



Washington Paid Family and Medical Leave Program - Updates for Employers

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Washington has adopted several [new and amended](#) Paid Family & Medical Leave (PFML) rules that affect employer reporting, premium payments, penalties, and employee eligibility. These rules take effect October 2, 2026.

■ Key Employer Changes

- **New Penalty Waiver Process:** Employers may now apply for a waiver of certain PFML penalties. The new rule establishes the application process and the criteria the department will use when evaluating waiver requests.
- **Payment Plans for Delinquent Premiums:** Employers with outstanding PFML premium obligations may request a payment plan. The department has discretion to approve requests and has established rules regarding minimum monthly payments, missed payments, and related requirements.
- **Additional Opportunity Before Penalties:** Employers that fail to submit required reports will receive an additional reminder step before a formal warning letter is issued, providing more time to correct reporting issues before penalties are assessed.
- **Simple Interest on Late Premiums:** The department will now calculate interest on delinquent employer premiums using simple interest rather than compound interest.
- **Expanded Small Business Assistance Grants:** The rules clarify that the limit applies to ten grants received, rather than ten applications submitted annually, reflecting a legislative change enacted last year.
- **Easier Access to Payment Plans:** Employers generally will not need to demonstrate “good cause” to be considered for a payment plan. The department’s default approach is to offer payment plan options to help employers resolve delinquent payments.

■ Employee-Related Clarifications

- Employees serving an unemployment insurance waiting period are not eligible for PFML benefits during that period.
- Job restoration protections now require employees to have worked at least 180 days since their most recent hire date before taking leave.
- Employees who owe benefit overpayments may request a lower monthly repayment amount if financial circumstances warrant.
- Employees found to have committed fraud are ineligible for benefits during the period of fraud, and any associated eligibility credits are forfeited.

Although EBSA is primarily focused on the three areas described above, the agency emphasized that it retains authority to investigate other NQTL issues, particularly when responding to participant complaints.

■ Employer Action

- Review your PFML reporting and premium payment processes
- Update internal leave policies to reflect the revised job restoration rules
- Familiarize yourself with the new penalty waiver and payment plan options to help minimize compliance risks