medical leave.

¹ The claim numbers and call center information is current as of 7/7/2020.

Today, I will detail the accomplishments that made it possible for DOES to meet this milestone. I am especially proud of our team's collaborative efforts, given the unforeseen challenges posed by the COVID-19 public health emergency during the home-stretch of DOES' push to implement PFL benefits. The Bowser Administration has worked diligently to address the impacts and pressures our city and workforce currently face. As I have previously testified, I like to refer to the DOES workforce as economic first responders. Much like our UI team, who continue to work around the clock to process an unprecedented number of new unemployment claims, the Office of Paid Family Leave (OPFL) has worked tirelessly over the past year to deliver this new benefit at a critical time.

The dedication and perseverance of the OPFL team in the face of unforeseen obstacles posed by the current public health emergency has been key to this successful launch. For example, the team moved to virtual interviews and training to onboard new staff, including benefits claims examiners and call center representatives, and ensured we had the resources in place for the July 1 launch. As of today, the PFL team has 92 professionals, whose roles range from IT specialists and policy experts to claims examiners and communications specialists. In addition, the District awarded a contract for 35 additional call center representatives for the launch of PFL benefits to keep wait times low and deliver excellent customer service.

The OPFL team has worked with the contractor, Geographic Solutions, to develop and test the new, user-friendly PFL Benefits Administration System over the past nine months. As part of this work, the team completed 11 two-week technology sprints to design and test key components of the system in phases. In February, the District awarded a contract to Promesa Consulting Group (Promesa) to perform Independent Verification and Validation (IV&V) of the PFL Benefits Administration System. Since then, Promesa has been working with the OPFL team and

Geographic Solutions to validate the technical and functional components of the system and has provided the District with systems architecture assessments, test monitoring, and risk analyses.

This past spring, DOES finalized the PFL benefits rules that will guide benefits administration. Following last year's public comment process, the final PFL benefits rules were deemed approved by the Council on March 26 and were published on April 10 in the *DC Register*. These final rules provide a strong regulatory framework for the benefits phase of the District's program and allowed the agency to move forward with full implementation of the Act.

Despite the unforeseen challenges associated with COVID-19, DOES continues to execute a robust public education campaign that informs employers, employees, and medical communities about the PFL program. In response to the public health emergency, OPFL has shifted its focus to virtual events, conferences, and community meetings. OPFL has continued to conduct information sessions through bi-weekly webinars. Since the start of the public health emergency, OPFL has hosted six webinars and five information sessions, and participated in the Momference Digital, a virtual conference for millennial moms of color. Through these initiatives, OPFL has engaged over 2,000 key stakeholders around the implementation of PFL benefits.

In addition, we continue to reach over 70,000 stakeholders through the PFL electronic newsletter and regular updates to the PFL and DOES websites with new guidance materials. For example, DOES published a set of frequently asked PFL questions regarding COVID-19 to help District workers understand their rights and eligibility for this new benefit in the current emergency. Last month, DOES also published on both websites a DC Paid Family Leave Employee Handbook designed to provide District employees with an overview of their rights and responsibilities under the District's PFL program. The OPFL team will continue its outreach efforts to diverse communities by translating program-related materials into the six commonly spoken languages in the District other than English. Over the next year, OPFL hopes to participate

in community events across all eight wards in the District to ensure that all eligible employees are aware of this important program.

As we worked diligently towards the start of benefits administration, DOES also continued to strengthen the PFL tax collection program to ensure that our businesses are contributing their fair share to this important employee opportunity. This past spring, DOES made further enhancements to the PFL tax system and rolled out additional user supports with the deployment of PFL employer tax refund and PFL field auditing functionality. Since DOES successfully implemented the tax program in July 2019, DOES has collected more than \$305 million in tax contributions for the PFL Fund, approximately 97 percent of taxes owed based on reported wages. These results speak to the success of outreach and education efforts to District employers. However, it is important to note that DOES is still in the process of receiving the tax contributions from District employers for the quarter that ended on June 30 and are due by July 31. As the District continues to experience the full impact of the current public health emergency, DOES will monitor the PFL Fund in consultation with the Office of the Chief Financial Officer.

I want to again thank the dedicated staff at DOES, OCP, DCHR, OCTO, DSLBD, the Office of the City Administrator, and the Executive Office of the Mayor who have contributed to the success and on-time implementation of the Paid Leave program. Together, our agencies are delivering the District workforce the tools needed to support the city's prosperity and growth. This concludes my formal testimony. I will now conduct a quick walk-through of our PFL Benefits Administration System and then I am available to address your questions.