



Frequently Asked Questions: **Expectant Birth Parent Leave of Absence**

Can I take intermittent leave prior to the birth of my child?

If you have a serious health condition relating to pregnancy and meet the eligibility criteria for FMLA, you can submit the required forms to request an intermittent leave of absence; [Form 2677 Health Certification for an Employee's Serious Health Condition](#).

If you have a serious health condition relating to pregnancy and do not meet the eligibility criteria for FMLA, you must apply for a leave as a form of a reasonable accommodation. Please contact the NYC Health + Hospitals' Office of Equal Employment Opportunity (EEO) at EEO@nychhc.org, to be considered for a possible accommodation.

What if I have a medical need to start a continuous leave prior to the birth of my child?

In the event that you are unable to work due to conditions relating to pregnancy and need to start your leave of absence pursuant to FMLA prior to the birth of your child, you should submit the proper documentation completed by your healthcare provider indicating so- [Form 2677 Health Certification for an Employee's Serious Health Condition](#).

If you are not eligible for FMLA, this leave would be considered in the form of a Reasonable Accommodation and will be in accordance with the medical documentation submitted.

Any leave accruals you have will be applied to continue in paid status. In the event you do not have accruals and will enter into unpaid status, we will apply any available SLOAC (Special Leave of Absence Coverage) entitlements to continue healthcare benefits. SLOAC can only be applied for a maximum of 16 weeks cumulatively. It is important to note that if SLOAC has been applied for any time taken prior to birth it will be counted toward the 16-week maximum entitlement.

What if I elect to start my leave prior to the birth of my child?

If there is no documented provider medical basis for requesting leave, you will need to discuss and work with your department individually for time off. Any time off approvals would be at the discretion of your department using available time and leave balances. This is not managed by HRSS Leaves Administration

What if I am ineligible for FMLA and not in a permanent civil service status title but still need time off to recover from child birth?

In this instance, you can request a leave in the form of a Reasonable Accommodation for the recovery period relating to giving birth. HRSS Leaves Administration will manage this leave with supporting documentation for a period of up to 8 weeks depending on the type of birth (6 weeks for vaginal birth and 8 weeks for c-section).

The disability recovery period after childbirth is considered a medical disability period and is distinct from the childcare bonding period. During this 6-8 week period if you exhaust all applicable sick leave and go into unpaid status, we will apply SLOAC (Special Leave of Absence Coverage) in order to continue active healthcare benefits for this timeframe, if eligible. SLOAC can only be applied for a maximum of 16 weeks cumulatively. It is important to note that if SLOAC has been applied for time taken prior to birth it will be

counted toward the 16-week maximum entitlement, that may be applied for disability recovery period after birth.

Am I eligible to use Dedicated Sick Leave for the disability period before and/or after giving birth once I run out of leave accrual balances?

Yes, you may be eligible for the disability period only. For more information visit the Dedicated Sick Leave (DSL) page here:

<https://nychhccloud.sharepoint.com/sites/ERC/SitePages/Dedicated-Sick-Leave-Program.aspx>
or <https://ess.nychhc.org/dedicated-sick-leave.html>

May I apply for the discretionary advanced sick leave (3.4) for the disability period before and/or after giving birth once I run out of leave accrual balances?

Yes, you may be eligible for the discretionary advanced sick leave (3.4) if you have exhausted all leave accrual balances. Please click the link to access form HHC 2976 [Request for Discretionary Sick Leave Form v4.pdf](#)

Please be advised that requests for advanced sick leave (3.4) are reviewed on an ad hoc basis.

What should I do if I need a new work assignment and/or accommodation to reduce my work schedule prior to birth of my child?

If you need a new work assignment and/or accommodation you need to contact the Office of Equal Employment Opportunity (EEO) to seek reasonable accommodation at EEO@nychhc.org, to be considered for a possible accommodation.

When should I submit my forms to request a leave for childbirth?

Formal requests should be made to HRSS Leaves Administration 30 days prior to the qualifying life event (expected date of delivery/adoption). At this time, please make note to address both parts of your leave request (part one is related to your 6-8 week recovery period after birth as indicated on [Form 2677 Health Certification for an Employee's Serious Health Condition](#) and part two is related to the time you intend to take as your bonding period).

Group 12 employees eligible for PFL must submit the application and required documentation directly to our 3rd party vendor and should notify HRSS Leaves Administration of your intent to apply for PFL. Refer to the [Paid Family Leave page](#) for instructions and more information.

