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## MEMORANDUM OF UNDERSTANDING

Between

City Of Bellingham and

IAFF Local 106B

### Washington Paid Family Medical Leave Supplementation

I. **PURPOSE:** This Memorandum of Understanding outlines the agreement between the parties regarding the supplementation of Washington Paid Family and Medical Leave (PFML) benefits for eligible employees, effective January 1, 2025.

II. **SCOPE:** This agreement covers Local IAFF 106B members.

III. **AGREEMENT:**

WHEREAS, during negotiations of the 2024-2026 successor collective bargaining agreement, the City of Bellingham agreed to implement a PFML supplementation program for eligible 106B members;

WHEREAS, the Washington State Paid Family and Medical Leave (PFML) law and supporting regulations establish a program administered by the Washington Employment Security Department (ESD) to provide paid leave benefits and job protection to eligible employees who need leave for certain family and medical reasons. The ESD administers all aspects of the PFML program and determines eligibility.

WHEREAS, Eligible employees are entitled to take up to 12 weeks of medical or family leave or a combined total of 16 weeks of family and medical leave per claim year; an additional two weeks of leave may be available in the event the employee's leave involves a complication related to pregnancy or childbirth. The claim year begins when the employee experiences a qualifying event. PFML may be taken for:

- Medical Leave: Medical leave may be taken due to the employee's own serious health condition which prevents them from working. However, an employee is not eligible for PFML benefits if the employee is receiving time loss benefits under workers compensation.
- Family Leave: Family leave may be taken to care for a covered family member with a serious health condition; for bonding during the first 12 months following the birth of the employee's child or placement of a child under age 18 with the employee (through adoption or foster care); or for qualifying military exigencies.

NOW, THEREFORE, the parties agree that:

- Eligible employees may supplement ESD approved PFML benefits with existing accrued leave for regularly scheduled hours for up to six (6) months following a qualifying event. An employee may elect to use such accrued leave in accordance with applicable leave policies, payroll practices and collective bargaining agreements during a PFML covered absence and the receipt of accrued supplementary leave does not need to be reported to ESD as part of the PFML claims process. Supplementation is not structured as a leave buyback program.
- Existing leave banks that are used to supplement PFML will be paid in the same manner as the leave otherwise would be on an hour-for-hour basis. Employees receiving a Floating Holiday as a leave type may use the Floating Holiday to supplement; the Floating Holiday must be used in the same manner in which it would otherwise be taken (Floating Holidays must be taken in the full eight (8) hour increment).
- Supplementation with Compassionate Leave or Administrative Leave is not allowed.
- Supplementation with accrued leave applies prospectively after the employee provides notice to the City along with timesheet coding instructions. Employees may not retroactively update their non-PFML supplemental codes to PFML supplemental time codes due to the City's reporting obligations. Employees' election on how they plan to use their leave must be completed prior to the timesheet deadline for the pay period in which it is used.
- When the employee's absence qualifies under both the Family and Medical Leave Act (FMLA) and PFML, the absence will also be designated as FMLA.
- PFML use, including intermittent PFML use, will be in compliance with ESD guidelines. If utilizing PFML on an intermittent basis, employees are responsible for notifying the City of their intermittent leave schedule and any changes to the schedule.

**Notification Requirements:** Employees should notify the City of their need for leave as early as possible to allow time for the City to receive the request and provide information to the employee on eligibility for job protection under Federal law, State law, City Policy or the collective bargaining agreement. Notice to the City should be provided as early as possible, but at a minimum within the timelines that are established by PFML requirements.

Employees shall provide notice to the City of their intent to take PFML leave by completing the Leave of Absence Request Form. On the Leave of Absence Request Form, employees shall include: whether they intend to apply for PFML; whether they intend to use PFML supplementation; and, their anticipated leave schedule.

- **Washington Paid Family and Medical Leave Premiums:** The PFML program is funded through premiums collected by ESD via payroll deductions and employer contributions. The City of Bellingham will implement the PFML premium share as determined by ESD. If changes are made to the premium share in future years, the City will implement the established premium rate of the year, applying the premium share per the employer/employee ratio as determined by ESD.
- **Policy Clarifications:** The City reserves the right to revise City Policy in accordance with this agreement. The City will meet with the Union upon request to discuss any necessary clarifications.

**DATED** this \_\_\_\_\_ day of \_\_\_\_\_, 2025 for Local IAFF 106B:

\_\_\_\_\_  
Scott Farrell, Local IAFF 106 President

\_\_\_\_\_  
Hunter Elliott, Local IAFF 106 Vice President

**DATED** this \_\_\_\_\_ day of \_\_\_\_\_, 2025 for the **CITY OF BELLINGHAM:**

\_\_\_\_\_  
Mayor

**ATTEST:** \_\_\_\_\_  
Finance Director

\_\_\_\_\_  
Interim Human Resources Director

\_\_\_\_\_  
Fire Chief

**APPROVED AS TO FORM:** \_\_\_\_\_  
Office of the City Attorney