

# Washington's New Leave Law “Paid Family and Medical Leave”

## What you need to know



# Before we begin learning

- Walmart offers a variety of leaves to associates who need time away from work
- Sedgwick, our leave of absence, disability, and ADA administrator, works directly with our associates who request leave or an accommodation



# Agenda

1. Leave of absence 101
2. What is WA PFML?
3. What is the new process?
4. Associate impact and payments
5. What do you need to know?
6. Stay Tuned



# Leave of Absence 101

## WHAT'S A LEAVE OF ABSENCE?

A leave of absence (LOA) is when an associate takes time away from work for a specific reason. A LOA must be requested and approved, and it can be paid or unpaid based on the reason for taking the leave and benefits offered to the associate. Associates on leave, may have job-protection through federal or state laws.

## Family & Medical Leave

**Eligible associates can take leave for the following events or circumstances:**

- Birth and care of a child within 12 months of birth
- Adoption or foster placement of a child and care within 12 months of placement
- Care for a family member who suffers from a serious health condition
- Associates own serious health condition

## Military Leave

**Associates who serve in our military can take leave for the following events or circumstances:**

- Active duty
- Training
- Full-time National Guard duty
- Examinations to determine fitness for duty
- Funeral honors duty
- Homeland security duty
- Attending a military service academy or
- Any other military duty or training under orders from appropriate federal or state authorities

## Personal Leave

**Associates who don't qualify for federal or state law may still request leave for a variety of individual circumstances:**

- Medical, Family Care, or Extended Family Member care not covered by federal or state laws due to exhaustion of benefits or eligibility
- Workers Compensation
- Expatriate Spouse
- Military Spouse/Partner
- Reassignment due to ADA
- Pharmacy Intern
- Bereavement
- Transfer
- Education
- Compelling Reason








# What is WA PFML?

## Washington's Paid Family & Medical Leave (PFML) is NEW

- Benefits begin **Jan. 1, 2020**
- WA PFML is **PAID** leave that will be managed by the state of Washington
- The weekly benefit for Paid Family and Medical Leave (PFML) may be **up to 90%** of the associate's gross wages. There is a weekly cap at \$1,000. To be eligible associates must have worked 820 hours for an employer in the state of the WA within the qualifying period
- WA PFML also offers job protection of 12 weeks for eligible associates who have worked in the state of WA for 1,250 hours within the last 12 months
- WA PFML **replaces** WA's current unpaid Family Leave Act
- WA PFML is funded by contributions by **all** associates and employers in Washington

# What is WA PFML?

 Eligibility	<p><b>820 hours or more</b> in the qualifying period to receive <b>paid leave benefits</b></p> <p>The qualifying period is either:</p> <ul style="list-style-type: none"><li>• The first four of the last five completed calendar quarters;</li><li>• or the last four completed calendar quarters</li></ul>
 Entitlement	<p>Eligible associates can generally receive a combined total of up to 12 weeks of leave with wage replacement during a 52-week claim period for Medical Leave, Family Leave, or Military Events.</p>
 Qualifying Reasons	<p><b>Medical Leave:</b></p> <ul style="list-style-type: none"><li>• Care for one’s own serious illness or injury</li></ul> <p><b>Family Leave:</b></p> <ul style="list-style-type: none"><li>• Care and bond after a baby’s birth or placement of a child younger than 18</li><li>• Care for a qualified family member experiencing a serious health condition or injury</li><li>• Certain military-connected events</li></ul>
 Qualifying Relationships	<p><b>An associate’s qualifying family member can be:</b></p> <ul style="list-style-type: none"><li>• <b>Child</b> (biological, adopted, or foster child, a stepchild, or a child to whom the employee stands in loco parentis, is a legal guardian, or is a de facto parent, regardless of age or dependency status)</li><li>• <b>Parent</b> (biological, adoptive, de facto, or foster parent, stepparent, or legal guardian of an employee or the employee’s spouse, or an individual who stood in loco parentis to an employee when the employee was a child)</li><li>• <b>Spouse</b> (husband, wife, or state registered domestic partner) of an associate</li><li>• <b>Sibling</b></li><li>• <b>Grandchild</b> (associates child’s child)</li><li>• <b>Grandparent</b> (associates parent’s parent)</li></ul>
 Usage	<ul style="list-style-type: none"><li>• <b>Can be taken continuously or intermittently. For intermittent leave:</b> minimum claim duration is one hour. Claims are reported each week and intermittent time can be paid as long as <b>eight consecutive hours</b> have been missed each week claimed.</li></ul>

## Reminders

- ✓ If an associate has multiple events in a year, the associate may be eligible to receive up to 16 weeks of leave, and 18 weeks if pregnancy is involved.
- ✓ Associates who have 12 months of service and have worked 1,250 hours in the year before the first date of leave are job-protected: they are entitled to reinstatement and are entitled to continue their health insurance if they pay their share of the premiums.



