

Paid Parental Leave FAQ
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1. Who is eligible for paid parental leave? Any public-school employee hired to fill a permanent position on a full-time, part-time, or time-limited basis and who has, at the time of the qualifying event, been in pay status with the same PSU and without a break in service within the previous 12-month period. Temporary employees and independent contractors (as defined in Section 1.1.5 of the Benefits Manual) are not eligible.
2. If an employee is hired on a 10- or 11-month contract (e.g., a teacher who works August – May), is the time between contracts considered a break in service? No, a 10- or 11-month employee who otherwise meets the eligibility requirements and is either on contract at the time of the qualifying event or has a contract for the upcoming year (if the qualifying event occurs over the summer), the employee is eligible for PPL.
3. Do less than full-time employees receive fewer weeks of PPL than their full-time colleagues? No. All eligible employees receive the same amount of leave for PPL (8 weeks for a birthing parent and 4 weeks for a non-birthing parent). Employees who work less than full-time hours will receive compensation for PPL based on the percentage of the total wages for the job that reflects the actual time worked. For example, if a teacher's regular salary is \$4,000 per month, and works 60% of the designated full-time hours for that role, he/she would qualify for \$2,400 per month when on PPL ($\$4,000 \times 60\% = \$2,400$). For hourly employees who work less than full time, local PSUs should develop local policy on how their pro-rated compensation will be calculated (e.g., the average number of hours worked per month over the preceding 12 months).
4. Does PPL compensate employees who regularly work overtime hours? No. PPL only provides paid leave for an employee's regular working hours (up to 40 hours per week). In no case can PPL be used to compensate an employee in excess of 40 hours per week.
5. Can a PSU require an employee to use PPL at a certain time (e.g., immediately following the birth or placement of a child)? No. Employees may use PPL at any time during the 12 months following the birth or placement of a child. Additionally, employees may request their PPL in conjunction with any other, existing leave offerings available to a new parent. In all cases, the employee must meet the eligibility requirements for using leave at the time the leave is taken.
6. Can an employee use PPL intermittently (e.g., 3 days per week over a 13 week period)? Possibly. Yes. An employee has the option to forego, delay (within twelve months of the qualifying event) or take PPL on an intermittent basis. The PSU, however, cannot deny, delay, or require the intermittent use of PPL except as agree to by the employee.
7. Do periods of unpaid leave, change to part-time status, or other changes to employment have impact on the 12-month lookback period for PPL eligibility? Possibly. The 12-month employment requirement is twofold, the employee was employed by the PSU for the previous 12 months without a break in service **and** the total hours in pay status was at least 1,040 hours (including the use of leave). Provided these two conditions are met, the employee is eligible regardless of the type of position in which he/she was employed.
8. Are surrogate, or gestational carriers, eligible for paid parental leave? Possibly, but not always. Paid Parental Leave is available to employees who become parents (or legal guardians) as the result of a qualifying event (birth or legal placement of a child). If an employee gives birth to a

child but is not the legal parent or guardian of the child at the time of birth, then she would not be eligible for paid parental leave. The employee would, however, be eligible to use 30 days of sick leave following the birth for the recuperation period (or more if prescribed by a medical professional). An employee who becomes a parent but does not give birth to the child (i.e., a surrogate gave birth to the child and the employee becomes the child's legal parent immediately upon birth) is eligible for 4 weeks of paid parental leave.

9. Do employees use paid parental leave on holidays and/or required annual leave days? **No.** Employees on Paid Parental Leave are entitled to holidays while on leave. The holiday cannot be counted as part of the employee's PPL entitlement. Schools are required by statute to provide a minimum of ten annual leave days for teachers in the school calendar. If an employee's PPL coincides with one or more of these required annual leave days, then the employer deducts the day from the employee's annual leave balance, not PPL. The employee's PPL entitlement would be extended by the number of required annual leave days charged.
10. For birthing parents, can the 30 days of sick leave allowed for the birth of a child be used after PPL has been exhausted? **It depends.** The use of sick leave following the birth of child is not explicitly stated in current policy or statute, but on the standard practice of medical professionals to prescribe 6 or 8 weeks of leave for recuperation immediately following childbirth. If the employee elects not to use sick leave during the period prescribed by the medical professional, then it would not be allowable to use sick leave at a later time (unless prescribed by a medical professional for that later period). NC statute (115C-336.1) does, however, allow an employee to use up to 30 days of sick leave to care for a child placed with an employee for adoption (or foster care). This sick leave allowance for legal placement can be used at any time during the first 12 months following legal placement.
11. Can an employee use paid parental leave in advance of birth if a medical professional prescribes leave from work (e.g., bed rest)? **No.** Paid parental leave may only be used after the qualifying event (birth or placement). An employee would need to use his/her own available leave to maintain pay status during a period of illness or injury that precedes the qualifying event.