



*Helping working families make it work.*

## Know your Rights: District of Columbia Universal Paid Leave

### **Benefits Begin: July 1, 2020**

**Paid time off when you experience a qualifying family or medical event:** Under the DC Universal Paid Leave Act, an eligible employee can take paid time off from work for medical, family, or parental reasons.

- Up to 2 weeks of paid medical leave benefits are available when you have a diagnosis or occurrence of a serious health condition.
- Up to 6 weeks of paid family leave benefits are available when you need to care for a qualifying family member (a child, foster child, parent, parent-in-law, those related by domestic partnership, a grandparent, or a sibling) who has a diagnosis or occurrence of a serious health condition.
- Up to 8 weeks of paid parental leave benefits are available for:
  - **(A)** The birth of a child,
  - **(B)** The placement of a child for adoption or foster care; or
  - **(C)** The placement of a child for whom you legally assume and discharge parental responsibility.

#### **You are an eligible employee if:**

- **(A)** If your employer employs workers in DC, AND
- **(B)** you spend more than 50% of your work time for your employer working in DC; or
- **(C)** you regularly spend a substantial amount of your work time for your employer in DC and not more than 50% of your work time for your employer in another area outside DC.

#### **How it works:**

- You must wait one week after you submit your application before receiving the paid leave.
- You may take the paid leave all at once or you may take it intermittently.

#### **How to calculate your pay while on leave:**

- If you earn \$900 or less for your average weekly wage, you are entitled to 90% of your average weekly wage. (for example, if you earn \$900 on average a week, you would receive \$810 a week while on leave).
  - To calculate: Your hourly wage X hours per week = Your average weekly wage X .90 = Your pay per week on leave.
- If you earn more than \$900 for your average weekly wage, you are entitled to 90% of \$900 a week, **plus** 50% of what you make over \$900 a week, up to \$1,000 a week. (For example, if you earn \$920 a week, you would receive \$838 a week while on leave).
  - To calculate: Your hourly wage X hours per week = Your average weekly wage X .90 = Your pay per week on leave + the amount you make over \$900 a week X .50 = final pay per week on leave\*  
 \*weekly pay while on leave is currently capped at \$1000 a week.
- Your average weekly wage is calculated based on the work you have performed in the past four quarters (out of the previous five) in which you received the highest wages.
  - For example, if you received \$900 weekly in all five most recent quarters, your average weekly wage would be \$900.
  - If you received \$900 weekly in four out of five quarters and \$500 in one, your average weekly wage would still be \$900, because the lowest quarter is dropped.
  - If you received \$900 weekly in three out of five quarters, \$500 in one and \$200 in one, the lowest quarter (\$200 would be dropped) and your average weekly wage would be \$800.

**Job Protection:** Paid family leave benefits do not provide job protection. To be able to take leave and return to your job, you must have job protection from another source, like the DC Family and Medical Leave Act or the DC Protecting Pregnant Workers Fairness Act.

**Requesting Leave:** If your need for paid leave benefits is foreseeable, you should provide notice to your employer at least 10 days prior. If your need for paid leave benefits is not foreseeable, you should provide notice as soon as possible.

**Retaliation:** Your employer cannot punish or fire you just because you request or receive paid family leave benefits; if you experience retaliation, you can file a complaint at the D.C. Office of Human Rights.

**For more information about your rights to paid leave in DC, please contact First Shift Justice Project at (240)241-0897 or [intake@firstshift.org](mailto:intake@firstshift.org)**