



Paid Family and Medical Leave

What is “Paid Family and Medical Leave (PFML)”?

The District of Columbia government provides its employees with paid leave to address both planned and unplanned life events without risking their financial well-being. Employees, regardless of tenure, may access up to 8 weeks of paid family and medical leave in a 12-month period. The District’s previous “PFL” program is now the “PFML” program.

How can I be eligible for PFML?

To qualify for PFML you must be a District government employee who is not serving as a temporary employee appointed for less than 90 days, and who does not have an intermittent schedule. Employees are eligible for PFML if they experience a qualifying Medical, Family, or Parental leave event.

Qualifying Medical Leave events:

- You require medical care for your own serious health condition, including the occurrence of a stillbirth and medical care related to a miscarriage.

Qualifying Family Leave event:

- You require leave to care for a family member with a serious health condition.

Qualifying Parental Leave events:

- You require leave for the birth of your child;
- You require leave for the legal placement of a child, such as through adoption, guardianship, or foster care; or
- You require leave for the placement of a child with whom you will permanently assume and discharge parental responsibilities.

How many hours can I get?

Employees may receive a maximum of 8 weeks of PFML within a 12-month period beginning from their first qualifying event. The maximum number of hours you may receive also depends on the qualifying event for which you are using leave. For qualifying family leave and parental leave events, employees may receive up to 8 weeks of leave. For qualifying medical leave events, employees may receive up to 2 weeks of leave within a 12-month period.

What if I experience multiple qualifying events within 12-months?

Employees are eligible to receive PFML for multiple qualifying events within a 12-month period. However, the maximum number of hours an employee may receive for any combination of qualifying events is still 8 weeks within a 12-month period. The 12-month period begins with the employee’s first qualifying event.

Example: John used 8 weeks of parental leave for the birth of his child. A few months afterwards, he suffers a serious injury that would qualify for paid medical leave. However, since he has already used 8 weeks of leave within a 12-month period, he is not able to receive an additional 2 weeks of paid medical leave through the PFML program.

Am I still eligible for PFML if my qualifying event occurred prior to my start date?

Yes, employees are eligible for PFML if their qualifying event occurred prior to their start date, so long as the qualifying event occurred within the last 12 months. However, employees would not be eligible to receive any hours for time

before their hire date. For example, if a qualifying event occurred on January 31, 2023, but the employee's hire date was after that, the employee would be eligible to receive hours only during the time that they were actually employed.

Do I get PFML if I experience a stillbirth or miscarriage?

Employees are eligible for PFML if they receive medical care related to a stillbirth or miscarriage. Receiving medical care for a stillbirth or miscarriage qualifies an employee for up to 2 weeks of paid medical leave to care for one's own serious health condition. Note, as a stillbirth or miscarriage is considered caring for one's own serious health condition, an employee would not be able to take another 2 weeks of medical leave for another condition using PFML if they exhausted the two-week allotment of PFML to receive medical care for a stillbirth or miscarriage.

Can I get PFML if I have COVID?

There is no paid leave specific to COVID-19. However, depending on the severity of symptoms, an employee may be eligible to receive up to 2 weeks of paid medical leave to care for their own serious health condition. In other words, just contracting COVID-19 is not enough to be eligible for PFML. However, if the symptoms are severe enough to constitute a serious health condition under the PFML guidelines, an employee may be eligible for paid leave for up to 2 weeks.

Am I eligible for PFML as soon as I start working for the District government?

Employees are eligible for PFML as soon as they start, unless they are a temporary employee appointed for less than 90 days, or they are employed intermittently under a "When Actually Employed" (WAE) status.

Am I able to use PFML for pre-natal care?

Due to budgetary constraints, the statute's provisions that provided PFML for pre-natal care are not yet in effect. As a result, employees are not eligible to use PFML specifically for pre-natal care at this time.

How do I apply for PFML?

Employees may apply for PFML via PeopleSoft at ess.dc.gov. For more detailed instructions, please refer to our guide.

Do I have to use PFML for an entire workday at a time?

No. Unless agency operations would be adversely affected, employees may use PFML in as little as 1-hour increments. Please note that agencies may require an employee to use PFML in whole-day increments to ensure adequate staffing and efficiency of government operations.

How does PFML work if two employees at the same agency have a child?

