



PROPOSED STUDY QUESTIONS Paid Family and Medical Leave Program

State of Washington Joint Legislative Audit and Review Committee

UPDATED: April 2023

Washington’s Paid Family and Medical Leave program offers paid time off to public and private employees

The 2017 Legislature created the Paid Family and Medical Leave (PFML) program (Title 50A RCW).

With the program, employees can take up to 12 weeks of paid family or medical leave each year. Employees can use leave when a serious health condition prevents them from working, to care for a family member, to bond with a new baby or child, or for certain military-related events.



Employees must have worked more than 820 hours in the past year to be eligible for leave.

Employees who use the program must apply for benefits and file weekly claims with the Employment Security Department (ESD), which administers the program. Employers also have responsibilities, including notifying employees about the program and filing quarterly reports.

2022 Legislature mandated multiple reviews of the PFML program

Employees and employers pay premiums that fund program administration and benefits. The formula used to set premiums is in statute. In response to deficits in the PFML account, the 2022 Legislature:

- Directed JLARC to evaluate ESD’s program administration and the program’s financial stability.
- Directed the Office of Financial Management to review the premium rate formula.
- Created a legislative task force to recommend changes to the formula. The 2023 Legislature is considering the task force recommendations (SSB 5286).

JLARC study will answer the following questions about ESD’s program administration and the financial stability of the PFML program

1. Are ESD’s program administration and organizational structure consistent with statute and best practices?
 - a. Does ESD process PFML applications in a timely, systematic, and equitable manner?
 - b. To what extent does program participation or experience vary by race or ethnicity?
 - c. How does ESD monitor and assess employer and employee compliance with requirements?
2. Does ESD prepare and report PFML financial information in accordance with best practices?
3. Does the PFML premium rate formula produce rates that meet statutory requirements?

In accordance with RCW 44.28.076, JLARC staff determined that there are racial equity considerations for this study, and they are included in the study questions above.

Study timeframe

Briefing Report: September 2023 Preliminary Report: October 2024

Study team

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JLARC Study Process

