

District of Columbia Universal Paid Leave

DC PFML

Table of Contents

This document is meant to answer some of the questions that employers may have and provide them with a quick summary of information related to the law and the state-mandated plan as of January 1, 2022.

DC Universal Paid Leave (DC PFML) Basics	2
Is my business required to offer PFML benefits to employees?	2
Is my business required to use the state-run paid leave program?	2
How is the program funded?	2
How do you calculate PFML taxes due for each employee in 2022?	2
Private Plan Option	2
What are the private plan requirements?	2
What are the planned annual changes?	2
How will MetLife coordinate employer-paid benefits?	2
DC PFML Benefit Details	3
Who is eligible for coverage?	3
What are the District benefits and what life events can they be used for?	3
How much of a benefit can an employee receive?	4
Leave Request Process	4
How do employees file for benefits?	4
Can an employee qualify for more than one benefit?	4
Coordination with Other Benefits	5
Claims Processing	5
Can DC PFML be taken intermittently or on a reduced leave schedule?	5
Why does the law say the employee must give a 10-day advance notice of foreseeable leave?	5
What if a claim is denied?	5
Who is a covered family member?	5
Employer Notice	6
What are the employer notice obligation?	6
Resources	6

DC Universal Paid Leave (DC PFML) Basics

Is my business required to offer PFML benefits to employees?

Yes. Businesses that perform services in the District of Columbia, that also pay unemployment insurance taxes for their employees, are required to pay PFML taxes. This includes non-profit organizations and any household employers that pay unemployment insurance tax. There is not a minimum employee threshold. Self-employed individuals can opt into the paid family leave program.

Is my business required to use the state-run paid leave program?

Yes, the Universal Paid Leave Act does not provide any exemptions for employers with their own paid family and/or medical leave benefits.

How is the program funded?

Paid Family and Medical Leave benefits are funded by a quarterly employer payroll tax of 0.62% of their covered employees' total wages. Similar to unemployment insurance taxes, these quarterly contributions are based on the immediate past quarter of wages paid reported to the state's Department of Employment Services (DOES).

How do you calculate PFML taxes due for each employee in 2022?

Employee taxes	Employee A	Employee B	Employee C
Annual salary	\$30,000	\$75,000	\$130,000
Contribution rate for 2022	0.62%	0.62%	0.62%
Total annual premium	\$186	\$465	\$806

*The state will collect the contributions quarterly bases in arrears.

Private Plan Option

What are the private plan requirements?

Private plans are not available. Employers must offer DC PFML benefits through the District-run program.

What are the planned annual changes?

Annual changes will be published in October of each year.

How will MetLife coordinate employer-paid benefits?

For insured STD plans, MetLife will pay the full employer-paid benefit in addition to the employee filing for DC PFML benefits. Insured STD plans may not offset DC PFML benefits. For self-insured STD plans, MetLife can offset any District paid benefits for medical leave.

Your MetLife service team can help you review your employer-paid benefit that may overlap with the District leave benefit. We can help document overlaps and your preferred contact and action when the overlap happens on a Claim Benefit Coordination Tip Sheet. The same Tip Sheet can be used for multiple states with paid leave programs.

DC PFML Benefit Details

Who is eligible for coverage?

All employees working for a covered employer are eligible for benefits.

Eligible employees can take leave for paid family and medical qualified reasons if they have worked a year (prior 52 weeks) based on the criteria below. Employees are eligible for Paid Family Leave benefits if they:

- Spend more than 50% of their time working in DC. Eligible workers must spend a majority of their time working the District—including teleworking or telecommuting—for a covered employer and must have completed that work during the year prior to needing leave.
- Are self-employed and have opted into the Paid Family Leave program. Individuals who have earned self-employment income for work performed more than 50% of the time in DC during the year prior to needing leave are eligible for the benefit.
- Are employed when they apply for the benefit. An employee’s wages must have been reported by their covered employer in order for a former employee to be eligible for the benefit. If they are receiving unemployment compensation benefits, they are not eligible for Paid Family or the Paid Medical Leave benefits.
- Meet specifications as a temporary or seasonal worker. These specifications depend on when an employer reports wages and when the temporary or seasonal worker needs to use the benefits.

What are the District benefits and what life events can they be used for?

