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January 19, 2016: King County Paid Parental Leave Pilot

Important for WSNA Members to Know!

Currently, you enjoy the benefit of your FMLA and KCFML running consecutively. In 2012, other unions agreed to have these leaves run concurrently in exchange for \$500. Your negotiating team determined that this would not be in your best interests. The county has proposed that should we participate in this paid parental leave pilot, they will ask you to give up the leaves running consecutively, forever.

Frequently asked questions about proposed Paid Parental Leave pilot

<http://www.kingcounty.gov/audience/employees/pay-benefits/paid-parental-leave/FAQs.aspx>

How does the paid parental leave work with respect to Family Medical Leave (FML) and King County Family Medical Leave (KCFML)?

Paid parental leave is protected leave, meaning an employee's job cannot be eliminated while they are out, except in cases of budget-related layoffs. Paid parental leave will run concurrently with the County's family and medical leave, as well as federal and state family medical leave to the fullest extent possible.

Employees should discuss FML, KCFML and paid parental leave processes and requirements with their human resources representative.

What if the baby is born or adopted before January 1, 2016 (e.g. December 20, 2015)? Will I still be eligible for paid parental leave or a portion of the leave?

In order to be eligible for paid parental leave, the birth, adoption, or foster-to-adopt placement must occur in 2016. Unfortunately, this means that employees who have babies between now and the end of 2015 won't be eligible. January 1 was selected as the start day to provide the time needed to get the program up and running, and to manage and monitor costs for this one-year pilot. Regrettably, there has to be a clear eligibility start-date and regardless of when that is, there will be some employees who miss out. We recognize this is really disappointing for those who miss the start date for the pilot.

Does paid parental leave cover both maternity and paternity leave?

Yes, both mothers and fathers are eligible for paid parental leave during the pilot. If both parents work for King County, they are each eligible for up to 12 weeks of paid parental leave. They will not have to share the benefit, which is the case in some jurisdictions.

How is the paid parental leave program being paid for?

Because we are mid-biennium in the County's budget process, the 2016 paid parental leave pilot will be paid for out of department and agencies' existing budgets. Staff estimated that approximately 241 employees of the County's more than 13,000 employees would be expecting a birth or adoption in 2016, and the costs will be managed through existing budget for the period of the pilot. That said, usage and costs of the program will be continuously monitored in case projections are need to be adjusted.

Going forward, the program will need to be negotiated with the unions that represent King County employees as part of a comprehensive, sustainable total compensation package.

Who is eligible for the paid parental leave benefit?

The pilot will be available to all leave-eligible employees who have been employed with the County for at least six months of continuous service at the time of birth, adoption or foster-to-adopt placement. This includes term-limited temporary employees (TLTs) and benefited part-time employees, but not short-term temporary employees (STTs) or non-benefited employees.

Employees must be either non-represented or represented by a union that has signed the Paid Parental Leave Pilot Memorandum Agreement. A list of unions who have signed-on will be provided below as soon as it is available.

What if I get pregnant in 2016, but the baby isn't due until 2017 – will I be eligible for paid parental leave?

At present, an employee with a child born, adopted or placed for foster-to-adopt in 2017 would not be eligible for the paid parental leave pilot. The intent of the pilot is to provide additional information in order to negotiate an on-going benefit with our union partners that would start in 2017. Both the Council and the Executive are strongly in support of providing an on-going paid parental leave benefit.

Isn't it unfair or inequitable because people with low leave balances will get a greater benefit? Doesn't this penalize people who "planned" for their leave?

Many different options were considered when researching and developing a paid parental leave pilot program for King County. A full report with the costs and benefits was submitted to Council in September, 2015 and can be found [here](#).

When selecting which option to utilize for the pilot program, it was important to the Executive that the program be financially responsible, equitable, and easy to administer. Ultimately, requiring employees with leave balances to use some of their accrued leave was the option that most effectively met those goals. While the benefit may not be equal for all employees, it provides equitable outcomes.

This option also supports the County's equity and social justice principles by reducing disparities between how low- and high-wage employees take leave. Additionally, it enables the County to provide 12 weeks of 100% wage replacement for all eligible employees in a way that is cost-effective.

Doesn't this incentivize people to spend down all of their leave so they get a greater benefit?

It's important to keep in mind that King County provides employees with vacation leave with the expectation that they use it – taking vacation is an important part of being present and engaged at work. The County also requires that vacations be planned and approved subject to bargaining agreement provisions and business needs.

