

Virginia Paid Family and Medical Leave

Many states have adopted various types of paid leave including family, medical, parental, or a combination of other types of leave. In April 2026, Virginia enacted the Virginia Paid Family and Medical Leave Program providing benefits to eligible employees who take qualifying leave from their employment.



WHO IS COVERED?*

Employer

Covered:

- Most employers in Virginia, including public schools, private businesses and local governments, regardless of size

Not Covered:

- Commonwealth of Virginia, the federal government, and tribal governments

Employee

In December 2028, PFML benefits will become available to Virginia employees.

Covered:

- Most private sector and local government employees, including public school employees, who are authorized to work in the United States
- Full- and part-time workers of covered employers regardless of employer size or how many hours they work per week
- Self-employed workers who opt in

Not Covered:

- Employees of the Commonwealth of Virginia, the federal government, or a tribal government
- Employees who do not meet the program's minimum earnings requirements during the applicable base period

Note: State employees will receive matching leave rights through policy changes.



KEY DATES

Law Passed	Payroll Contributions Begin	Benefits Begin
April 2026	April 2028	December 2028



TYPE OF LEAVE

Family	Medical	Military	Safety
✓	✓	✓	✓



BENEFIT DETAILS

Benefits are payable for the following types of leave:

- **Family Leave:** To care for a family member with a serious health condition or care for a new child during the first year after birth, adoption, or placement of that child
- **Medical Leave:** When a worker's own serious health condition prevents them from performing their job, including pregnancy or recovery from childbirth
- **Qualifying Exigency Leave (Military):** For needs in connection with a covered individual's family member's military deployment
- **Military Caregiver Leave:** To care for a covered service member who is the covered individual's next of kin or other family member
- **Safety Leave:** To seek safety services for the covered individual or a family member following domestic violence, pervasive harassment, sexual assault, or stalking

Maximum Total Leave Per Benefit Year: Up to 12 weeks per benefit year (Safety Leave is capped at four weeks per benefit year)

Benefit Calculations: 80% of an employee's average weekly wage

Maximum Weekly Benefit: Equal to 100% of the applicable Virginia state average weekly wage

American Fidelity does not provide financial, legal, or tax advice. Consult an attorney or a tax professional regarding your specific situation. This information is up to date as of September 2026 and may not reflect changes in the law, finance, administration, or current events.

*Specific eligibility requirements, documentation standards, and application procedures will be provided as the program is developed and regulations are finalized.



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