

Resources for Washington businesses

Gain important insights about SharedWork, Paid Family and Medical Leave programs for a competitive workforce advantage!

Wednesday, Feb. 8

12:00 PM – 1:00 PM

**SharedWork, Paid Family and
Medical Leave**

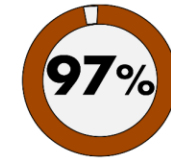


Welcome

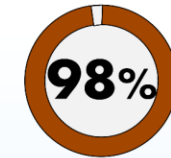
SharedWork program

Keeps Washington employers thriving during economic ups and downs.

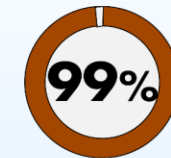
In a survey of past employers who enrolled in the program:



SharedWork improved employee morale.



The program helped retain skilled workers.



Would recommend SharedWork to another employer.

SharedWorkWA.com



Scenario: 20 percent payroll reduction



Ryna's remodeling company is experiencing supply delays, and it's impacting a few jobsites. She employs 40 individuals.

In lieu of layoffs. Ryna has enough work for 32 full-time employees. The employer can avert the continued layoff of 8 full-time employees by keeping all 40 employees and reducing the workweek.

Reduced workweek. The employer reduced the workweek from 40 hours to 32 hours, which is a reduction of 20 percent and permissible under state law, anywhere from 10-50% is an acceptable reduction each week with SharedWork.

Summary. The 40 returning employees would each receive 80 percent of their wages from their employer, while also remaining eligible for 20 percent of their respective weekly benefit amount under SharedWork.



SharedWork usage by county

* This report represents number through Dec. 2022

The table below shows active SharedWork plans in the state of Washington as reported in the [January 2023 SharedWork hot sheet](#).

County	Businesses eligible for SharedWork in this county (estimated)	Businesses currently participating in SharedWork	Employees participating in SharedWork (enrolled by their employer)	County	Businesses eligible for SharedWork in this county (estimated)	Businesses currently participating in SharedWork	Employees participating in SharedWork (enrolled by their employer)	County	Businesses eligible for SharedWork in this county (estimated)	Businesses currently participating in SharedWork	Employees participating in SharedWork (enrolled by their employer)
Adams	290	0	0	Jefferson	432	6	67	Snohomish	8,179	77	1,456
Asotin	232	0	0	King	33,991	236	5,014	Spokane	6,218	55	1,585
Benton	2,225	22	410	Kitsap	2,670	18	264	Stevens	391	1	2
Chelan	1,430	19	420	Kittitas	616	2	9	Thurston	3,427	34	490
Clallam	930	4	77	Klickitat	300	4	64	Wahkiakum	46	0	0
Clark	5,966	41	399	Lewis	923	17	238	Walla Walla	786	10	90
Columbia	83	0	0	Lincoln	116	0	0	Whatcom	3,111	46	880
Cowlitz	1,134	6	436	Mason	518	4	37	Whitman	444	1	17
Douglas	392	5	125	Okanogan	606	2	9	Yakima	2,549	20	250
Ferry	85	0	0	Pacific	319	0	0	Other	9,464	152	5,665
Franklin	1,021	1	3	Pend Oreille	125	1	2	Total	93,033	779	16,161
Garfield	22	0	0	Pierce	8,368	99	2,987				
Grant	1,197	11	169	San Juan	464	3	11				
Grays Harbor	843	7	217	Skagit	1,659	17	241				
Island	836	9	190	Skamania	88	1	2				

Scenario: 20 percent payroll reduction



Without SharedWork 20% employees laid off

Laid off worker



\$800

\$20 x 40 hrs

Full-time employee



\$800

\$20 x 40 hrs

With SharedWork All employees working 20% fewer hours.

