



Helping working families make it work.

KNOW YOUR RIGHTS: D.C. PAID FAMILY LEAVE BENEFITS FOR PREGNANCY AND BONDING

- **Am I eligible to receive paid family leave (PFL) benefits?**
 - If you are employed in D.C., you are eligible to receive paid family leave benefits.
 - If you are currently unemployed, you are not eligible, 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 while I take leave from work for my pregnancy and the birth of my child?**
 - The law provides up to **two weeks of benefits** for a serious medical condition (e.g. pregnancy complications) and up to **eight weeks of benefits** for bonding after the birth of a child. The maximum amount of paid leave per year is **eight weeks**.

- **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).
 - Ex: If you usually earn \$950 per week, you will receive 90% of \$900 (\$810) plus 50% of \$50 (\$25) for a total of \$835 per week while on leave.
 - Your average weekly wage is based on the highest four of the previous five quarters.

- **When will I receive my first check?**
 - You may have to wait up to four weeks from the date you file your claim. After that, you will receive a check every two weeks.

- **When can I apply?**
 - You can apply starting the day your baby is born but not before July 1, 2020.

- **What if my baby is born before July 1, 2020?**
 - You can take bonding leave up to **one year after your baby is born**, but benefits cannot be received for leave taken before July 1, 2020.

- **Am I entitled to get my job back if I take time off and receive paid family leave insurance benefits?**
 - No. D.C.'s paid family leave law **does not** protect your job; it provides you with income while you are taking leave from work. You can protect your job while taking paid family leave in one of two ways:
 - 1) You can take job-protected leave under the **D.C. Family and Medical Leave (DCFMLA)**:
 - You must have worked for at least one year and 1,000 hours for an employer with at least 20 employees in D.C.
 - 2) If you are **not covered by DCFMLA**, you are still entitled to time off to recover from childbirth as an accommodation under the **D.C. Protecting Pregnant Worker Fairness Act (PPWFA)**:
 - You can take as much time as your doctor recommends for your medical recovery from the birth.
 - There is a **one week waiting period** after your baby is born during which you are not eligible for PFL benefits; your medical provider should include this week in recommending time off. (i.e., to receive the maximum 8 weeks of benefits, your medical provider must recommend 9 weeks of leave.
 - In order to take job-protected leave under D.C. FMLA, **you must give your employer at least 30 days' notice** you will need to provide a separate medical certification **to your employer**.

- **What if I want or need to take more time off after my baby is born?**
 - If you are **covered by DCFMLA**, you can take up to 16 weeks off to bond with your baby; however, you can only receive a maximum of 8 weeks of PFL benefits.
 - If you are **not covered by DCFMLA**, your job is only protected for additional time off if it is **medically recommended** by your doctor.

- **Can my spouse or partner receive paid family leave insurance benefits as well?**
 - Yes, if both parents are eligible, they are each entitled to receive up to **eight weeks** of benefits for bonding leave taken within a year of the baby's birth.
 - The non-birthing parent/partner is not eligible for job protection under the PPWFA.

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