

LEAVE TYPE	AMOUNT OF LEAVE	QUALIFYING REASONS	EE ELIGIBILITY	COMPENSATION RATE	RETURN FROM LEAVE	CONCURRENT W/OTHER LEAVE	MISC.
Federal Family Medical Leave Act (FMLA)	Up to 12 workweeks in a 12-month period Up to 26 weeks in a 12-month period for military caregiver leave	<ol style="list-style-type: none"> 1. Birth or placement of a child. 2. Care for a family member who has a “serious health condition” 3. EE’s own “serious health condition” makes the EE unable to perform the functions of the position 4. Any qualifying exigency leave related to military service 	Employed by ER for ≥ 12 months, has ≥ 1,250 hours of service over the previous 12 month period	Unpaid (unless an EE elects, or the ER requires, EE to use accrued paid leave)	Must be restored to same or equivalent position and have no loss of employment benefits accrued prior to leave (exception exists for highly compensated EEs). If the EE would have been laid off, the EE can still be laid off	Runs concurrently with other paid leaves if EE elects or ER requires	ER designates leave under FMLA Special rules apply for instructional employees of school districts, such as teachers and para educators.
WA Paid Family Medical Leave (PFML)	Up to 12 workweeks per year generally. Up to 16-18 workweeks in certain circumstances (e.g., employee requires both medical and family leave or has serious health condition related to childbirth)	<ol style="list-style-type: none"> 1. Birth or placement of a child. 2. Care for a family member who has a “serious health condition” 3. EE’s own “serious health condition” makes the EE unable to perform the functions of the position 4. Any qualifying exigency leave related to military service 	EE has worked ≥ 820 hours in WA during the qualifying period.	Partial wage replacement, up to 90% of average weekly pay and up to a maximum of \$1,000 per week.	Rights are the same as FMLA, but they only apply to an EE who has worked 1,250 hours for that employer over the last 12 months.	ER may designate accrued leave as “supplemental benefit.” Runs concurrently with FMLA in theory, but in practice, the state will most likely not know whether an EE has used FMLA leave.	EEs apply to the WA Employment Security Department (ESD) for eligibility and benefit determination.
WA Family Care Act (FCA)	If under the terms of a CBA or applicable ER policy an EE is entitled to paid time off, then an ER must allow an EE to use such time off for the qualifying reasons regarding family care	<ol style="list-style-type: none"> 1. Care for a child of the EE with a health condition that requires treatment or supervision. 2. Care for a family member who has a “serious health condition” or an emergency condition. 	All EEs with a paid time off benefit per the applicable CBA or ER policy	See the applicable CBA or ER policy	See the applicable CBA or ER policy	See the applicable CBA or ER policy	
RCW 28A.400.300 (Sick Leave)	Up to 12 days per year	Illness, injury and all emergencies	All EEs under Title 28A RCW	100% of pay	Sufficient cause is required for discharge, and appropriate use of leave would not meet standard	See the applicable CBA or ER policy	Only applies to school districts.
Paid Sick Leave per Initiative 1433	At least 1 hour of sick leave for every 40 hours of work	<ol style="list-style-type: none"> 1. Mental or physical illness, injury or health condition 2. Need for medical diagnosis, care, or treatment of a condition above 3. Need for preventive medical care 4. Care for a parent member under provisions 1-3 above 5. Workplace closed by order of a public health official for any health related reason or EEs child’s school or place of care has been closed for such reason 6. Domestic Violence Leave Act reasons under Chapter 49.76 RCW 	All EEs meeting definition under Minimum Wage Act exempts salaried professionals EEs begin accruing immediately but are not entitled to use sick leave until 90 th calendar day starting employment	100% of pay	Unlawful to discriminate or retaliate against EE who uses paid sick leave.	See the applicable CBA or ER policy	Employers may provide more generous paid sick leave policies permitting use of paid sick leave for additional purposes.