Full-time employee at 20% reduction



\$800

\$20 x 40 hrs

Part-time employee at 20% reduction



\$600

\$20 x 30 hrs

Average Weekly Income
(before reduction)

Hours worked
(reduced by 20%)

Weekly Benefit
(Unemployment Insurance)

Weekly Wage

**Weekly Income
with SharedWork**

32

\$80

\$640

\$720

24

\$60

\$480

\$540

Average Weekly Income
(before reduction)

Hours worked

Weekly Benefit
(Unemployment Insurance)

Weekly Wage

**Weekly Income
without SharedWork**

0

\$400

0

\$400

40

\$0

\$800

\$800

After 20%
Workforce Reduction

After 20%
SharedWork Reduction

SharedWork Requirements



Employer Requirements for SharedWork:

1. Must be a legally registered business in Washington state.
2. Must have an Employment Security Department (ESD) number.
3. Must have at least two permanent employees, who are not corporate officers, affected by a reduction in hours and wages.
4. Continue to provide same benefits to employees.

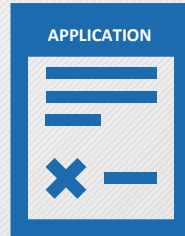
Employee Requirements for SharedWork:

1. Employee must qualify for a valid claim. (680 hours)
2. All permanent employees may participate in SharedWork.
3. Be able and available for all scheduled hours by SharedWork employer.

How It Works



1



2



3



4



5

The employer calls SharedWork at **800-752-2500** option 3 to check business eligibility.

The employer assigns a **SharedWork representative** and submits an **Employer Plan Application** and a **Participant List**.

Once the employer plan is approved, each participant submits an **Employee Application** and begins filing weekly claims.

The employee receives **earned wages** and a share of **unemployment insurance benefits** when hours are reduced.

The employer representative checks the weekly **SharedWork Payments Report** for accuracy.

Employer enrollment options

Apply by eServices, electronic upload or fax

1. Download the [Employer plan application](#) (pdf). If you need more space to add employee names, download the [Participant list](#) (Excel)
2. Here you can [Upload all documents](#) directly to the SharedWork Unit, or Fax to 800-701-7754

Remember to:

- Include your company's name in the file name
- Sign and date all forms
- Obtain the signature for the collective bargaining agent, if applicable.

Employment Security Department WASHINGTON STATE **SharedWork**
EMPLOYER PLAN APPLICATION
Submit this form by fax to 800-701-7754 or upload at [SharedWork upload](#)
Questions? Call 800-752-2500

Please print or type the following information. Answer all questions and sign to complete.

1. Employment Security Department (ESD) number: _____
Find this number on your ESD tax statement.

2. Business name: _____ DBA: _____

3. Mailing address: _____ City: _____
State: _____ ZIP code: _____ County: _____

Physical Location/Street address (if different from mailing address): _____
City: _____ State: _____ ZIP code: _____ County: _____

4. **Employer representative:** An employer must identify a representative to coordinate with SharedWork Program staff regarding the employer plan and eligible employee claims. Employer representatives must report changes and respond to written requests for information within 10 days. Representatives also must be easily available to program staff.

Primary employer representative:	Alternate employer representative:
Name: _____	Name: _____
Job title: _____	Job title: _____
Email: _____	Email: _____
Phone: _____ Ext.: _____	Phone: _____ Ext.: _____
Fax: _____	Fax: _____
If not located at address above, provide location. Address: _____	If not located at address above, provide location. Address: _____
City: _____ State: _____	City: _____ State: _____

5. Is your business experiencing an economic downturn? ☐ Yes ☐ Maybe

6. What date did you or will you reduced hours? _____
(month/day/year)

7. How many employees are you submitting to participate in SharedWork? (Complete the attached employer plan employee list below.) _____

8. Estimate how many jobs will be saved by using the SharedWork Program. _____

9. How will you give advance notice to affected employees whose hours are or will be reduced?
☐ Memo or letter ☐ Email ☐ Staff meeting ☐ Other: _____

If advance notice is not possible, please state why: _____

10. a) How many of your participating employees are union represented? _____ ☐ N/A

b) **Employer union affiliation information (if applicable):** The employer's SharedWork plan must be approved in writing by the collective bargaining agent for each affected collective bargaining agreement covering any affected employee. Approval signature(s) are required to process this application.

