

## FREQUENTLY ASKED QUESTIONS ABOUT PAID PARENTAL LEAVE

**Q: What is Paid Parental Leave?**

A: Paid Parental Leave (PPL) is a new paid leave category that provides eligible employees with up to 12 weeks of PPL in connection with a qualifying event. Qualifying events include the birth of an employee's child, the placement of a child with an employee for adoption or foster care, or stillbirth occurring 20 or more weeks into the pregnancy.

**Q: How do I determine if I am eligible for PPL?**

A: To be eligible to use paid parental leave for a qualifying event, an employee must meet the following criteria:

(1) The employee must have worked for the City of Birmingham for at least 12 months **and** the employee must have worked 1250 hours for the City of Birmingham in the twelve months immediately preceding the first requested paid parental leave date.

(2) The employee experiences a qualifying event on or after the effective date of this Paid Parental Leave Policy.

(3) The Employee must be eligible for unpaid Family and Medical Leave Act (FMLA) leave and the employee must choose to replace FMLA leave with Paid Parental Leave. Paid Parental Leave may only be substituted for FMLA if the employee is eligible for FMLA.

**Q: If I use PPL, is FMLA still available to use for other qualifying FMLA events?**

A: FMLA and PPL are being used at the same time. Up to 12 weeks of PPL may be paid. However, if you use FMLA for a separate qualifying event such as surgery, you would need to use your own accrued paid time off to be paid during that time. If you do not have any paid time off available, you may request a leave of absence without pay.

**Q: What if I do not have any FMLA leave available, may I still receive PPL?**

A: If you have exhausted part or all of your FMLA leave in the 12 months preceding the birth or placement of a child, you may be entitled to PPL, depending on when the FMLA was used. You may use any accumulated paid time off. If you do not have a sufficient amount of paid time off, you may request an unpaid leave of absence.

**Q: For any unused balance of PPL, am I able to receive it as a lump sum payout?**

A: No, an employee may not be paid for unused or expired PPL within 12 months following the birth or placement of a child. Any unused PPL not taken within the 12 months is forfeited and not available for future use.

**Q: I had a qualifying event on January 1, 2023. Can I be grandfathered in to receive PPL?**

A: The birth or placement (for adoption or foster care) of the employee's child must occur on or after January 17, 2023. Any birth or placement that takes place prior to January 17, 2023, will not be eligible for PPL.

**Q: If both parents work at the City of Birmingham are they both eligible for PPL?**

A: Yes, if two PPL eligible employees are parents of the same newly born or placed child, each employee would have a separate FMLA leave entitlement to PPL based on the birth/placement event. However, if both parents work within the same department of the City of Birmingham, the parents must take their PPL at different times during the 12-month period, except for the first two weeks after the qualifying event. **Q: If both parents work for the City of Birmingham, can one parent use PPL immediately following the birth or placement of a child and the other parent use PPL upon the completion of the first parent's entitlement?**

A: Yes, PPL can be used any time during the 12-month period following the birth or placement of an employee's child.

**Q: Can I use my own annual and/or sick leave while using PPL intermittently?**

A: PPL can only be used in relation to the birth or placement of a child. However, an employee can request to use sick leave for sick leave purposes while using PPL intermittently. If the employee has documentation to support the request, sick leave generally cannot be denied. An employee can request to use vacation leave while using PPL intermittently. However, the approval of the annual leave is at the discretion of the supervisor. An employee cannot get paid both PPL and sick or vacation time for the same dates.

**Q: What if there are multiple births or placements?**

A: Multiple births or placements do not increase the amount of available PPL.

**Q: Does PPL have any effect on my pension credible time?**

A: No

**Q: Does PPL have any effect on holidays or the accrual of vacation/sick time?**

A: PPL does not count against holidays. Employees will continue to accrue vacation/sick time while on PPL. Employees on paid leave continue to be paid for holidays.

**Q: Can PPL be taken intermittently during the 12 months after the birth or placement of a child?**

A: Yes, PPL can be used intermittently during the 12 months following the birth or placement of a child. However, any intermittently leave must be used in increments of no less than 2-weeks and the parent must provide at least 30 days' notice prior to taking any intermittent PPL.

**Q: What documentation, if any, does an employee need to provide to use PPL? What documentation, if any, does an employee need to provide to use PPL?**

A: When requesting PPL, an employee must provide appropriate documentation showing that the employee's use of PPL is directly connected to a birth or placement of a child. Employees may provide one of the following:

- Birth certificate of the child
- Document naming employee as second parent, such as declaration of paternity or court order
- Appropriate court documents

- Documentation provided by the child's healthcare provider
- Hospital admission form associated with the delivery of the child
- Documentation provided by the adoption agency confirming the placement and date of placement
- Letter signed by the parent's/parents' attorney confirming the placement and date of placement
- Immigrant visa for the child issued by U.S. Citizenship and Immigration Services
- Adoptive placement agreement
- Independent adoption placement agreement (i.e., an agreement between the birth parents and the adoptive parents that a private or open adoption should go forward—generally, there is no adoption agency involved)
- Foster care placement record
- Other documentation from the foster care agency confirming the placement and date of placement
- Foster care placement letter issued by the relevant local department of social services or authorized voluntary foster care agency.

**Q: What other leave flexibilities are available to expectant parents?**

A: In addition to paid parental leave, the City of Birmingham offers various other leave flexibilities to assist an employee in balancing his or her work and family life related to pregnancy and childbirth. Some of those leave flexibilities may include telework, sick leave, vacation leave, and leave without pay. An employee's eligibility for these various leave flexibilities is fact specific. Employees are encouraged to discuss all the leave and schedule options available to them with Human Resources.

If you have any questions, please email Human Resources at [humanresources@birminghamal.gov](mailto:humanresources@birminghamal.gov).