

Washington  
**Paid Family & Medical Leave**

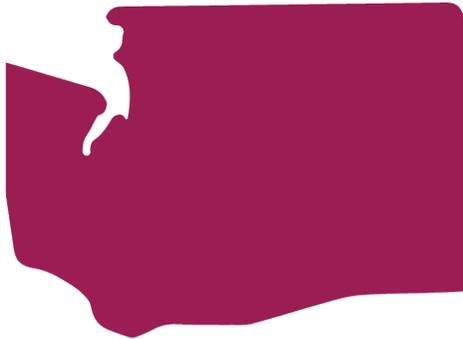


# HB 1213

**Passed by legislature:** April 19, 2025

**Signed by governor:** May 17, 2025

**Effective:** January 1, 2026



## KEY CHANGES

- Job protection criteria
- Job protection stacking (FMLA & PFML)
- Small business grants
- Health insurance continuation
- Minimum claim duration

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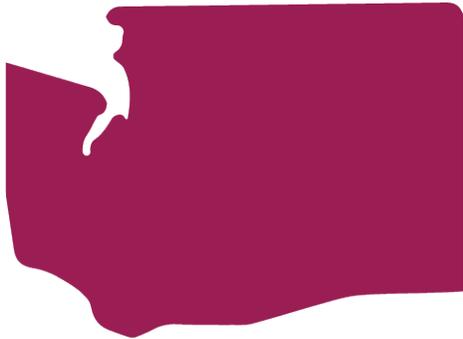
# Rulemaking

Proposed rules (CR-102) filed October 22, 2025.

Public hearing: November 25, 2025

Effective date: January 1, 2026

[paidleave.wa.gov/rulemaking](https://paidleave.wa.gov/rulemaking)



\*\*Much of the information in this presentation is based on the proposed rules. While ESD does not expect any significant changes to the proposed rules, they should not be considered final until the CR-103 is filed (planned: November 26, 2025).

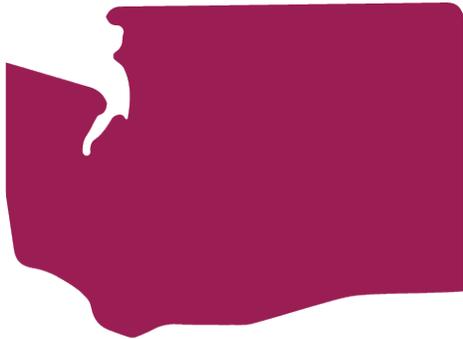
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# Job protection criteria & notice

New job protection criteria:

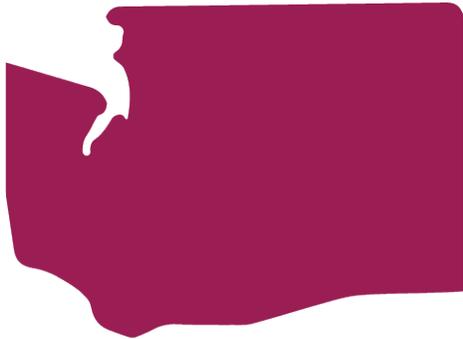
- 180 days worked since start date
- Employer size:
  - 2025: 50+ employees
  - 2026: 25+ employees
  - 2027: 15+ employees
  - 2028: 8+ employees



New notice requirements:

- All employers with job protected employees on leave will need to provide a notice to those employees with their expected return to work date after 14 days of leave have been taken

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# Job protection stacking (optional)

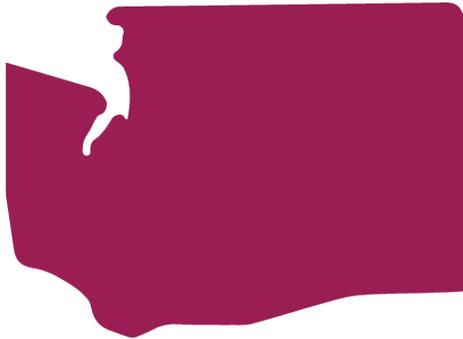
- PFML does not adjudicate applications based on previous use of FMLA
- This could, in theory, result in up to 30 weeks of job protected leave if the maximum duration of both programs is utilized
- 1213 offers employers the option to reduce PFML job protection by an equal amount of previously taken FMLA if the total duration of job protection between both programs would exceed 16 weeks under both programs in a 12-month period.
- In order to retain this option, employers must supply a monthly notice to employees notifying them of the employer's intent to apply FMLA job protection to PFML job protection
- ESD will provide a template for this notice

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## Minimum claim duration

The minimum claim duration in order to be eligible for PFML benefits is reduced from eight consecutive hours to four consecutive hours.



## Health insurance continuation

If an employee on PFML is eligible for job protection, the employer must continue to offer health insurance benefits under the same circumstances that would apply if the employee had continued to work.

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## Small business grants

Employers with fewer than 50 employees are no longer required to provide documentation to substantiate eligibility for a small business grant. An attestation will be required.

Employers are now eligible to *receive* 10 grants rather than *apply for* 10 grants.

## Miscellaneous

- Audit authority
- Employer outreach
- Actuarial report regarding program deficits