Union: _____ Local: _____	Union: _____ Local: _____
Phone: _____ Ext.: _____	Phone: _____ Ext.: _____
Authorized union representative name Print: _____	Authorized union representative name Print: _____
Signature: _____	Signature: _____

11. Your signature certifies that:

- You have at least two permanent employees enrolled in the SharedWork plan.
- Affected employees were hired on a permanent basis.
- Health benefits will continue to be provided under the same terms and conditions as when the affected employee worked their usual weekly hours, unless health benefits are changed for all your employees.
- Retirement benefits and contributions under defined plans will continue to be provided under the same terms and conditions as when the affected employees worked their usual weekly hours, unless retirement benefits are changed for all your employees.
- Paid vacation, holidays, and sick leave continue to be provided under the same terms and conditions as when the affected employees worked their usual weekly hours.
- You agree to furnish all reports and information necessary for proper administration of your SharedWork plan.
- Your participation is consistent with your obligations under federal and state law.
- If there are any changes to the information on this application or employee (participant) list, you will notify SharedWork program staff immediately.
- You agree not to use SharedWork to subsidize seasonal employees during the off season.

By signing below, I, _____ Print name _____ certify that I am authorized to sign this document on behalf of the business and that all information provided on this application is true and correct.

Signature: _____ Title: _____ Date: _____
Owner, Proprietor, CEO, CFO, CO, GM, HR Manager, Payroll Manager

Winning with SharedWork



"I think SharedWork is a great signal to your people:- come back to work, get back to work, and sign up for SharedWork! It could be a great tool in building up your team and moving forward as you try to figure out the next few years of being short [on] workers, and how to retain the great ones you have."

Washington Hospitality Association

Statewide

"Client care has ebbed and flowed based on the pandemic, and Shared Work has given us the flexibility to take care of our staff, while saving payroll when there isn't enough work – (as a non-profit, this is especially important!)"

Pushing Boundaries

Bellevue, WA



"Our employees are thankful we used it, and happy they do not have to draw full unemployment. There are so many advantages to SharedWork. We do not know what the future will bring. Get approved for SharedWork!"

Spokane Galvanizing
Airway Heights, WA

SPOKANE GALVANIZING

"What felt like the right thing for our employees was not just to pick five or ten of our newest employees and let them go because of the pandemic ... and so SharedWork saved us!"

Kulshan Brewing

Bellingham, WA



Contact SharedWork



Employers can verify their eligibility in minutes and get answers by calling 800-752-2500 and choosing Option 3.

800-752-2500

8am to 4pm, Monday through Friday

Option 1 – Claims

Option 2 – Existing Plans

Option 3 – New Plan Inquiry

Option 4 – I was asked to call
sharedworkplansect@esd.wa.gov

More ways to learn about SharedWork

- Watch a commercial by [clicking here](#).
- The SharedWork program will be hosting many regional and statewide **free virtual events** for employers in Washington. Check out our event lineup: esd.wa.gov/SharedWork/events
- The SharedWork program will be hosting weekly webinars through the year end to help businesses get informed. **Wednesdays 11:15 a.m. SharedWork Q&A for businesses.** [Click here to register.](#)
- Download the **SharedWork info card** by [clicking here](#).

Washington **Paid Family & Medical Leave**



PFML Overview

Jason Barrett
Lead Policy Analyst
Leave and Care Division
Employment Security Department



What is Paid Family and Medical Leave?

Paid leave from work to care for yourself or a family member.

You apply directly with the state, not your employer.

Benefit is paid directly to you, not through your employer.

Your employer cannot prevent you from using Paid Family and Medical Leave.



