



Helping working families make it work

A Guide to DC Paid Family Leave Insurance for Medical Providers

- **What benefit does D.C.'s Universal Paid Leave Amendment Act provide?**
 - The law establishes a government benefits program that provides paid leave insurance benefits to workers who take leave from work because of a serious health condition; to care for a family member with a serious health condition; or for events, including bonding, associated with the birth or placement of a child under their care.
- **Who is eligible?**
 - Your patient is eligible if she works in D.C.
 - There is no minimum period of employment to be eligible; however, she is not eligible if she is not currently employed.
- **How many weeks of paid leave insurance can my patient receive in connection with her pregnancy/the birth of her child?**
 - The law provides up to two weeks of insurance for a serious medical condition (e.g. complications during pregnancy) and up to eight weeks of insurance for bonding after the birth of a child, but the maximum amount of insurance that can be received in a 12-month period is **eight weeks of wage replacement for leave taken**.
- **When can my patient apply?**
 - Paid family leave benefits are available starting on **July 1, 2020**.
 - The claim for benefits can be submitted at the time of the qualifying leave event or after it occurs. For parental leave, the qualifying leave event is the birth of the child.
- **What if my patient is due to give birth before July 1, 2020?**
 - Parents can receive paid leave insurance benefits for parental leave taken anytime within **12 months** after the birth of the child, so patients who give birth prior to the law's effective date can still apply to receive benefits for leave they take after July 1, 2020 as long as it is within the baby's first year.

- Patients cannot receive benefits for leave taken prior to the submission of the claim for benefits, absent exigent or emergency circumstances.
- **Is my patient's job automatically protected while she is receiving paid leave insurance benefits?**
 - No. The Universal Paid Leave Amendment Act **does not** create a right to any additional job-protected leave.
 - Your patient's job will be protected during the 8 weeks she receives paid leave insurance if she is covered under the D.C. Family Medical Leave Act, which entitles her to take up to 16 weeks of job-protected leave to bond with a new baby.
 - Your patient's employer will require the medical certification for D.C. FMLA **at least 30 days prior to the birth**; your patient will need to submit additional medical certification **at the time of birth** to the D.C. government for paid family leave insurance.
 - Even if she is not covered by the D.C. FMLA, your patient is entitled to job-protected time off to recover from childbirth under D.C.'s Protecting Pregnant Workers Fairness Act (PPWFA).
 - The amount of time off to which she is entitled is based on your medical recommendation. Similar to the D.C. FMLA, separate medical documentation will generally be requested by the employer prior to the birth **in addition** to the medical paperwork your patient submits to obtain paid family leave insurance at the time of the birth.
 - Keep in mind that there is a **one-week waiting period** following the qualifying event before your patient is eligible to receive benefits; this should be factored in when calculating your patient's return to work date.
 - Patients who are not DCMLA-eligible will **only** be able to take job-protected leave for the amount of time you recommend (i.e. if your recommendation is less than 9 weeks, she **will not** be able to take advantage of the full 8 weeks of paid leave available to her).

Providers and patients with questions about paid family leave can contact First Shift Justice Project at intake@firstshift.org or (240)241-0897.