OCTOBER 2026

Virginia Employment Commission

Paid Family & Medical Leave FAQs





Here when it matters

Beginning 12/01/2028, PFML will provide up to 12 weeks of paid leave for major life events.

What will be covered?

Life Events: Up to 12 weeks

- Caring for a new child (birth, adoption, foster care).
- Recovering from a serious health condition.
- Caring for a family member with a serious health condition.

Military Family Needs: Up to 12 weeks

- Military exigency leave, including preparing for deployment or a family member's deployment, making financial or legal arrangements, childcare, attending military events or ceremonies, and more.

Safety Services: Up to 4 weeks

- Coverage for individuals seeking safety services for domestic violence, harassment, sexual assault, or stalking.

Who is considered a family member?

- "Family member" includes a child, parent, spouse, domestic partner, sibling, grandchild, grandparent, or other people with a close familial relationship.

When does PFML start?

Key Dates

- The initial contribution rate will be announced by October 1, 2027.
- Payroll contributions will begin April 1, 2028.
- Benefits become available December 1, 2028.

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Who will be eligible for benefits?



Eligible Workers

- Most Virginia workers, including part-time workers and small business employees.
- Self-employed individuals can opt in.
- Workers must have earned at least $3,000 per quarter across two of the last five quarters.

What are the benefits?



Wage Replacement

- Wage replacement benefits will cover up to 80% of an employee's average weekly wages, capped at the statewide average weekly wage.
- Benefits will be paid out from a public trust fund made up of contributions from employers and employees.



Job Protection

- Covered individuals will have the right to keep their jobs and to keep their health insurance coverage while on leave.

How will PFML interact with other benefits?



Qualifying FMLA Leave

- Leave taken with wage replacement under the PFML program that also qualifies as leave under the FMLA will run concurrently with leave taken under the FMLA.
- This closes a gap in FMLA, allowing employees to draw a wage replacement while on leave - rather than going unpaid during that time.



How will PFML coordinate with existing employer-provided plans?

- PFML creates a floor of benefits for all Virginia workers. Employers are encouraged to provide more generous benefits to their employees, such as by supplementing benefits provided by the Act to replace 100% of a worker's pay.

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Are state employees covered?

State Employees & PFML

- The Department of Human Resource Management (DHRM) will modify the Commonwealth's policies relating to family and medical leave by December 1, 2028 to ensure that all state employees have access to this baseline benefit.
- DHRM will not reduce any existing leave or benefits available to any employee of the Commonwealth that are more generous than the leave and benefits provided under the paid family and medical leave insurance program.

How will PFML be funded?

Funding

- PFML is funded through a small payroll contribution shared by employers and employees.
- Small businesses with 10 or fewer employees are exempt from paying the employer contribution, but will collect the employee contribution and remit it to the fund.

Rate

- The initial contribution rate will be set by the Commission by October 1, 2027 based on actuarial analysis.
- The contribution rate for each following calendar year will be set no later than the preceding October 1.

Contributions

- The contribution will typically be split 50/50 between the employer and the employee.
- Employers may choose to pay all or part of the employee contribution.

TO LEARN MORE:

www.vec virginia.gov/pfml