Two-part eligibility



Hours worked

- 820 hours in the qualifying period (about the last year).
- At one employer or cumulatively.



Qualifying event

- Serious health condition (your own or a family member's).
- Birth or placement.
- Military events.

Family leave

- Care for a family member with a serious health condition.
- Bonding in the first year after the birth or placement of a child under 18, including adoption and foster parents.
- Military family leave.



Family defined

- 👍 Child (step, in-law)
- 👍 Grandchild
- 👍 Spouse/Domestic Partner
- 👍 Sibling (step)
- 👍 Parent (step, in-law)
 - Loco Parentis
 - Legal Guardian
- 👍 De Facto Parent
- Grandparent (in-law)

- 👍 Any individual who regularly resides in the employee's home or where the relationship creates an expectation that the employee care for the person, and that individual depends on the employee for care*

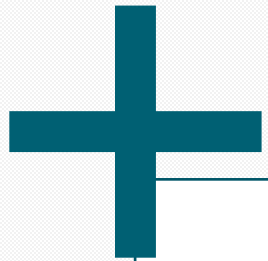
*Implemented by SB 5097 in 2021 legislative session

Medical leave

- Time to receive treatment or recover from a serious health condition.
- Could include:
 - Cancer treatment
 - Dialysis
 - Chronic serious condition
 - Treatment for substance abuse
 - In-patient mental health care



What's a "serious health condition"?



- Generally includes serious illnesses and injuries, chronic conditions and some substance abuse and mental health treatment.
- Defined in the law.
- Up to a healthcare provider to diagnose and certify.



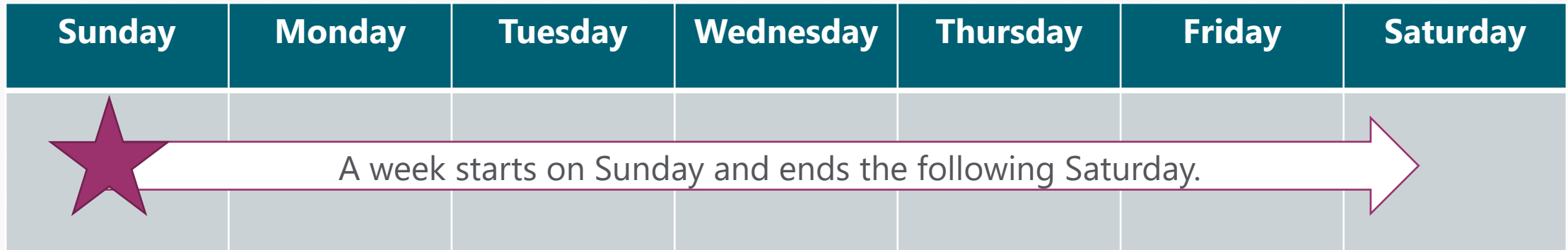
- Generally does not include common cold, flu, earaches, upset stomach, headaches (other than migraines) and cosmetic treatments.

What is a “claim year”?

Sun	Mon	Tues	Weds	Thurs	Fri	Sat
1	2	3	4	5	6	8
9 Claim year starts	10	11	12 Application submitted	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

