



# PAID PARENTAL LEAVE

## — Frequently Asked Questions —



After many years of organizing, lobbying, and mobilizing our members, AFGE finally won 12 weeks of paid parental leave for federal employees. The Federal Employees Paid Parental Leave Act (FEPPLA) was passed in 2019 and begins to provide benefits as of Oct. 1, 2020. Here are some frequently asked questions about paid parental leave for federal employees:

### 1 Who is eligible for 12 weeks of paid parental leave?

**Answer:** Permanent employees and term employees whose term is at least one year are eligible. Employees must be scheduled to work at least 1,250 hours per calendar year and have had their current federal job for at least one year in order to be eligible. If you are eligible for 12 weeks of unpaid leave under the Family and Medical Leave Act, you're eligible for 12 weeks of paid leave under the Federal Employees Paid Parental Leave Act.

### 2 Is this benefit retroactive for those whose child was born or adopted prior to Oct. 1, 2020?

**Answer:** No. Even if your baby was born on Sept. 30, 2020 at 11:59 p.m., you're not eligible. The baby has to be born or adopted on or after Oct. 1, 2020.

### 3 When can paid parental leave be taken? Is it only for the birth or adoption of infants?

**Answer:** Paid leave is only available to federal employees within the first year after the child's birth or adoption. If the leave is taken months after the child is born, the leave must be taken in order to provide care for the child, i.e. there is no paid parental leave if the child is already in daycare.

#### **4 Is paid parental leave available upon adoption of a child, regardless of the age of the adopted child?**

**Answer:** Yes. Paid parental leave may be taken upon the adoption of a child of any age as long as it is within one year of when the adoption takes place.

#### **5 Is paid parental leave for federal employees available to employees of any gender?**

**Answer:** Yes. All parents, regardless of gender, who otherwise meet eligibility criteria are permitted to receive paid parental leave.

#### **6 What kind of documentation is required in order to get approval for paid parental leave?**

**Answer:** Birth certificate, official documents that show the federal employee is the legal parent of the child (adoption placement documents), immigration visas from the U.S. Citizenship and Immigration Services, or other legal documents showing that the federal employee is either the birth mother or legal parent of the child.

#### **7 Does the program impose a return-to-work requirement for those who receive paid parental leave?**

**Answer:** Yes. Federal employees must sign a document that guarantees that they will return to work at their federal job for at least 12 weeks following the receipt of paid parental leave. The 12-week post-leave obligation is the same no matter whether the employee uses all 12 weeks of paid parental leave or some smaller amount of leave.

If you do not fulfill this return-to-work requirement, you must repay the agency the entire amount of the salary paid during the leave. Agencies can decide whether to require repayment of the government's contribution to your health insurance under the Federal Employee Health Benefits Program (FEHBP) from the paid leave period if you fail to return for the post-leave 12 weeks.

#### **8 Are employees able to treat the birth or adoption of multiples as discrete births or adoptions and thus take 12 weeks of paid leave for each twin (or triplet, etc.)?**

**Answer:** No. Each birth or adoption "event" is treated as one birth or adoption for purposes of the paid leave benefit. However, if a person gives birth more than once in a 12-month period or adopts children more than one time in a 12-month period, the employee can receive a full 12 weeks of paid parental leave for each birth or adoption, provided that no unpaid FMLA leave has been taken in the previous 12 months. If FMLA leave has been taken in the 12 months prior to the birth or adoption, the paid leave entitlement will be reduced by the amount of unpaid FMLA leave taken in the previous 12 months.