# What is the associate impact?

- Part-time associates who work 820 hours (approximately 16 hours a week) and have a qualifying event, can now take PAID leave!
- Full-time hourly, salaried, and driver associates keep their same benefits, but may receive **two payments**—one from Walmart and the other from the state
- A significant decrease in rates for 2020 STD benefits will be seen for Full-time associates in the state of Washington.

# What is the new process?

Step one: Contact Sedgwick	Step Two: Contact the state
<ul style="list-style-type: none"><li>• Sedgwick may require supporting documentation</li><li>• Sedgwick will pay the associate their Walmart benefits at a reduced rate, coordinating with the state benefits</li><li>• Sedgwick will continue to send communications (FMLA, STD, any other Walmart leaves)</li><li>• Sedgwick will assist with the associate's return to work, including requests for accommodation</li></ul>	<ul style="list-style-type: none"><li>• The state will require associates to submit supporting documentation and proof of identification either via online or post mail</li><li>• If applying online or downloading online documents, associates will need to set up an account</li><li>• The state will notify Walmart of leave dates and job protection status for the WA PFML benefit. The state will notify the associate directly if they are eligible for paid leave</li><li>• The state will cease payment when an associate returns to work</li><li>• Due to an expected increase in volume for this new benefit, it may take between 14 and 30 days for the state to make a decision and notify all parties</li><li>• Employees must file a weekly claim to receive benefits</li></ul>

# Pay with the new WA PFML

**Seven-day waiting period:** the state will use a Sunday-Saturday wait period. This means not all associates will have to wait a full seven calendar days before their WA PFML may begin. PTO may be used during this waiting period. More to come as we build out a process.

## Pay

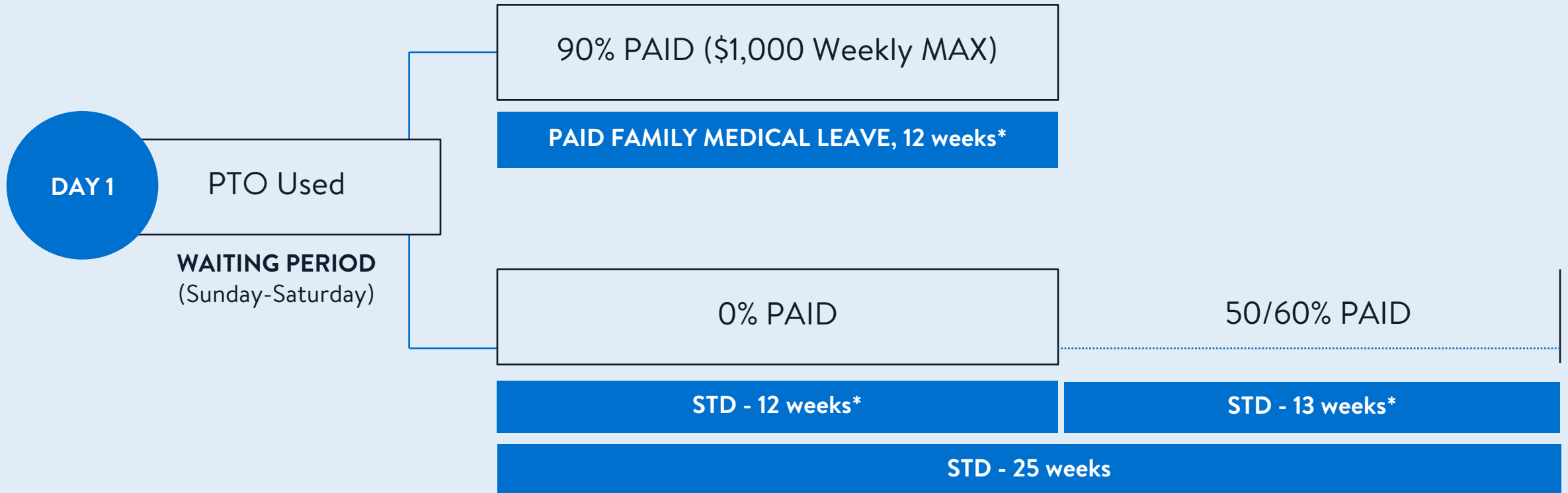
- All associates in WA will be referred to the state to apply for the paid leave benefits.
- STD and other Walmart paid benefits will still be available for associates to use in conjunction with their WA PFML paid benefits, not to exceed 100% of their earnings.
- Associates may use PTO on top of their PFML benefit, but should be aware this will reduce or eliminate the amount of the state benefit.

