

Legal Update

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Washington State Passes Amendments to PFML

Washington has [amended](#) the state's paid family and medical leave (PFML) law. Key changes for employers take effect June 9, 2022, and are summarized below.

Changes Related to Pregnancy and Childbirth

The amendments allow the use of PFML for seven days following the death of a child, if the employee would have qualified for medical or family leave for the child's birth or placement.

The amendments also establish that leave taken in the postnatal period (newly defined as six weeks after birth) for incapacity due to pregnancy is medical leave, unless the employee chooses to use family leave. Additionally, certification of a serious health condition is not required for this leave.

Changes Related to Collectively Bargained Workers

The PFML law contains an exception for parties under collective bargaining agreements that were in existence as of Oct. 19, 2017. Under the exception, the PFML requirements do not apply until the agreements expire or are renegotiated. Under the amendments, this exception ends on **Dec. 31, 2023**.

List of Private Plans

The Washington Employment Security Department must publish a current list of all employers with approved voluntary PFML plans on its website.

Important Dates

June 9, 2022

Amendments important to employers go into effect.

Dec. 31, 2023

Provision excepting certain collective bargaining agreements from the PFML law's requirements expires.

The amendments expand PFML to allow use following the death of a child in certain circumstances.

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