

Chapter 192-620 WAC WEEKLY BENEFITS

NEW SECTION

WAC 192-620-005 What is the minimum claim duration? (1) The minimum claim duration for paid family or medical leave is eight consecutive hours in a week. If an employee on leave claims eight consecutive hours at any point during a week, the minimum claim duration is satisfied.

Example 1: An employee typically works six-hour shifts each weekday. The employee takes leave Monday, works Tuesday and Wednesday, and takes leave Thursday and Friday. The minimum claim duration requirement would be satisfied with the leave taken Thursday and Friday. That employee could also include the hours missed on Monday in the weekly claim.

(2) If an employee on leave typically works less than eight-hour shifts, the employee will meet the requirement of a minimum claim when the employee has missed eight consecutive hours at any point during a week the employee typically would have been scheduled.

Example 2: An employee typically works four-hour shifts. The employee will need to take two consecutive shifts of leave in a week to have a minimum claim.

NEW SECTION

WAC 192-620-010 How should employees request benefit payments?

- (1) An employee must file a weekly claim to receive benefits.
- (2) An employee may file a weekly claim by:
 - (a) Using the department's online services;
 - (b) Using the department's telephone services; or
 - (c) The commissioner may authorize alternative methods of filing weekly claims.
- (3) A weekly claim can only be made after the end of the week being claimed.
- (4) A weekly claim must be completed in its entirety. Incomplete weekly claims will not be processed.
- (5) No more than four weeks of claims can be made at one time, except in limited circumstances, such as backdating for good cause as defined in WAC 192-610-040.

NEW SECTION

WAC 192-620-020 What information will the department request from employees when filing for weekly benefits? (1) The department must determine if an employee qualifies for benefits when the employee

files a weekly claim for the payment of benefits. For the week that the employee is claiming, the department will ask if the employee:

(a) Worked during the week, and for the hours associated with that work;

(b) Received any paid leave such as vacation leave, sick leave, or other paid time off that was not considered a supplemental benefit payment provided by the employer, and the hours associated with that leave;

(c) Received any benefit that may disqualify the employee for paid family or medical leave, such as unemployment insurance; and

(d) Experienced a change in the qualifying event that affects the eligibility for, or duration of, paid family or medical leave benefits.

(2) The employee may be asked to provide additional information.

NEW SECTION

WAC 192-620-025 What happens if an employee is being conditionally paid benefits? (1) If an employee is a continued claim recipient, and eligibility is questioned by the department, the employee will be conditionally paid benefits for weeks the employee claims without delay.

(2) The employee may request the department to hold conditional payments until the question of eligibility is resolved when the employee has been notified the department questions their eligibility.

(3) An overpayment for a conditionally paid week cannot be waived and must be repaid.