**Benefit Payments:** Since Walmart benefits will be reduced by the amount of WA state benefits, associates will need to make sure they can cover their benefits premiums with their paycheck amount or through payments to People Services.



# What is the new pay process?

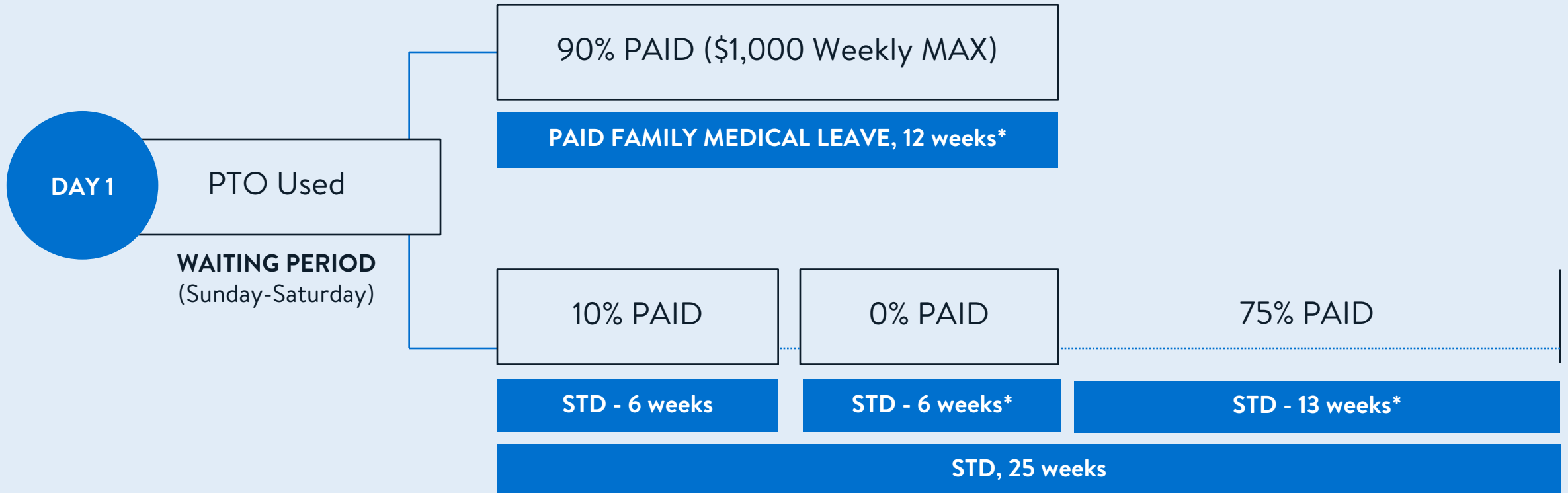
## Washington FT Hourly STD Example



\* Time could vary depending if multiple events occur in a year.

# What is the new pay process?

## Washington Salaried STD Example



\* Time could vary depending if multiple events occur in a year.

# What do you need to know right now?

- Visit the Leave of Absence page on One.Walmart.com for information regarding leaves in general. You will also find the Washington PFML Talking Points on the [Leadership guide](#) that provides further details into WA PFML.
- Eligible associates that currently have a leave that started in 2019 with a continuation into 2020, may be eligible to receive benefits under this new program, including intermittent leaves.
- Be aware: Sedgwick is communicating to associates currently on LOA the steps they need to take after Jan. 1, 2020 for compliance with WA PFML.
- The minimum claim duration for paid family or medical leave is eight consecutive hours in a week.
- Employment verification will be requested by the state and must be returned within 15 days.
- DO NOT take employment actions after Jan. 1, 2020 until a final determination has been received from the state.
- Due to the amount of initial claims the state will receive, determinations may be delayed past the 15 day estimate. Associates will need to contact the state for updates on their application status.



# Stay Tuned

**Be patient.** The State of Washington is continuing to make changes to their program, therefore updates or enhancements may still be forthcoming. We will provide more specifics around the following once the state provides the information:

- We do not know the exact information needed to complete all employer or associate responsible forms.
- The state is still building a process that notifies employers of leave and job protection information.
- The state will send each facility a required poster for associates to reference.
- The state confirmed that they will accept employer forms for some leave types but additional medical certifications may be needed for the state application.
- WA PFML requires employees to give a 30 day notice of leave (when possible) to their employer. Retain any notices that are provided.





**For more information visit:**

LOA toolkit- [OneWalmart>Me>MyTime>Leave of Absence \(LOA\)](#)

or

WA Employment Security Department-[paidleave.wa.gov](https://paidleave.wa.gov)