



PAID PARENTAL LEAVE (PPL) – Frequently Asked Questions

Paid Parental Leave (PPL) is a local City ordinance that provides supplemental pay to ensure employees receive the equivalent of their full salaries for up to 12 weeks while on qualifying approved leave following the birth, adoption, or placement of a child with the employee's family for foster care. The PPL benefit is based on an employee's salary and is used to supplement the employee's City paid leave accruals, including sick leave, vacation, compensatory time off, floating furloughs, floating holidays, holidays in lieu, etc. PPL can also be used to supplement other forms of paid leave available to employees, such as State Disability Insurance (SDI) and Paid Family Leave (PFL¹).

PPL provides an additional four weeks of supplemental pay to employees who take leave for temporary pregnancy disability.

Employees must apply to receive PPL—it is not an automatic benefit.

1. Who is eligible for PPL?

All permanent, provisional, and exempt employees are potentially eligible who:

- a) normally work at least twenty hours per week, and
- b) have completed six months of continuous service or any other City employee who has worked (a) at least 1,040 hours in the twelve months prior to the leave and (b) whose average work week is at least twenty hours

Employees must also qualify for a family medical leave covered under the Family Medical Leave Act (FMLA), the California Family Rights Act (CFRA), Pregnancy Disability Leave Law (PDL) or the Civil Service Rules and not have exhausted the allowable 12 or 16 weeks of PPL within the previous 12-month period.

When calculating the amount of PPL available to an employee, the City looks back at the previous 12 months to determine whether any leave used during that period should be considered in the calculation.

2. How much PPL can employees receive?

Birth parents can receive 12 weeks of supplemental pay while on qualifying approved family medical leave, and an additional four weeks if they take approved PDL.

Non-birth parents can receive up to 12 weeks of supplemental pay while on qualifying approved leave for child bonding and/or foster and adoption placement.

3. Do employees need to exhaust all their paid leave accruals before receiving PPL?

Employees on approved Parental Leave must exhaust all accrued paid leave (e.g. vacation, compensatory time, administrative or executive leave, floating holidays, in lieu holidays, etc.), with the exception of 40 hours of accrued sick leave, before receiving any supplemental compensation. If an employee chooses not to exhaust all of the paid leave he or she has accrued, the total supplemental PPL benefit is reduced by the amount of paid leave not exhausted. Any accrued leave the employee elects to keep is deducted at the start of the PPL qualifying leave.

For example, if an employee elects to keep 40 hours of vacation and 50 hours of sick pay, 90 hours will be deducted from the total available PPL supplemental pay.

¹ PFL is a component of the state's SDI program. Workers covered by SDI are also covered for PFL, which is administered by the Employment Development Department. PFL must be used concurrently with FMLA or CFRA leave.

4. What happens when employees accrue more leave during the PPL benefit period?

PPL is a supplement used to ensure employees receive their full salaries for the 12 or 16 weeks they are out on qualifying, approved leave, and all leave accruals available to employees are coordinated with PPL. Therefore, every time an employee accrues leave during a pay period, that leave accrual is used in the next pay period, before PPL supplemental pay is calculated.

If an employee chooses not to exhaust any newly-accrued paid leave in a given pay period, the amount of paid leave accrued but not exhausted is deducted from the PPL benefit amount paid in that pay period, and from the total supplemental benefit available to that employee. As a result, the employee will not receive 100% of his or her salary in the pay period he or she elected not to exhaust newly accrued paid leave.

5. When can employees use PPL?

For birth parents, the PPL benefit period begins immediately upon the birth of the child or pregnancy disability. Supplemental pay begins only when accrued leave and SDI or PFL do not equal 100% of the employee's base pay. The benefit period is interrupted only by a return to work, at which point the remaining benefit period can be taken at later date, but within 12 months of the qualifying event, and in conjunction with a qualifying approved leave (FMLA, CFRA, PDL or Civil Service Rules).

For non-birth parents, the PPL benefit period begins when they go out on a qualifying approved leave (FMLA, CFRA or Civil Service Rules) for the birth, placement or adoptions of a child, as long as this leave takes place and is concluded within the first 12 months of the qualifying event.

PPL benefits are subject to a [look-back period](#).

6. Can PPL be used intermittently?

Yes. PPL benefits can be used intermittently in accordance with intermittent allowances for the type of leave being taken (FMLA, CFRA or Civil Service Rules). PPL is not to exceed the 12 or 16 week limit.

7. If an employee's spouse/partner is also a City employee, are they both entitled to PPL?

Yes, both employees can use PPL. Each parent may receive PPL compensation for the full 12 or 16 weeks subject to meeting eligibility requirements. This change is the result of a November 3, 2015, voter approved amendment to City Charter.

8. Can employees start using PPL at any time?

Employees must apply for PPL before it can begin—it is not an automatic benefit.

Providing the employee is eligible to receive PPL, the underlying leave is qualified under the ordinance, and the underlying leave is approved, the birth, adoption or placement of the child determines when the non-birth parent employee may begin using PPL. The qualifying approved leave and accompanying PPL must be used within the first 12 months of the qualifying event.

If the employee is the birth parent, the PPL begins the moment the employee gives birth or goes out on PDL. This period is only interrupted if the employee returns to work prior to the end of the benefit period. In this case, the remaining benefit can be used during future qualifying approved leaves associated with, and within 12 months of, the qualifying event.

9. What is the “look-back period”?

The “look-back period” is the 12 months prior to the commencement of the Parental Leave. The look-back is done to ensure PPL does not exceed the benefited amount of 12 or 16 weeks (as applicable).

For example:

- a) A child was adopted in June, but the employee did not apply for PPL until August: Any absence related to the adoption between June and August will be calculated and deducted from the total available PPL supplemental pay.
- b) A child was born in January and the employee was off on continuous qualifying approved leave, but did not apply for PPL until April. The employee is not expected to return to work until June: The employee’s time off related to the birth between January and the date of the PPL application will be deducted from the total benefit period to determine the remaining benefit. If the employee did not receive 100% of pay during the initial leave period, PPL will be calculated accordingly. If the employee received 100% of pay during this time, and has already been on leave for more than 12 or 16 weeks, PPL will not be available.
- c) A pregnant employee takes a three-week family vacation in March. The child is born in June and the employee applies for PPL in August: The three week family vacation taken in March will not be deducted from the total available PPL supplemental pay provided it was NOT RELATED to the pregnancy.

10. What happens when a holiday occurs during the period an employee is using PPL?

If the employee is not normally scheduled to work on a particular legal holiday that falls during a PPL benefit period, that holiday is paid as LH and does not count as time used toward the 12 or 16 week supplemental pay period. If the employee is normally required to work on the same day as the legal holiday, that holiday is paid as LH and the accrued time off is deducted from the 12 or 16 week supplemental pay period.