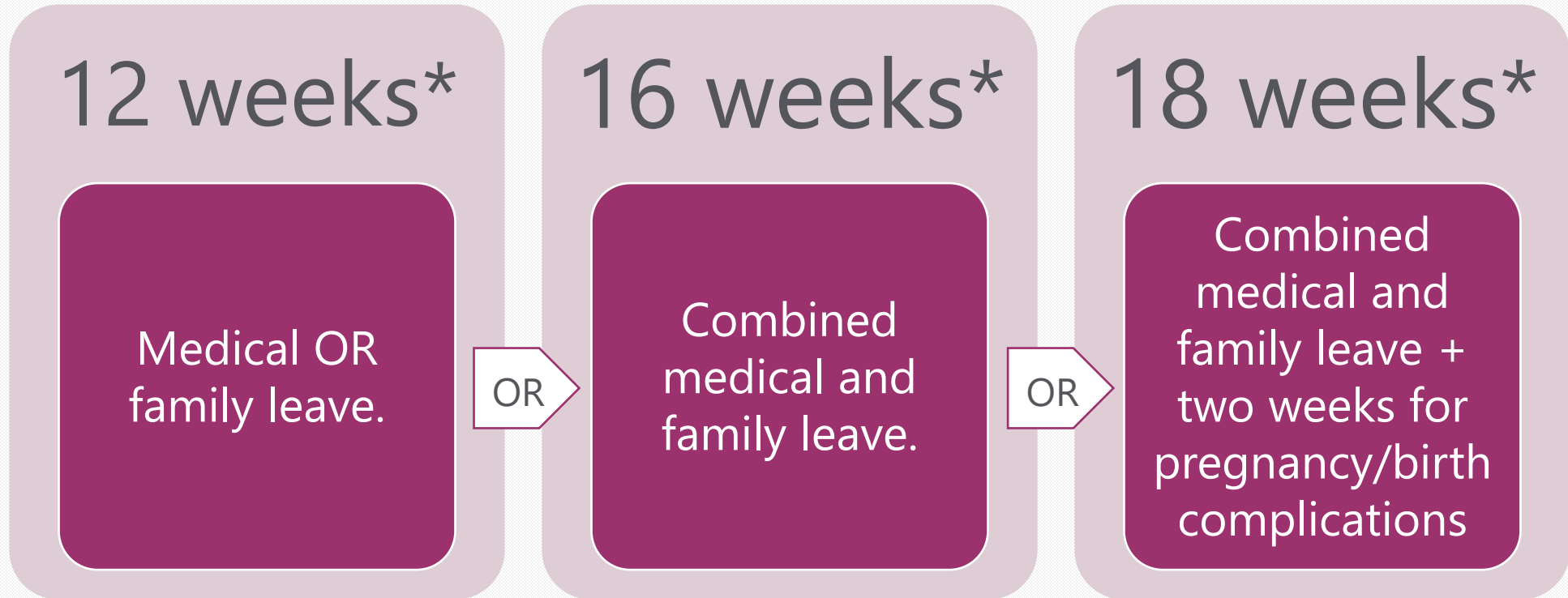
- Typically, your claim year begins on the Sunday of the week you submit your initial application.
- Your claim year expires 52 weeks later.
- If you submit a second (or third) application in a year, your claim year does not restart.

What is a “week”?



- Your “typical workweek hours” are the average number of hours you worked per week during the qualifying period.
 - Salaried, full-time employees are always calculated at 40 hours per week.
- Your typical workweek hours are multiplied by the maximum number of weeks allowed for your event, creating a bank of hours you draw from while on leave.

Weeks of leave in a claim year



* "Weeks" = typical workweeks

Filing weekly claims

Once your application is approved, you can file weekly claims by clicking, “Start weekly payments” on your homepage, or by clicking the claim ID on the homepage.

Weekly claims for each week of your approved leave will display in the table.

Click the, “Start Weekly Payment” button to submit a weekly claim.

Information Message

- You have unread documents. Please click on the envelope icon to view them.

Claim Summary

Claim ID

FASLKKMNJK-1

Claim Status

Approved

Claim Type

Medical

Approved Leave Duration

01/06/2020 - 01/31/2020

Click "View Application" to download a copy of the information you submitted.

If your application requires supporting documents and you haven't uploaded them yet, or if our Customer Care Team asked you to submit additional documents, you can do so by clicking "Manage Document(s)".

If you would like to request a change to your claim, for example, request different leave dates or if you disagree with your benefit amount, you can submit a review request by clicking "Request Review".

View Application

Manage Document(s)

Request Review

Weekly Claims

Once your claim is approved, you can apply for weekly claims after the Saturday of every week.