Effective 6/30/2024 Group 11 employees must submit [Request For Paid Family Leave – Bonding](#) forms to request PPL and PFL (if eligible). In order to avoid any delays and potentially forfeiting entitlements to PPL during your bonding period, please ensure you include your intended PPL start date while submitting your initial leave request (1st day of continuous absence even if prior to giving birth). For example, any FMLA bonding period taken will reduce PPL entitlement by that timeframe.

NOTE: PPL must be concluded within 6 months of the first day of usage for the birth or placement of the child. For Group 11 employees, all applicable bonding leaves may not exceed 1 year cumulatively. All forms with supporting documentation must be emailed to PPLHRSS@nychhc.org.

What happens if my expected delivery date changes, does a new form need to be submitted?

If your delivery date is earlier than initially expected, it is critical that you provide us with updated information as soon as possible as we will need to update the information previously issued.

Initially, [Form 2677 Health Certification for an Employee's Serious Health Condition](#) should be submitted noting expected delivery date and delivery type OR sufficient medical documentation indicating the same prior to birth. Alternatively, if the birth has already taken place you can provide proof of birth. We must be made aware of any changes as your leave dates need to be adjusted and bonding related leaves like PPL and CCL cannot be retroactively applied.

What forms need to be submitted to formally request a leave of absence?

The following form needs to be submitted to HRSS Leaves Administration via email to HRSSLeaveAdministration@nychhc.org or via the [Absence Management ESS portal](#).

- [Form 2677 Health Certification for an Employee's Serious Health Condition](#)

Group 12 employees applying for PFL (*Bonding only*) must submit the forms directly to our 3rd party vendor and you should notify HRSS Leaves Administration of your intent to apply for PFL. Refer to the [Paid Family Leave page](#) for instructions and more information.

Effective 6/30/2024 Group 11 managerial employees that intend to apply for PPL which runs concurrent with PFL (*Bonding*) must submit the [Request For Paid Family Leave– Bonding](#) forms to HRSS Leaves Administration at PPLHRSS@nychhc.org. Inform the leave administrator handling your request of your intent to apply for PPL. NOTE: PPL must be concluded within 6 months of the first day of usage for the birth or placement of the child.

Can I use my accrued time and balances during my absence related to child birth?

During disability period: Accrued sick leave balance can only be applied during the disability portion of your leave (first 6 weeks for vaginal birth, 8 weeks for a c-section) or any medical directive to be on “bed-rest” prior to giving birth as these instances relate to self-illness. If sick time is exhausted during the disability period (self-illness), other accrued time and leave balances will be applied as appropriate. You should contact payroll at PayrollInquiries@nychhc.org for any other questions regarding cascading leave balances.

You can estimate the amount of paid time off available to you by looking at your current leave accrual balances. The balance may fluctuate based on usage prior to your leave. If you have any questions regarding your accruals please reach out to payroll directly at PayrollInquiries@nychhc.org.

During bonding period: Any childcare bonding period under OP 20-21 or pursuant to FMLA will utilize annual leave and other applicable balances other than sick leave accruals as it is unrelated to employee's own self-illness. You should contact payroll at PayrollInquiries@nychhc.org for any other questions regarding cascading leave balances.

Eligible Group 12 employees applying for PFL (*Bonding*) are paid through the insurance carrier, please note you may not be paid through NYC Health + Hospitals and the PFL insurance carrier for the same dates. The employee is responsible for any overpayment that may occur. Employee may elect to be paid using accrued leave balances. Employees must elect to do so in writing in advance of the leave notifying HRSS Leaves Administration and the insurance carrier to avoid any overpayments.

Effective 6/30/2024 Group 11 employees applying for PPL and PFL (*Bonding*) are paid at full salary by NYC Health + Hospitals payroll. Employees who elect to be paid at a reduced rate directly by the insurance carrier for the same dates must make the request in writing notifying HRSS Leaves Administration.

As a birth parent, can I use any of the leaves intermittently for bonding with my newborn?

All applicable leaves run concurrently with FMLA for the same qualifying event. If eligible, FMLA, PFL and PPL can be applied intermittently but Child Care Leave (CCL) must be used continuously. If there is a break in CCL, any remaining time you may have been entitled to will be forfeited.

I work a part-time schedule. How much leave am I eligible for after giving birth?

After receipt of your request for leave, it will be reviewed by a Leave Administrator from HRSS Leaves Administration to determine what leaves you may be entitled to. For part time employees with questions relating to the impact of their leave on healthcare benefits please contact HHCBenefits@nychhc.org. The following form needs to be submitted to HRSS Leaves Administration via email to HRSSLeaveAdministration@nychhc.org or via the [Absence Management ESS portal](#) for processing.

