

Washington Paid Family and Medical Leave

State of Oregon | DAS CHRO

FAQs for Agencies

1. What are the requirements for posting notice in a workplace?

Agencies must display the Washington Paid Family and Medical Leave employee rights notice that can be found [here](#) in visible areas like break rooms and other areas where employees can readily see it.

New hires must be informed about WaPFML rights during onboarding, such as in a welcome email.

2. When must an agency notify employees who may need paid family and medical leave?

Agencies must send a written notice of employee eligibility and rights that can be found [here](#) when they know an employee will be on family or medical leave for more than seven (7) consecutive workdays.

This notice must be sent within five (5) business days after the seventh missed workday or when the agency learns the leave is needed, whichever is later.

3. How will agencies know if an Oregon state government employee has filed a claim for WaPFML?

When an Oregon state government employee files a claim for WaPFML, the Washington Employment Security Department (ESD) sends a notice to the Department of Administrative Services (DAS).

This notice is then processed by the Chief Human Resources Office (CHRO), which forwards the relevant information to the specific agency where the employee works.

4. What are supplemental benefits?

Supplemental benefits refer to additional payments that employees can use along with WaPFML payments, such as vacation, sick, and personal business leave.

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5. Does the state of Oregon offer supplemental benefits?

No, as an employer, the state currently does not offer supplemental benefits.

6. Can employees use other paid accrued leave and Washington Paid Family and Medical Leave (WaPFML) benefits at the same time?

No, an employee cannot use accrued paid leave (also known as supplemental benefits) during a period of approved WaPFML.

7. How are paid holidays treated if an employee is using Washington Paid Family and Medical Leave (WaPFML)?

Any paid holiday falling within that period must be reported as part of the employee's weekly claim.

8. Can an agency require an employee to take paid time off in place of paid family or medical leave benefits?

No. Agencies **may not require** employees to take paid vacation leave, paid sick leave, or other forms of paid time off provided by the state before, in place of, or concurrently with paid family or medical leave benefits.

9. If an employee declines federal FMLA, is the agency still required to maintain the employee's health benefits?

No.

10. If an employee uses FMLA leave concurrently for just one day, does this extend the continuation of health benefits for just that month or for the entire duration of the approved leave that spans multiple months?

The use of FMLA leave concurrently for even a single day activates the continuation of health benefits for the **entire duration** of the approved leave, regardless of whether the leave extends across multiple months.

The continuation of health benefits must be ensured without any interruption until the employee's Paid Leave concludes or upon their return to work after the leave period.

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11. What are the conditions for an employee to be entitled to employment restoration after taking WaPFML?

Employees who take Washington Paid Family and Medical Leave (WaPFML) are entitled to be restored to their original job or a similar position when they return.

This includes a job that is the same or nearly identical in terms of pay, benefits, working conditions, and responsibilities.

12. When is an employee entitled to employment restoration after leave ends?

Employees must have worked at least 1,250 hours in the year before taking leave to be eligible for this protection. Agencies are required to restore the employee to their original job or an equivalent one unless specific exceptions apply.

13. When does an agency need to provide a continuation of health benefits to an employee who is on paid family or medical leave?

An agency must continue an employee's health benefits during paid family or medical leave if the leave overlaps with leave taken under the federal Family and Medical Leave Act (FMLA).

The benefits must be maintained as if the employee were still working, until either the end of the family or medical leave or the employee's return to any employment.

If health benefits costs are shared, the employee must continue paying their portion during the leave. Agencies can choose to extend health benefits beyond these requirements.