Week of Claim	Submission Date	Status
01/05/2020 - 01/11/2020		
01/12/2020 - 01/18/2020		
01/19/2020 - 01/25/2020		
01/26/2020 - 02/01/2020		

4 records

Start Weekly Payment

Correspondences

The table below lists correspondences that we have sent to you. Please click on the document name to download the document.

Document Status	Document Name	Document Type	Date
Unread	Approval Letter.pdf	Approval Letter	8/18/2020
Read	Fact Finding Letter.pdf	Fact Finding Letter	8/8/2020

2 records

Home

When will benefit payments be less?



If your leave start date is not on Sunday, your first and last weeks' payments will be reduced.



If you're taking intermittent leave.



If you work or use PTO during a week (unless the PTO is a supplemental benefit).

Supplemental benefits

- A payment from an employer to an employee to make up the difference between their regular wage and the benefit paid by Paid Leave.
 - Employers do not have to offer it, and employees do not have to accept it.
- It could be salary continuation (top off) or paid time off (PTO).
- Ask your employer whether your PTO is a supplemental benefit.



Employment restoration

Return
to the
same or
similar
position
if you:

Work for an employer with 50 or more employees.

Have worked for that employer for at least 1 year.

Have worked 1250 hours for that employer in the last year.

Washington Paid Family & Medical Leave



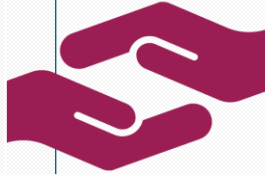
Employment Security Department
WASHINGTON STATE

FMLA and PFML



Paid Family and Medical Leave is similar but entirely separate.

- It is possible to use both types of leave.
- Using FMLA does not diminish Paid Leave benefits.



Job protections under FMLA and Paid Family and Medical Leave are similar.

- Usually run concurrently when people are eligible for both.

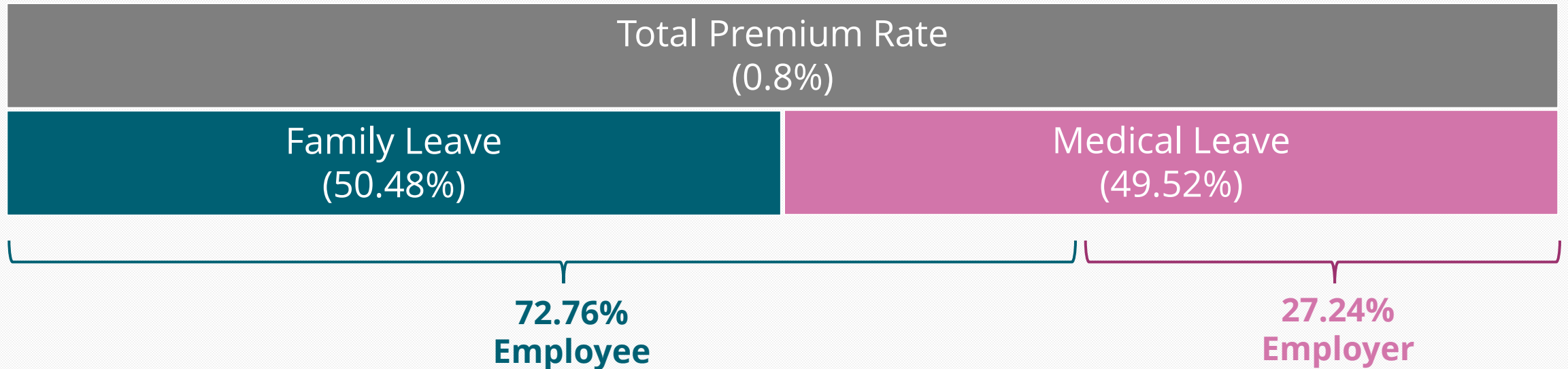
Washington
Paid Family & Medical Leave



Employment Security Department
WASHINGTON STATE

2023 Premium Rate

0.6% base rate + 0.2% solvency rate = **0.8%**



Washington Paid Family & Medical Leave



Employment Security Department
WASHINGTON STATE

Weekly Premium per Employee

2022

0.6% rate with 51% Family and 49% Medical

Minimum Wage (15.74/hr or \$32,729/yr)

