

Exhibit A

6.395 – PAID FAMILY AND MEDICAL LEAVE (PFML)

The Washington State Employment Security Department (ESD) administers an insurance program under the Paid Family and Medical Leave (PFML), pursuant to which eligible employees will qualify for partial wage replacement and leave benefits for certain family and medical reasons (PFML). This policy provides a summary of the PFML program. Employees may obtain additional information at www.paidleave.wa.gov. To the extent an issue is not addressed in this policy, the City will administer this benefit program consistent with applicable statutes and regulations.

Payroll Deductions: The PFML is funded through premiums collected by ESD. The premium rate is established by law. Employees are currently responsible for 63% of the total premium rate (the “Employee’s Share”). The City deducts the Employee’s Share from the employee’s paycheck (up to the Social Security cap, as defined by law), in accordance with its standard payroll practices.

Eligibility: Under the PFML, employees may be eligible for monetary leave benefits when taking leave for covered reasons. To be eligible an employee must have worked 820 hours in Washington State (for any Washington employer or combination of Washington employers) during the year preceding a PFML claim. Employees are not eligible for job protection under the PFML if the City employee count is below 50 employees.

An employee is ineligible for PFML benefits during any period of suspension from employment or during which the employee works for remuneration or profit (outside employment or contracting).

Leave Entitlement: Eligible employees may be entitled to receive PFML benefits up to 12 weeks when taking medical or family leave, or for a combined total of 16 weeks of family and medical leave per claim year. An additional two weeks of PFML benefits may be available in the event a female employee’s leave involves incapacity due to pregnancy. The claim year begins when the employee files a claim for PFML benefits or upon the birth/placement of the employee’s child.

PFML may be taken intermittently, provided that there is a minimum claim requirement of eight consecutive hours of leave in a week for which benefits are being sought.

PFML is tracked during the claim year, which is the 52-week period commencing on the Sunday of the week in which the employee meets the minimum claim requirement or in which the employee first takes leave due to the birth or placement of the employee’s child (as applicable).

PFML benefits may be available in connection with leave taken for the following reasons:

- Medical Leave – Medical Leave may be taken due to the employee’s own serious health condition, which is an illness, injury, impairment or physical or mental condition that involves inpatient care or continuing treatment by a health care provider, as those terms are defined under the federal Family and Medical Leave Act (FMLA), which

causes the employee to be unable to work; provided, that an employee is ineligible for PFML if also receiving workers' compensation time loss benefits due to a workplace injury.

- Family Leave – Family leave may be taken:
 - To care for the employee's child after birth or placement (by adoption or foster care) within 12 months of such birth/placement (in cases of adoption or foster care, the child must be under the age of 18 years).
 - To care for the employee's family member with a serious health condition.
 - For a family member's qualifying military exigency as defined under the FMLA.

For purposes of this policy, "family member" means the employee's child (biological, adoptive, foster, step-child, a child's spouse, or a child whom the employee stands in loco parentis, is a legal guardian for, or is a de facto parent); parent (including the same relationships as set forth for "child" above); spouse or registered domestic partner; spouse's or domestic partner's parent; grandparent; or sibling. "Registered domestic partner" shall have the same meaning as set forth in RCW 26.60.020.

Application for Benefits: Applications for PFML benefits are made directly to ESD. For guidance on the application process, please refer to the ESD website (www.paidleave.wa.gov). ESD will require employees to complete its certification form, relating to the employee's eligibility and qualifications for PFML benefits. Eligibility determinations will be made by ESD. If approved, the employee will need to file weekly benefit claims with ESD to continue receiving benefits.

Notification Requirement: An employee must provide written notice to the City of the intent to take PFML. If the need for leave is foreseeable (such as for planned medical procedures or the birth of a child), notice must be given at least 30 days in advance of the leave. For unforeseeable leave, notice must be given as soon as practicable.

The employee's notice must be in writing, must identify the family or medical nature of the leave, and must contain the anticipated timing and duration of such leave. If an employee fails to provide this required notice to the City, ESD may deny benefits for the period of time during which the notice was insufficient. If leave is taken for the employee's or family member's planned medical treatment, the employee must make a reasonable effort to schedule the treatment so as not to unduly disrupt City operations.

If taking leave intermittently, an employee must notify the City each time PFML is taken so that the City may properly track leave use.

Leave Benefits: If ESD approves a claim for PFML benefits, partial wage replacement benefit payments will be made by ESD directly to the employee. The amount of the benefit is based on a statutory formula, which generally results in a benefit determined by a percentage of an employee's average weekly wage, subject to a maximum of \$1,000 per week. ESD's website includes a benefits calculator to assist employee's in estimating their weekly benefit amount.

With the exception of leave taken in connection with the birth or placement of a child or for military exigency, monetary PFML benefits are subject to a seven-day waiting period. The waiting period begins on the Sunday of the week in which PFML is first taken. The waiting period is counted for purposes of the overall PFML leave, but no monetary benefits will be paid by ESD for that week. Employees may use available accrued leave to cover absences during the waiting period.

Payment of Premiums and Supplementation: An employee receiving PFML payments during a family and/or medical related leave will be allowed to supplement PFML with City accrued paid time off. An employee receiving PFML payments shall only use the number of leave hours that, together with the PFML benefits payments, represents the employee's normal pay for the same period. In no event shall the accumulation of leave and PFML income result in any employee receiving income in excess of 100% of their regular straight-time income for the same period of time. If the employee elects to use paid leave to supplement the employee's earnings, the employee must notify Human Resources at the start of his/her Washington Paid Family and Medical Leave.

For purposes of this PFML policy, accrued paid time off includes vacation leave, personal leave, sick leave, compensatory leave, or any other paid leave offered by the City under the City's established policies. Supplemental benefit payments mean payments made by the City to an employee as salary continuation or as paid time off. Such payments must be in addition to any paid family or medical leave benefits the employee is receiving. Supplemental benefit payments are not considered remuneration under RCW 50A.05.010(21) and the ESD will not prorate or reduce an employee's weekly benefit amount due to the receipt of supplemental benefit payments.

When an employee is on leave and only receiving PFML benefits, the employee is deemed to be in unpaid status for purposes of City policies and benefit program. Insurance coverage will be handled in the same manner as other unpaid leaves of absence, unless otherwise required by law.

Return to Work Certification: The City may require a return to work certification from a health care provider before restoring the employee to work following PFML where the employee has taken leave for the employee's own serious health condition and the employee has been on leave for more than three days.

If an employee taking PFML leave chooses not to return to work for any reason, the employee should notify the City as soon as possible.