I. General

1. What is paid parental leave?

Paid parental leave (PPL) provides eligible state employees who are parents of a new child paid time off to bond with the child. An eligible employee is allowed one PPL per qualifying event, limited to one qualifying event per fiscal year.

PPL will be paid at the employee’s hourly rate, not including any premium pay (e.g., overtime, differentials, etc.).

2. How much PPL is available to an eligible full-time state employee?

An eligible full-time state employee experiencing a qualifying event may use up to six weeks of PPL, to a maximum of 40 hours per week (240 hours total) per qualifying event.

3. How much PPL is available to an eligible part-time employee?

An eligible part-time employee experiencing a qualifying event will receive PPL in the amount of up to six weeks of the employee’s normal work schedule. For example, a 50 percent time employee may receive up to 20 hours per week of PPL for 6 weeks (120 hours total).

4. How much PPL is available to an eligible employee with a varying work schedule?

If an employee who experiences a qualifying event has a schedule that varies from week to week and the employee’s normal work schedule cannot be ascertained, a weekly average of the hours worked plus paid and unpaid leave over the 12 months prior to the beginning of PPL will be used to calculate the employee’s PPL amount (to a maximum PPL leave of 40 hours per week for six weeks (240 hours total)).

5. How much PPL is available to an eligible seasonal employee?

An eligible seasonal employee who experiences a qualifying event will receive PPL in an amount up to the employee’s normal work schedule. Seasonal employees can only use PPL during the period of their appointment, and remaining PPL is not cashed out at the end of the employee’s season.

6. How much PPL is available to an employee with multiple appointments?

An eligible employee is allowed one PPL covering all appointments the employee has at the time the PPL begins, up to a maximum PPL leave of 40 hours per week for six weeks (240 hours total). The amount of PPL is calculated based on the employee’s normal work schedule (or average, if a varying schedule), including all currently active appointments.
7. When is the amount of PPL calculated?

The amount of PPL to be provided is determined as of the date of the first PPL absence.

II. Eligibility

1. Who is eligible to take PPL?

A state employee, regardless of appointment type, who has a “qualifying event” is eligible for PPL if:

- the employee is an “eligible employee” under the federal Family and Medical Leave Act (FMLA) (the employee has been employed by the State for at least 12 months, and for at least 1,250 hours of service during the 12-month period immediately preceding the start of leave); and
- the employee is an executive branch employee whose terms and conditions of employment are established by a collective bargaining agreement negotiated by MMB that contains a provision that entitles eligible employees to up to six (6) weeks of Paid Parental Leave.

2. If an employee has met the FMLA eligibility criteria at the start of FMLA for the qualifying event, do we need to re-check eligibility when the employee begins PPL?

No.

3. What is a “qualifying event” for PPL?

PPL is intended to be used for bonding with a new child. A qualifying event is when:

- a child is born to a state employee;
- a child is placed in a state employee’s home for adoption by the employee; or
- a child is placed in a state employee’s home to adjudicate the state employee as the child’s parent in cases of surrogacy.

4. What happens if an employee experiences more than one qualifying event in the fiscal year?

An eligible employee is limited to only one qualifying event per fiscal year for PPL purposes. An eligible employee is also limited to one PPL per qualifying event. For example, even when an eligible employee experiences two qualifying events within one fiscal year, the employee will be granted PPL for only one. The fiscal year is July 1 to June 30.

The birth of multiples (twins, etc.) or the concurrent placement of more than one child in a home for adoption constitutes a single “qualifying event.”

PPL must be used within six months of the qualifying event. With approval by the Appointing Authority, eligible employees may be allowed intermittent or reduced schedule use of PPL, which must be completed within twelve (12) months of the qualifying event.

5. Are gestational carriers / surrogate mothers, or egg, sperm, or other reproductive cell donors, eligible for PPL?

No.

6. If both parents are state employees who meet the eligibility criteria for PPL, can they each receive six weeks of PPL?
Yes. If both parents are state employees and meet the eligibility criteria, each is entitled to receive up to six weeks of PPL.

7. Is an employee eligible for PPL if the new child lives in the employee’s home but the employee is not the biological parent or intended legal parent of the child (for example, the new child of the employee’s daughter or sister who lives with the employee)?

No. The new child must be born to the employee, or the employee must be the intended legal parent (in the case of adoption or surrogacy) of the new child.

8. Is an employee required to be married to the mother or father of the new child to be eligible for PPL?

No, as long as the new child is born to the employee, or the employee is the new child’s intended legal parent (in the case of adoption or surrogacy), and the employee meets all eligibility criteria.

9. Must an eligible employee have FMLA leave available to take PPL?

No. An employee must meet FMLA eligibility requirements at the time PPL begins, but the employee does not need to have an FMLA leave entitlement available in order to take PPL.