Sick leave is provided for employees to use when they are ill, or to care for ill family members. If employees misuse sick leave, it will be handled accordingly. That said, we assume that most employees will appreciate King County supporting them during one of the most important events in their lives and therefore will not take advantage of the benefit. .

Isn't this unfair to employees who don't have children?

King County offers a substantially similar set of benefits to all of our employees. However, depending on what stage an employee is at in their life, they will use different benefits to different degrees.

This is true regarding vacation and sick leave, in addition to health benefits, the employee assistance program, and retirement planning.

The U.S. is the only developed country in the world that does not mandate any type of paid leave for new parents. Science shows that newborns' earliest experiences are the most important to their long-term success. For children to flourish, they need time to bond with their parents. King County is committed to promoting best starts for kids, including our employees' kids.

How will this benefit work for employees who work part-time or who don't have a regular schedule?

If part-time employees meet the other eligibility requirements – that they have been with the County for more than six continuous months, that they are leave-eligible, and that they are either not represented or represented by a union that has agreed to participate in the pilot program – then they can receive paid parental leave.

The allotted paid parental leave will be prorated based on the hours that the employee works. For example, if an employee works 24 hours-per-week (or .6 of an FTE) they would still be eligible for 12 weeks, but at 24 hours per week (versus 40 hours for a full-time employee) For employees who work a variable number of hours, their paid parental leave eligibility would be calculated based on their average hours over the past six months.

How is this program going to be monitored?

The paid parental leave pilot program will be overseen by the Human Resources Division and department human resources staff. Usage and costs will be regularly reviewed to (a) evaluate whether or not the program is meeting its objectives, and (b) to inform conversations and negotiations about an on-going benefit for 2017 and beyond.

Why is the County doing a pilot?

Starting with a pilot is the smart, lean way to approach this new benefit. It will allow us to gather information, test our assumptions, and make sure the program is meeting our goals

- is compassionate toward our employees and their families;
- embodies our principles of equity and social justice; and,
- is affordable, sustainable, and fiscally responsible.

A paid parental leave benefit beyond 2016 would need to be negotiated as part of a comprehensive, sustainable total compensation package with the labor unions that represent County employees.

Does this time count towards seniority?

Whether or not paid parental leave counts toward seniority depends on the specifics of an employee's collective bargaining agreement. Typically paid leave does count toward seniority, but it is important to check with your department or agency's human resources staff to confirm the details in the individual contracts.

Why is an employee's accrued leave factored into how much paid parental leave he or she receives?

In analyzing the costs and benefits of a paid parental leave program, staff considered many different options. The full report with cost and benefit analysis of each option considered can be found [here](#).

The Executive had several priorities when considering which option to recommend. Those priorities included that the program have equitable outcomes for employees and be financially sustainable.

The Executive and Council also shared a goal of providing 12 weeks of paid parental leave at 100% wage replacement. Ultimately, the option that best met all of these objectives was the one that asked employees to use some of their accrued leave. This is consistent with best practices, achieves an equitable outcome for all employees, and keeps the program affordable.

Does an employee have to use his or her vacation and sick leave accruals prior to using the paid parental leave?

No. The benefit will be calculated on the day that the child is born or adopted, based upon the employee's current leave accruals, assuming the employee would use all accrued paid leave, except for one week of sick leave and one week of vacation leave. The awarded paid parental leave hours will then be made available to the employee. The employee can then choose whether or not to use the paid parental leave first. Additionally, the employee may choose to only use the supplemental paid parental leave and return to work sooner to preserve the other leaves for a later date.

For example, if an employee had three weeks of vacation and two weeks of sick leave at the time of the qualifying event, two weeks of vacation and one week of sick leave would be applied towards the paid parental leave, and the employee would receive nine weeks supplemental paid parental leave. The employee could then choose to only take the nine weeks of paid parental leave, versus also using his or her accrued leave for a full twelve weeks of leave.

How do I calculate how much leave I am eligible for?

The amount of leave an employee is eligible for is calculated on the day of the birth, adoption or foster-to-adopt placement. At that time whatever leave the employee has accrued, minus one week of sick leave and one week of vacation leave, is subtracted from 12 – and the difference is how much paid parental leave the employee is eligible for.

For example, if an employee had three weeks of vacation leave and two weeks of sick leave, the employee would use two weeks of their vacation and one week of sick leave, and receive nine weeks supplemental paid parental leave, for a total of 12 weeks of paid leave.