Both employees are eligible to receive up to 8 weeks of leave to care for their child. They do not share those 8 weeks, or have to split the 8 weeks.

Can I get additional protected time off by using PFML on top of DCFMLA and federal FMLA?

Employees may not "stack" their leave protections. They will not qualify for additional protected leave under PFML for the same qualifying event beyond what they are also eligible for under the DCFMLA or federal FMLA. If an employee gets approved for PFML after using other leave for an event covered by DCFMLA or federal FMLA, they must work with their agency FMLA Coordinator and agency HR Advisor to perform a leave adjustment.

Is the electronic application and process in PeopleSoft completely automatic?

No, the system is not completely automatic and still requires FMLA Coordinators to review employee leave usage, as well as the documentation to determine eligibility and approve or deny applications accordingly. It also requires the coordinators to submit the information manually to DCHR to review in order for OPRS to load the PFL hours.

Do FMLA Coordinators still have to send approval documents to DCHR and upload full packets?

Yes, agency FMLA Coordinators must still send the Form 4 to dchr.fmla@dc.gov for review and processing. The FMLA Coordinators do not have to upload full packets to the previous site as all documents should be uploaded in PeopleSoft.

Can an agency extend an employee's probationary period because of PFML usage?

Yes, an agency must extend an employee's probationary period by the amount of time the employee used PFML.

Do probationary employees have to sign a continuation of service agreement? What if they are a term employee?

Yes, probationary employees, including those serving a term appointment, must sign a continuation of service agreement for one year to use PFML. If an employee's term appointment ends before the completion of the one-year continuation of service agreement, the agreement is void.

Example Scenario A: Jill is serving a term appointment for one year, and her term ends on October 1, 2023. Jill uses PFML in February 2023 and signs a 1-year continuation of service agreement agreeing to serve until February 2024. Her agency decides not to renew her term appointment. Since the agency ended her employment, and her termination was not voluntary, her continuation of service agreement is rendered void when her term ends.

Example Scenario B: Gilford is serving a term appointment for one year, and his term ends on October 1, 2023. He takes PFML in March 2023, and signs a 1-year continuation of service agreement to serve until March 2024. His agency renews his term for another year (until October 1, 2024). Gilford finds a new opportunity and resigns from his District government position in December 2023, breaking the terms of his continuation of service agreement. Since Gilford left voluntarily and prior to the expiration of his term, he will owe the District government the salary amount he received while on PFML.

When does the continuation of service agreement start?

The start date of a continuation of service agreement is the first day the employee uses PFML. For example, Mike receives approval to use PFML in January for treatment that will begin on March 15, 2023. Mike is a probationary employee and will have to sign a continuation of service agreement in order to take advantage of these PFML benefits. The agreement provides that if Mike voluntarily separates from District government employment before the end of his continuation of service agreement on March 15, 2024, he will be indebted to the District for the salary amount paid for his use of PFML.

What if I used my own leave for a qualifying medical leave event before January 1?

If you used your own leave or leave without pay due to a qualifying medical leave event between October 1, 2022 and December 31, 2022 (to care for your own serious health condition, or because you required medical care due to a stillbirth or miscarriage), you may be eligible to receive up to 2 weeks of retroactive PFML, so long as the retroactive PFML would not cause you to exceed 8 workweeks of PFML leave within a 12-month period.

To apply for retroactive PFML, submit a request to your FMLA Coordinator before March 31, 2023. Your request should include:

1. The number of workdays (no greater than 10) for which you are seeking retroactive paid medical leave;
2. Whether you seek:
 - a. Restoration of sick leave you used;
 - b. Restoration of annual leave you used;
 - c. Retroactive payment of salary for a period of unpaid leave; or
 - d. A combination of the above; and,
3. Documentation verifying that they experienced a serious health condition that qualifies for PFML eligibility.

Your agency will process your request within 20 days of receipt.

When will we be able to get 12 weeks of PFML?

As the statute's provision of 12 weeks of PFML is tied to the District's budget and projected revenue, we do not have information at this time regarding when the 12 week allotment will become effective.

Where can I get more information about PFML?

For more information about PFML, please refer to the PFML issuance and the PFML video. If you have any additional questions about PFML, please contact your agency FMLA Coordinator.