III. USE

1. When can PPL be used?

An eligible state employee must complete use of PPL within six months following the qualifying event. With approval of the Appointing Authority, an eligible employee may use PPL within 12 months of the qualifying event. However, in no instance will PPL be granted in excess of the maximum number of hours for which the employee qualifies.

PPL cannot be used retroactively to substitute previously taken paid or unpaid leave.

PPL not used within the required timeframe cannot be carried over or cashed out.

2. Can PPL be used for pregnancy-related bedrest, other conditions, or preparatory activities for birth, adoption, or surrogacy prior to the qualifying event?

No. PPL may not be used until the qualifying event occurs. It does not cover conditions or activities prior to the qualifying event.

3. Does PPL have to be taken consecutively (all in one block)?

PPL hours are intended to be used consecutively and within six months of the qualifying event. With approval of the Appointing Authority, an eligible employee may use PPL to return to work on an intermittent or reduced work schedule. However, if PPL is used on an intermittent or reduced leave use schedule, the employee must use other paid hours (e.g., regular, sick if absence is sick leave qualified, vacation, or compensatory time) to fill the remainder of the employee’s scheduled work hours.

Use of PPL, whether alone or in combination with other paid hours, cannot exceed the employee’s normal work schedule.

4. What is the smallest increment of PPL that can be used?
The Appointing Authority may authorize an eligible employee to use PPL on an intermittent or reduced schedule basis. However, when using PPL in less than full work-day increments, the employee must use other paid hours (e.g., regular, sick if absence is sick leave qualified, vacation, or compensatory time) to fill the remainder of the employee’s scheduled work hours.

5. What does intermittent or reduced schedule mean?

A PPL schedule is intended to be preapproved and scheduled in advance of the use of the leave. PPL hours are intended to be taken consecutively; however, the Appointing Authority may approve intermittent or reduced PPL schedules.

An intermittent schedule is a prearranged and approved amount of variation in PPL use. For example, with the Appointing Authority’s approval, an employee could take four weeks of PPL, then return to work for a period of time, and then take the remaining two weeks of PPL.

A reduced schedule occurs when an employee works less than his or her normal work schedule, and supplements with PPL. For example, with the Appointing Authority’s approval, a full time employee could work 20 hours per week and use 20 hours of PPL per week, up to a total of 240 hours.

6. Can employees use other forms of paid leave (such as sick, vacation, etc.) while on PPL?

Employees are not allowed to receive other types of paid leave for hours for which they are receiving PPL.

While on PPL, an employee may work a reduced schedule with approval of the Appointing Authority, and must use other paid hours (e.g., regular, sick if absence is sick leave qualified, vacation, or compensatory time) to fill the remainder of the employee’s scheduled work hours.

7. Must eligible employees use their sick leave for a qualifying event before they are permitted to use PPL?

Yes. Eligible employees must first exhaust accrued sick leave hours for reasons which qualify for sick leave usage under the applicable labor contracts. PPL is to be used consecutively following the use of sick leave, unless intermittent or reduced schedule use of PPL is authorized by the Appointing Authority.

8. While on FMLA and receiving short term disability, can an employee use PPL?

Yes. An employee on FMLA and receiving short term disability benefits is not required to, but may choose to use sick leave, and then PPL after exhausting sick leave. After the short term disability benefits end, use of PPL is required to run concurrently with any unpaid leave(s) to which parents may be entitled (i.e., FMLA, leave under the State parenting leave statute (M.S. 181.941), and parenthood leave under applicable contracts).

9. What happens if the qualifying event falls on the eve of the new fiscal year?

An eligible employee is entitled to only one PPL per qualifying event, and one qualifying event per fiscal year. An eligible employee would be entitled to 6 weeks of PPL for that qualifying event as long as the PPL is taken within six months of the qualifying event (12 months with Appointing Authority approval), and as long as the employee has not already had a qualifying event in that fiscal year.

It is possible for an employee to take two PPLs in a fiscal year, as long as each qualifying event occurs in a different fiscal year.

When PPL crosses over two fiscal years, the balance does not start over with the new fiscal year.
10. If an eligible employee gives birth and the child remains in the hospital after the mother is released, what is the effective date of the qualifying event for purposes of PPL?

The effective date of the qualifying event for PPL is the date of birth.

11. Will an employee receive holiday pay if the holiday occurs while they are using PPL?

Use of PPL is considered being in “payroll status.” Eligibility for holiday pay is determined by the labor contract under which the employee is covered. Employees should consult with their HR Office to understand their holiday pay eligibility.

Paid holidays during an employee’s PPL do not count against the employee’s PPL bank.

**FORMS AND SUPPLEMENTS**

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