Eligible workers can receive wage replacement benefits for the below qualifying events, but no job protection*:



Paid Medical Leave		Paid Family Leave	
Own Serious Health Employee’s own medical need	Prenatal Care When a covered employee needs prenatal care	Child Bonding Including newborn, adoption, and foster placement	Military Exigency When a covered family member has a serious health condition
Benefit Duration			
Up to 6 weeks for employees own serious medical condition	Up to 2 weeks to receive prenatal care	Up to 8 weeks for child bonding	Up to 6 weeks for care of family
Combined max duration of 8 weeks. Additional 2 weeks for prenatal care. Waiting period waived during and one year after the COVID-19 pandemic			

*Job protection under a separate law called federal FMLA, DC FMLA, or the DC accrued sick and safety leave program should run concurrent with PFML when applicable.

How much of a benefit can an employee receive?

Benefits are paid as a percentage of employee's average weekly wage.

Maximum weekly benefit capped at \$1,009	
Benefit calculation	
Step 1: If the Average Weekly Wage (AWW) is less than or equal to \$912: Benefit is paid at 90%.	Step 2: If the AWW is greater than \$912, the employee will also receive benefits from step 1 PLUS 50% of the wages earned above \$912 to the cap of \$1,009/week.
<ul style="list-style-type: none">• As of 10/1/2021, DC's Minimum wage is \$15.20/hour or \$608/40 hour week• Maximum weekly PFML benefit for Step 1 in the calculation is 150% of the District's AWW multiplied by 40 (\$15.20 x 150% x 40 = \$912)• The benefit amount will adjust as the minimum wage increases	

Leave Request Process

How do employees file for benefits?

Claimants can apply for benefits online by visiting [DC's benefits portal](#). There, they will be able to create an account and submit a claim for benefits.

Can an employee qualify for more than one benefit?

Employees may qualify for more than one benefit based on the leave reason. Some common events are listed below:

MetLife recommends reviewing your maternity/paid parental leave, absence, and disability programs as it relates to this DC statutory plan. If you have any questions, please contact your MetLife representative. DC PFML, DC FMLA, and the federal FMLA can be taken at the same time and should be taken at the same time when applicable.

Coordination with Other Benefits

Leave reason	DC PFML		FMLA	Company	Other
	DC PML	DC PFL			
Employee has complications due to pregnancy	Yes	No	Yes	STD	
Employee has a serious health condition requiring multiple days/weeks/months away from work	Yes	No	Yes	STD-continuous or reduced leave schedules with partial disability No intermittent leave	
Employee is injured at work	No	No	Yes	No	Workers Comp
Employee is bonding with newborn, or fostering or adopting a child	No	Yes	Yes	Maybe (Parental/Bonding leave)	
Employee needs to care for a parent, child, spouse with a serious health condition	No	Yes	Yes	Sick leave, PTO	
Employee needs to care for other family members: grandparent, sibling with a serious health condition.	No	Yes	No	Sick leave, PTO	
Former employee has a quailing event	No	No	No	No	Unemployment

Claims Processing

Can DC PFML be taken intermittently or on a reduced leave schedule?

Yes, DC PFML can be taken intermittently or on a reduced leave schedule.

Why does the law say the employee must give a 10-day advance notice of foreseeable leave?

The 10-day advance notice requirement is for the employee to alert their supervisor/employer that they will be absent. This may help with staffing and identify back up training to cover while the employee is out for an extended period of time.

What if a claim is denied?

The employee may appeal with the District.

Who is a covered family member?

Family member means the claimant's child, parent, parent-in-law, spouse, grandparent, sibling, or registered domestic partner.

Employer Notice

What are the employer notice obligation?

The employer is required to provide employees information about the Paid Family Leave program at these four (4) times:

1. Always, with a physical poster;
2. At the time an employee is hired;
3. At least once a year; and
4. If an employee asks the employer for leave that could qualify for benefits under the PFML program.

Resources



Need more information? Visit:

The MetLife PFML [website](#) regarding state mandated benefits.

For DC State PFML resources [click here](#).

For details regarding your coverage, contact your MetLife Representative.

Please Note: The information presented in this brochure is not legal advice and should not be relied upon or construed as legal advice. It is not permissible for MetLife or its employees or agents to give legal advice. The information in this brochure is for general informational purposes only and does not purport to be complete or to cover every situation. You must consult with your own legal advisors to determine how these laws will affect you.

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