



**Paid Parental Leave for State Employees
Memorandum of Understanding
Questions & Answers**

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would save the average state employee
\$6,200 in lost time**



**and give parents
priceless time to bond with
their newborn and adopted children**

**VOTE to ratify paid parental leave
Aug. 30, 31 & Sept. 1
Voting locations at www.afscmemn.org**

QUESTIONS & ANSWERS

Note: This document is meant to answer basic questions about paid parental leave and the approval process. Minnesota Management and Budget (MMB) will be developing a final Q&A with input from AFSCME and other state unions.

GENERAL

What is paid parental leave?

Paid parental leave will make it easier for mothers and fathers to care for new children. Six weeks of paid parental leave will save the average state employee \$6,200 in lost time – and give parents priceless time to bond with their newborn and adopted children.

Why is it important?

The first weeks following birth are an important time for families to bond and for infants to grow strong and healthy. It's a time when new parents need financial security and job protection. It's also a time when many childcares will not accept infants younger than six-weeks old.

How do employers benefit?

Employers also benefit because paid parental leave helps them recruit and retain employees. Minnesota will become the fourth state to offer paid parental leave to state employees. It's about competing with private sector employers who already offer it – among them are Mayo Clinic, U.S. Bank, Target, Ecolab and General Mills .

How much paid parental leave is available?

An eligible full-time state employee experiencing a qualifying event is eligible to use six weeks of paid parental leave (to a maximum of 240 hours) per qualifying event. Paid parental leave is available only once per fiscal year.

A “qualifying event” is when a child is born to a state employee, or placed in a state employee’s home for adoption by the employee, or placed in a state employee’s home to adjudicate the state employee as the child's parent in cases of surrogacy.

Paid parental leave is only available to employees legally recognized as “parents” including unmarried parents, but does not include foster parents, legal guardians or stepparents.

If both parents are state employees, do they both receive paid parental leave?

Yes, if both parents are eligible state employees, each will be entitled to six weeks of PPL for one qualifying event per fiscal year.

How much paid parental leave is available to an eligible part-time, seasonal, or intermittent employee?

An eligible non-full-time employee experiencing a qualifying event will receive six weeks pro-rated leave based on the average hours worked or paid, excluding premium pay (e.g., overtime, shift differential), in the 12 months prior to the start of paid parental leave (to a maximum of 240 hours) per qualifying event.

Is paid parental leave retroactive?

Qualified employees who gave birth/adopted children on or after July 1, 2016 also will be eligible for this benefit and must use it within six months of child's birth/adoption. Such employees will not, however, be allowed to swap out leave (sick leave, vacation, etc.) taken prior to the start date of paid parental leave.

ELIGIBILITY

Who is eligible to take paid parental leave?

A state employee who has worked at least 1,250 hours in the 12 months immediately prior to taking paid parental leave is eligible for paid parental leave. Only actual regular hours worked (not overtime, sick, vacation, etc.) count for the purpose of determining eligibility.

Are all AFSCME-represented state employees who meet the eligibility requirements covered by the paid parental leave policy regardless of appointment type?

Yes. Eligibility is based on hours worked (see above), not appointment type. It includes classified, unclassified, permanent and temporary employees who meet the eligibility requirements. It also includes AFSCME employees working for Minnesota State Colleges and Universities.

USE

When can leave be used?

An eligible state employee must use the six weeks of paid parental leave within the six months following the birth or adoption of a child. With approval of the Appointing Authority (i.e., agency management where you work), an employee may use paid parental leave within 12 months of the qualifying event.

Does paid parental leave have to be taken consecutively (all in one block)?

Paid parental leave is intended to be used consecutively within six months of the qualifying event. However, the policy does provide for exceptions to this with approval from the Appointing Authority.

Do I use sick leave or paid parental leave during a certified FMLA period?

The basic rules on the use of sick leave during FMLA-related leave have not been changed as a result of paid parental leave. If leave stemming from the birth of the child has been certified as FMLA leave, accrued sick leave must be used prior to other forms of leave.

NOTICE

When should an employee provide a paid parental leave request form to his/her Appointing Authority?

Employees must provide 30 days' notice for foreseeable leave. When the need for leave is not foreseeable, employees must provide notice as soon as practicable under the circumstances. Notice forms and other related details will be developed by MMB and Agency HR staff.

GRIEVANCES

Will the new paid parental leave MOU be grievable if it is not properly followed?

Yes.

FUNDING

How is paid parental leave being funded?

The paid parental leave workgroup estimates that the annual costs of paid parental leave will be around \$6 million per year. This is inexpensive in the context of a multi-billion dollar state budget.

Research also shows that workplace policies that improve employee retention can actually save employers money. According to the President's Council of Economic Advisors, policies like paid parental leave benefit employers by improving their ability to recruit and retain talent, lowering costly worker turnover and boosting employee morale and productivity.

Agencies will have to cover the costs of paid parental leave, which will be minimal in most cases. State agencies have already budgeted for employee's annual salaries, so paid parental leave will not add to the salary costs of those employees taking paid parental leave. While all leave (sick leave, vacation, Paid Parental Leave or otherwise) programs have budget implications, Governor Dayton says paid parental leave, on the whole, will benefit state government.

APPROVAL AND IMPLEMENTATION

What is the approval process for paid parental leave?

Per AFSCME's state bargaining structure, the next step is member ratification. To ratify or approve the Memorandum of Understanding (MOU), a simple majority of AFSCME members voting on the MOU must vote in favor of the MOU. For this MOU vote, there will only be in-person voting available. Please see the Council 5 website (www.afscmemn.org) for voting locations.

After this, MMB can submit the MOU to the Subcommittee on Employee Relations (SER) for interim approval. The SER is a joint State House and Senate committee that reviews union contracts. If the SER does one of three things, the MOU will go into interim effect. This includes:

- A simple majority voting in favor of the MOU;
- A tie vote (equal number in favor to those opposed); or
- The committee fails to take a vote within 30 days of the MOU being submitted to the SER for consideration.

Assuming one of these three actions happen, the MOU becomes effective and will be implemented on an interim basis. Just as with the legislative process used to approve our contract, the Legislature will need to finally approve the MOU for it to become permanently implemented.

When will the new paid parental leave MOU be implemented?

This depends on how quickly the MOU is approved by the Subcommittee on Employee Relations. October 1, 2016 is the earliest start date for the new Paid Parental Leave program.