

What is Washington Paid Family and Medical Leave?

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Learn about Washington's Paid Family and Medical Leave (PFML). This program gives workers in Washington paid leave to provide medical care for a family member or yourself.

What is Paid Family and Medical Leave?

In Washington, we have a state law that provides a paid leave benefit (<https://app.leg.wa.gov/rcw/default.aspx?cite=50A>). It's a paid leave benefit (<https://paidleave.wa.gov/>) for workers here in Washington state. It's called "Paid Family and Medical Leave" (or "PFML").

Are FMLA and PFML the same thing?

No. PFML is often confused with "FMLA" which is referring to the **federal** law called the Family Medical Leave Act.

FMLA is an **unpaid leave** program. It makes it so that you can take up to 12 weeks of "protected leave." That means your job will be held for you while

you're on leave. You should be allowed to return to the exact same job and work you were doing before you took the leave. Your insurance benefits should also continue while you're on FMLA leave. But you **won't get paid** for the leave under the **federal** program.

Often, federal FMLA and state PFML benefits will run "concurrently." This means that you get the benefits at the same time for the same events, since they're for different things. FMLA protects your job. PFML pays you while you're on leave.

FMLA has different rules, requirements, and definitions of family (<https://paidleave.wa.gov/find-out-how-paid-leave-works/>) than the state PFML.

Is Paid Family and Medical Leave the same as Sick Leave?

No. Employers in Washington are required to provide earned sick leave (<https://www.lni.wa.gov/workers-rights/leave/paid-sick-leave/index>) for their employees. You're supposed to earn at least 1 hour paid sick leave for every 40 hours that you work.

Does my employer provide PFML benefits?

No, it comes from Washington state's Employment Security Department. It's a state-funded benefit program.

Even if you work for a small business or small employer, you'll still qualify for the program. If you work for a small employer of fewer than 50 employees and your employer chose to opt out of the program payments, **you'll still get to access the program** if you need it and otherwise qualify.

How do I qualify?

You qualify if you worked 820 hours in the year before you applied for PFML. This is about 16 hours per week. The benefit is available for full-time, part-time, temporary and seasonal workers.

These employees usually won't qualify:

- Federal employees
- Employees of a federal recognized tribe or a business located on tribal land (unless the tribe or business opted into the program)
- Self-employed workers who chose to opt out of the program

Some employers will provide their own Paid Family and Medical Leave plans. If your employer (or the collective bargaining agreement of your Union) includes one of these voluntary plans, you must use that plan.

The employer or union plan **must** provide the same or better paid leave benefits than the Washington Paid Leave program. If it doesn't, you should be able to use the state program.

When can I use Paid Family and Medical Leave?

You can get **12 weeks** of Paid Family and Medical Leave when you need to:

- Recover from a serious medical condition
- Care for and bond with a new child
- Take bereavement following the death of a newborn
- Help a seriously ill family member

Do I have to use all 12 weeks at once?

No. You don't have to use all 12 weeks at once. You can use an hour per week for cancer treatments. Or use all 12 weeks at once to recover from a major surgery. You can use the benefit in the time frames that you need to.

You might be able to add an additional 4 weeks of leave if you have more than one qualifying event in a year, or you have combined events.

Birth parents who have complications because of pregnancy can take up to 18 weeks of leave total.

Certain military events will also qualify for the PFML. You can use PFML to spend time with your family before deployment. You might also be able to use it to help pay for childcare once you are deployed.

Who qualifies as my family for this benefit?

For PFML, these people will qualify as your family:

- Spouse or domestic partner
- Biological, adopted, step, or foster children **and** grandchildren
- Parents, legal guardians, or parents in law (your spouse's parents)
- Grandparents
- Daughter-in-law, Son-in-law, or your child's spouse

These people are usually not going to qualify as "family" for Paid Family and Medical Leave: Cousins, nieces, nephews, aunts, uncles, pets, friends, neighbors

How much will I get paid while I'm on Paid Family and Medical Leave?

You should get about 90% of your regular pay. You won't get more than \$1,542 per week. That's the maximum weekly payment amount for 2025.

How do I apply for Paid Family and Medical Leave?

You must send written notification to your employer at least 30 days before you plan to take the paid leave, unless it was unexpected circumstances. If it was because of an unplanned circumstance, send your employer the notification as soon as possible.

For parental leave, you must take it during the **first 12 months** after the birth, adoption, or placement in your home.

Learn about the forms you'll need (<https://paidleave.wa.gov/get-ready-to-apply/>), get a [sample written notification](https://paidleave.wa.gov/app/uploads/2019/12/30-day-notice-to-employer.pdf) (<https://paidleave.wa.gov/app/uploads/2019/12/30-day-notice-to-employer.pdf>) you can use to notify your employer and [start your application](https://paidleave.wa.gov/apply-now/) (<https://paidleave.wa.gov/apply-now/>), all in [the application portal](https://paidleave.wa.gov/individuals-and-families/) (<https://paidleave.wa.gov/individuals-and-families/>).

How can I file a complaint if I think my employer is violating my leave rights?

Washington Department of Labor and Industry has instructions about [how to make complaints about different types of leave violations](https://lni.wa.gov/workers-rights/workplace-complaints/protected-leave-complaints) (<https://lni.wa.gov/workers-rights/workplace-complaints/protected-leave-complaints>). If you need to make a complaint about the state Paid Family and Medical Leave program, the [PFML Equity and Access page](https://paidleave.wa.gov/equity-and-access/) (<https://paidleave.wa.gov/equity-and-access/>) can tell you more about how to

make a complaint (<https://paidleave.wa.gov/app/uploads/2020/12/Unlawful-Acts-Complaint-Form-English-Spanish-2024.05.20.pdf>)Acts-Complaint-Form-English-Spanish-2024.05.20.pdf).

WashingtonLawHelp.org gives general information. It is not legal advice.
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