Average Wage (\$82,513/yr)

2023 Social Security Cap (\$160,200/yr)

Total Premium



\$3.78

\$9.52

\$18.48

Employee Portion



\$2.77

\$6.97

\$13.53

Employer Portion



\$1.01

\$2.55

\$4.95

2023

0.8% rate with 50% Family and 50% Medical

Minimum Wage (15.74/hr or \$32,729/yr)

Average Wage (\$82,513/yr)

2023 Social Security Cap (\$160,200/yr)

\$5.04

\$12.69

\$24.65

\$3.66

\$9.24

\$17.93

\$1.37

\$3.46

\$6.71

Washington **Paid Family & Medical Leave**



Employment Security Department
WASHINGTON STATE

SB 5649 (2022)

- **Compassion leave as a new qualifying event**
 - Up to seven days of family leave following the death of a child:
 - That the employee did or would have qualified for medical leave for their own serious health condition (prenatal care, postnatal, birth); or
 - That the employee did or would have qualified for family leave to bond with a new child in the home.
- **Postnatal leave as medical leave**
 - Leave within the first six weeks after an employee gives birth qualifies for medical leave if the employee so chooses and is otherwise eligible.
 - In such cases, a medical certification is not required.
- **Collective bargaining agreement exemption**
 - The provision that exempts employers from reporting employees covered by a collective bargaining agreement that was in effect on October 19, 2017 and has not expired or been renegotiated or reopened as described in RCW 50A.05.090 will sunset on December 31, 2023.
- **List of voluntary plan employers**
- **Creates task forces and actuary services to make recommendations to ensure long-term solvency**
- **Collect data related to Covid 19 and PFML**

Washington
Paid Family & Medical Leave



Employment Security Department
WASHINGTON STATE

HB 2076 (2022)

- **Establishes that “drivers” employed by “transportation network companies” are exempt from the definition of “employees” for the purposes of PFML**



Penalties

- **“Conference and Conciliation”**
 - **RCW 50A.20.030**
 - **WAC 192-570-010**
- **The department has a clear directive to work with employers to correct good-faith errors without assessing a penalty**
- **Localization**

Washington **Paid Family & Medical Leave**



Employment Security Department
WASHINGTON STATE

Privacy

- **Chapter 50A.25 RCW**
- **The department is bound by statute to protect the privacy of employees utilizing the Paid Family and Medical Leave program**
- **Employer-employee communication is important**
- **There is nothing in statute that prevents an employer from implementing HR practices that require employees to share information related to their leave**

Washington
Paid Family & Medical Leave



Employment Security Department
WASHINGTON STATE

Contact us



833-717-2273



paidleave@esd.wa.gov



paidleave.wa.gov

Q&A



Resources for Washington businesses

Gain important insights about SharedWork and the WA Cares Fund for a competitive workforce advantage!

Wednesday, March 8

12:00 PM – 1:00 PM

SharedWork and WA Cares Fund



Next webinar

Resources for Washington businesses

Gain important business insights about SharedWork Program, WorkSource resources, and Labor and Economic Data.

Tuesday, Feb. 28, 2023

11:50 AM – 1:00 PM

**SharedWork Program, WorkSource
resources, and Labor and Economic
Data**



**Employment
Security
Department**
WASHINGTON STATE

Next webinar

BUSINESSES, EMPLOYEES
FAMILIES & COMMUNITIES

WIN

with

SharedWork

SharedWorkWA.com



Employment
Security
Department
WASHINGTON STATE



Thank you for joining us today