



Helping working families make it work.

D.C. PAID FAMILY LEAVE BENEFITS FOR MEDICAL LEAVE AND CAREGIVING

- **Who is eligible to receive paid family leave (PFL) benefits?**
 - If you are employed in D.C., you are eligible to receive PFL benefits.
 - You are not eligible while unemployed, but you are eligible for benefits as soon as you begin working for an employer in D.C., as long as you have been employed for some or all of the 52 weeks prior to applying.

- **What benefits am I eligible to receive for medical leave and caregiving?**
 - The law provides up to **two weeks of benefits** for a serious medical condition and **six weeks of benefits** to care for a family member with a serious medical condition.
 - Family members include children (and stepchildren, foster children, the children of a domestic partner or anyone for whom you act as a parent), parents (and step-parents, in-laws, legal guardians, or anyone who has acted as a parent), spouses and domestic partners, siblings, or grandparents.

- You can apply for PFL benefits for multiple reasons in a given year, but you may only receive up to a **maximum of eight weeks of benefits per year. Am I entitled to get my job back if I take time off and receive PFL benefits?**
 - PFL benefits **do not protect your job**; they provide income while you take leave.
 - If you have worked for at least one year and 1,000 hours for an employer with at least 20 employees in D.C., your job is protected under the **D.C. Family and Medical Leave (DCFMLA)**. If you have a serious health condition that also qualifies as a disability under the Americans with Disabilities Act or D.C. Human Rights Act, you may be entitled to job-protected leave as a reasonable accommodation.
 - You will need to provide a separate medical certification **to your employer**.

- **Can I use PFL benefits intermittently?**
 - Yes, PFL benefits may be used intermittently for your own health condition or for caregiving, but must be taken in increments of at least **one day**.

- **What qualifies a serious medical condition?**
 - A serious health condition is a physical or mental illness, injury, or impairment that requires **inpatient care or continuing treatment** or supervision at home

- **How much will I be paid while on leave?**
 - If you earn \$900 or less per week, you will get **90% of your average weekly wage**.
 - If you earn more than \$900 per week, you will get 90% of your average weekly wage up to \$900, plus 50% of your wage above \$900 (up to \$1,000).
 - Your average weekly wage is based on the highest four of the previous five quarters.

- **What if I have more than one job?**
 - Your benefits will be calculated based on your income from all covered employment.
 - You cannot perform any job you held during the current and previous five quarters, including one outside DC) on a day for which you are receiving PFL benefits
 - You can perform work that is not your regular or customary work.

- **When can I apply?**
 - After **July 1, 2020** you can apply as soon as you or your family member experience a “qualifying event” i.e. the diagnosis or occurrence of an illness or injury.
 - You must submit documentation from a healthcare provider stating that a qualifying event has occurred and the amount of time off needed.
 - There is a one week waiting period for which you cannot receive benefits; for example, if your healthcare provider recommends that you take 3 weeks of leave for your own serious health condition, you will receive two weeks of PFL benefits. If your family member’s health care provider recommends 7 weeks of leave to care for the family member, you will receive 6 weeks of PFL benefits.

- **Do I need to notify my employer that I plan to apply for paid leave benefits?**
 - If your need for PFL benefits is foreseeable (e.g. a scheduled surgery), you must inform your employer at least 10 days in advance. If you are taking leave under DCFMLA, you must provide 30 days’ advance notice. If you have an emergency, you must inform your employer as soon as possible.

- **What if I want or need to take more time off?**
 - If you are **covered by DCFMLA**, you can take up to 16 weeks off for a qualifying event, but once PFL benefits are exhausted, any leave will be unpaid.

- **Am I protected from retaliation?**
 - Yes. Your employer cannot punish or fire you just because you apply for or receive PFL benefits. If you experience retaliation, you can file a complaint at the D.C. Office of Human Rights.

If you have questions about PFL benefits, you can contact First Shift Justice Project at intake@firstshift.org or (240)241-0897