- [Form 2677 Health Certification for an Employee's Serious Health Condition](#)

In the event, your leave cannot be addressed through HRSS Leaves Administration you may be considered for a leave in the form of a Reasonable Accommodation. In order to apply for this, contact the Office of Equal Employment Opportunity (EEO) at EEO@nychhc.org

I am expecting twins. Do I qualify for a longer leave of absence?

No, leaves can only be taken for each birth event associated with a single pregnancy, whether single or multiple births take place.

Will I continue to accrue annual and sick leave while I am on leave?

Yes, while you are in paid status you will continue to accrue time and leave balances, however, once you are in unpaid status, you will no longer accrue time and leave balances. Employees on an approved PFL bonding related leave who have elected to be paid directly by the insurance carrier are considered on an unpaid status and will not accrue time. Any time accrued while on an approved Leave of Absence, will not be available to use until after you return from the leave. HRSS Leaves Administration is unable to answer any inquires relating to leave accrual balances. For any additional clarification please reach out to payroll directly at PayrollInquiries@nychhc.org.

Can I extend my leave for bonding?

Depending on your title and civil service code you may be eligible for an extension based on the Child Care Policy (Operating Procedure 20-21). In addition to the Operating Procedure, your leave administrator will provide information regarding extension criteria in your leave approval letter.

For more information on child care leave extensions refer to the Child Care tile on the Employee Resource page:

<https://hcin Insider.nychhc.org/corpo ffices/erc/SiteDocuments/Child%20Care%20Leave%20OP%2020-21.pdf> or <https://hcin Insider.nychhc.org/corpo ffices/syswidePnP/PnP/Child%20Care%20Leave.pdf>

Group 11 employees are not entitled to extend bonding under CCL.

What will happen to my health insurance while I am out on leave?

Health benefits administered through NYC H+H remain intact as long as you are in paid status or on an approved FMLA and/or PFL (Bonding) leave. To estimate how long you will remain in paid status you can review your time accrual and leave balances.

Additionally, if applicable, Special Leave of Absence Coverage (SLOAC) will be applied during the disability period (for a maximum of 16 weeks cumulatively) regardless of FMLA eligibility to maintain benefits.

In the event that your leave of absence is unpaid and impacts your benefits, you will be provided information to elect COBRA. Please note, often employees on an extended leave such as Child Care Leave,

will need to apply for COBRA or make arrangements for alternate healthcare coverage. Questions related to any benefits administered through the welfare fund MUST be directed to and addressed by your respective union.

When and how do I enroll my newly born child in benefits?

In order to add your baby to your health insurance, you would need to do so through Employee Self Service (ESS) within 30 days of the birth. Please visit the following link for specific instructions on how to add your baby [Birth-Adoption Event.pdf](#) if you have active healthcare coverage through NYCHHC. If you do not have active healthcare coverage through NYCHHC, you must enroll yourself along with your newborn child within 30 days of the birth. You will need to provide supporting documentation through ESS as well.

For questions relating to benefits enrollment, please contact HHCBenefits@nychhc.org.

What do I do if I am on a continuous Workers' Compensation leave and become pregnant during that leave?

Employees may only be in one leave status at a given time. If they wish to change their leave status to one relating to pregnancy and/or bonding, the following form/documentation need to be submitted to HRSS Leaves Administration via email to HRSSLeaveAdministration@nychhc.org or via the [Absence Management ESS portal](#).

- [Form 2677 Health Certification for an Employee's Serious Health Condition](#) **AND**
- Medical note from the workers' compensation health care providing indicating employee has been under their care for a work-related injury that occurred on DATE and is currently cleared to return to full duty.

It is important to note that an employee's workers' compensation (WC) leave status is separate from a work-related injury/WC claim.

Claims are managed by the workers' compensation insurance carrier -The NYC Law Department and any workers' compensation benefits including payments are administered directly by the NYC Law Department.

Leaves of absence and grant approvals are managed by HRSS Leaves Administration. Employees must be on an approved WC leave and remain in Workers' Compensation leave in order to be paid by a workers' compensation grant.

Acronym Legend

Acronym	Description
FMLA	Family Medical Leave Act
CCL	Child Care Leave (OP 20-21)
PFL	Paid Family Leave (OP 20-71)
PPL	Paid Parental Leave (OP 20-64)
AL	Annual Leave
SL	Sick Leave
ESS	Employee Self Service
COBRA	Consolidated Omnibus Budget Reconciliation Act
EEO	Equal Employment Opportunity
SLOAC	Special Leave of Absence Coverage
CBU	Collective Bargaining Unit
WC	Workers' Compensation (OP 20-08)