

# Paid Family Medical Leave

Approved by COM on 08/04/2020

and Executive Board for NWC Presbytery Staff on 08/12/2020.

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## Eligibility

All ministers of Word and Sacrament (ministers) and Commissioned Pastors (CPs) serving a Northwest Coast Presbytery/PC(USA) entity. Including NWC Presbytery Staff working .5 FTE or greater.

Congregations can use this policy as a basis for making their policies for other congregational staff.

## Leave Parameters

- Up to 12 weeks (total, regardless of precipitating event or circumstance) of Paid Leave per year, with as much advance notice as possible. Paid Leave may be used—in accordance with need—consecutively or intermittently.
- During Paid Leave, the pastor/CP/staff member will continue to receive all salary and benefits in their terms of call/commission, including dues paid to and benefits provided by the Board of Pensions.
- All those eligible and employed in WA State are expected to access the WA State Family and Medical Leave benefit (see description beginning on page 2) to help fund their Family and Medical Leave. The employer (congregation, ministry, or other employing organization) will supplement the WA State Family and Medical Leave and pay all continuing benefits during the leave.
- Use of vacation time is not required but may be used to extend leave time at the discretion of the pastor/CP/staff person.
- Following the period of Paid Leave, the pastor/CP/staff person shall be entitled to return to the same position with the same title, terms of call, hours worked, and job description.

## Types of Leave

Parental Leave: Within one year of birth or adoption, a pastor may take up to twelve consecutive or intermittent weeks bonding time.

Caregiver/Family Leave: In times when a family member requires care due to an illness or disability, a pastor/CP/staff person may take up to twelve weeks Paid Leave, either consecutively or intermittently, depending on the nature of illness and need.

Personal Loss: In the event of the death of a loved one or a tragic event, a pastor/CP/staff person may take up to twelve weeks Paid Leave, either consecutively or intermittently, depending on the nature of event and need.

## Broader Church [and Other PC(USA) Entity] Support

- While the individual congregation/entity is responsible for the funding and administration of Paid Family Leave, state-provided disability and paid leave benefits (see section on WA Paid Family Medical Leave on page 2) and Board of Pensions financial protection programs may be considered in order to help offset income continuation costs.
- Where possible, communication of mutual needs and planning is vital to minimize disruption for the congregation or entity served by the pastor/CP/staff person. Pastors/CPs/staff members are encouraged to anticipate leave with sensitivity around the needs of the church/entity, including

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but not limited to temporary replacement and fulfillment of duties. This usually means ensuring that planning for parental leave is accomplished *at least 6 weeks* prior to expected birth or adoption.

- Paid Family Leave is not intended to be a burden but rather a source of joy as churches/entities encourage pastors/CPs/staff members to take time for the good of their families. In the spirit of the connectional church, NWC Presbytery will work together to assist individual congregations/entities in planning for funding Paid Family Leave in order best to serve the Kingdom of God.



Adapted from WA STATE EMPLOYER TOOLKIT V11.1 – March 24, 2020

### *Paid Family and Medical Leave overview*

Starting in 2020, Washington will be the fifth state in the nation to offer paid family and medical leave benefits. Paid Family and Medical Leave is a mandatory statewide insurance program that will provide almost every Washington employee with paid time off to give or receive care.

All ministers/CPs/eligible staff serving a Northwest Coast Presbytery/PC(USA) entity in WA State working .5 FTE or greater are eligible for this benefit (assuming the church or organization is paying the premiums) and expected to use it when engaging Paid Family and Medical Leave.

If you qualify, this program will allow you to take up to 12 weeks, as needed, if you:

- Welcome a child into your family (through birth, adoption or foster placement)
- Experience a serious illness or injury
- Need to care for a seriously ill or injured relative
- Need time to prepare for a family member's pre- and post-deployment activities, as well as time for childcare issues related to a family member's military deployment. For specifics on military-connected paid leave, visit [www.dol.gov/whd/regs/compliance/whdfs28mc.pdf](http://www.dol.gov/whd/regs/compliance/whdfs28mc.pdf)

If you face multiple events in a year, you might be eligible to receive up to 16 weeks, and up to 18 weeks if you experience a serious health condition during pregnancy that results in incapacity.

Because this benefit is available in WA State, the employer (congregation or other entity) can engage the WA State Benefit to help fund the pastor's/CP's/other eligible staff member's salary during the 12 weeks of leave. The benefit provides up to 90% of a recipient's salary with a cap of \$1000/week. The employer will provide the benefits (through PC(USA) Board of Pensions or other) and any additional salary in order to ensure the recipient's 100% salary and benefits during their leave.

If you, as the employer, will expect pastor/CP/staff person to use the WA state benefit for family and medical leave, you should say so in your family and medical leave policy. State that you as the employer

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are paying the premiums for this benefit and each eligible employee is enrolled in this benefit. State that the pastor/CP/staff person eligible for this benefit is expected to apply for and receive benefits during their leave. And that you as the employer will provide the supplemental salary (to equal 100% of current salary) and continuation of their current benefits through the leave period.

### *Payment of premiums*

The program is funded by premiums paid by both employees and employers. It will be administered by the Employment Security Department (ESD).

Premium collection started on Jan. 1, 2019. In 2019, the premium is 0.4 percent of wages. Employers can either pay the full premium or withhold a portion of the premium from their employees. Employers who choose to withhold premiums from their employees may withhold up to about 63 percent of the total premium, or \$2.44 per week for an employee making \$50,000 annually. The employer is responsible for paying the other 37 percent. Businesses with fewer than 50 employees are exempt from the employer portion of the premium but must still collect or opt to pay the employee portion of the premium.

Premium collection began Jan. 1, 2019. Your employer will calculate and withhold premiums from your paycheck and send both your share and theirs to ESD on a quarterly basis.

### *Taking leave*

Starting Jan. 1, 2020, employees who have worked 820 hours in the qualifying period (equal to 16 hours a week for a year) will be able to apply to take paid medical leave or paid family leave. The 820 hours are cumulative, regardless of the number of employers or jobs someone has during a year. All paid work over the course of the year counts toward the 820 hours, including part-time, seasonal and temporary work.

While on leave, you are entitled to partial wage replacement. That means you will receive a portion of your average weekly pay. The benefit is generally up to 90 percent of your weekly wage, with a minimum of \$100 per week and a maximum of \$1,000 per week. You will be paid by the Employment Security Department rather than your employer.

Unlike the federal Family and Medical Leave Act (FMLA), employees of small businesses may take Paid Family and Medical Leave if they meet the standard eligibility requirements.

More information on applying for benefits will come in 2019. Please go to [paidleave.wa.gov](http://paidleave.wa.gov) for more information.

### *What protections are there for me (The eligible minister, CP, or other congregational staff)?*

Employees who return from leave under this law will be restored to a same or equivalent job if they work for an employer with 50 or more employees, have worked for this employer for at least 12 months, and have worked 1,250 hours in the 12 months before taking leave (about 24 hours per week, on average).

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You can keep your health insurance while on leave. If you contribute to the cost of your health insurance, you must continue to pay your portion of the premium cost while on leave.

Your employer is prohibited from discriminating or retaliating against you for requesting or taking paid leave.

You can learn more at [paidleave.wa.gov/find-out-how-paid-leave-works](https://paidleave.wa.gov/find-out-how-paid-leave-works).

Do you have questions? Ask your Personnel Committee or NWC Presbytery or ask your questions directly to the Paid Family and Medical Leave program at [paidleave@esd.wa.gov](mailto:paidleave@esd.wa.gov). You can also find them on Twitter, Instagram and Facebook @PaidLeaveWA.