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**Labor & Workplace Standards  
Committee**

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**HB 1073**

**Brief Description:** Expanding coverage of the paid family and medical leave program.

**Sponsors:** Representatives Berry, Wicks, Fitzgibbon, Bateman, Tharinger, Simmons, Kloba, Ramel, Ortiz-Self, Goodman, Ryu, Bronoske, Hackney, Chopp, Riccelli, Stonier, Frame, Macri, Davis, Pollet, Bergquist and Harris-Talley.

**Brief Summary of Bill**

- Expands coverage of the Paid Family and Medical Leave (PFML) program.
- Expands applicability of the PFML job protection provisions.
- Requires maintenance of health benefits for employees covered by PFML job protection provisions.

**Hearing Date:** 1/15/21

**Staff:** Lily Smith (786-7175).

**Background:**

The Paid Family and Medical Leave (PFML) program was enacted to provide partial wage replacement to employees on leave for specified family and medical reasons. It is funded through premiums paid by employers and employees. The Employment Security Department (Department) administers the program.

Coverage.

Employees are eligible for benefits under the PFML program after working at least 820 hours in

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a qualifying period.

A "family member" under the PFML program means a child, grandchild, grandparent, parent, sibling, or spouse.

Job protection.

An employee returning from PFML leave is entitled to be restored to a same or equivalent job when the following applies:

- the employer has 50 or more employees;
- the employee has been with the employer for 12 months or more; and
- the employee has worked for the employer for at least 1,250 hours during the immediately preceding twelve-month period.

Health benefits.

An employer must maintain the existing health benefits of an employee during PFML leave when otherwise required by the federal Family and Medical Leave Act (FMLA).

The FMLA provides eligible employees with unpaid leave, and generally requires maintenance of health benefits during leave. The FMLA applies to employees meeting work duration requirements for public employers or for private employers with 50 or more employees.

**Summary of Bill:**

Coverage.

The eligibility threshold for benefits is modified from a minimum of 820 hours worked to a minimum of \$1,000 earned.

The definition of "family member" is expanded to include anyone related by blood or affinity whose close association is the equivalent of a family member.

Job protection.

The applicability of the job protection provisions is expanded by removing the employer size and the employee hours worked thresholds, and by revising the employment length threshold from 12 months to 90 days.

Health benefits.

An employer must maintain existing health benefits during PFML leave for any employee covered by the PFML job protection provisions.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is

passed.