

**OPERATING PROCEDURE NO. 20-64**  
**PAID PARENTAL LEAVE**

**Effective Date**<sup>1</sup>: April 25, 2024 approved by Mitchell Katz, President and CEO 

**Responsible Department**: Human Resources

**I. PURPOSE:**

To set forth the NYC Health + Hospitals (herein referred to as the "System") policy related to Paid Parental Leave (PPL).

**II. SCOPE:**

This policy and procedure applies to active managerial employees who occupy Group 11 titles in the System. Eligible employees may use PPL thirty (30) calendar days after appointment, provided that the qualifying event occurs on or after the date they started working. For the purpose of implementing this policy, the effective date of PFL must be for a qualifying event occurring on or after June 30, 2024 for eligible active Group 11 employees. Employees must file for PFL as a condition of eligibility for Paid Parental Leave.

**III. DEFINITIONS:**

A. **Paid Parental Leave:** Group 11 employees shall receive up to 12 calendar weeks of PPL once per rolling 12-month period at 100% of regular base salary, without utilizing leave balance accruals for the birth of a child or the placement of a child for adoption, or foster care ("qualifying event").

B. **Paid Family Leave (PFL):** PFL is an employee funded insurance policy that provides job-protected, paid time off to bond with either a newly born, adopted, or foster child.

C. **Qualifying Event:** One child is identified as a qualifying event. In the case of multiple births, all children are treated as one qualifying event. In the case of multiple children being adopted or placed under foster care, all children being adopted or placed in foster care on the same day are treated as one qualifying event.

D. **Child(ren):** A biological, adopted or foster child of the eligible employee. For the purposes of PPL, a child must be under the age of 18.

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<sup>1</sup> Supersedes Operating Procedure No. 20-64 dated August 1, 2017, relevant time and leave regulations governing Group 11 employees, memo dated February 2, 2024 and any other addendums issued.

- E. **Parent:** The person identified on the child(ren)'s birth certificate, adoption certificate or certified copy of a foreign adoption order that has been registered in the United States of America or certified copies of initial and continuing family court orders of foster care placement.
- F. **Active:** A Group 11 employee on active payroll, as well as those on a paid or unpaid leave of absence which was approved by HRSS Leave Administration or the EEO Office as a reasonable accommodation.

**IV. POLICY:**

- A. Group 11 staff who are in active status shall, in addition to all other leave benefits currently available, receive up to 12 calendar weeks of PPL once per rolling 12-month period at 100% of regular base salary, without utilizing leave balance accruals.
- B. If eligible for PFL, all PPL applications will be assumed to be processed as a request for full salary payment from H+H payroll not utilizing leave accruals, any exception to seek to be paid at a reduced rate directly by a 3<sup>rd</sup> party insurance carrier must be stated clearly in writing.
- C. The start date of an eligible employee's use of PPL is at their discretion, as long as no more than 12 calendar weeks are used within a 12-month rolling period and the period of usage does not extend beyond 6 calendar months after the first day of approved usage. This 6-month period from initial use to exhaust full entitlement will not be extended.
- D. PPL can be used intermittently in full day increments. The effective leave start date may not be later than 1 year from the qualifying event.
- E. Eligible employees may only use PPL and PFL (if eligible) once per rolling 12-month period for the same qualifying event, which is the 12-month period measured backward from the date the employee begins using PPL and PFL (if eligible).
- F. If the child of a qualifying event is parented by, adopted by, or placed in foster care with two eligible employees, each such eligible employee is entitled to PPL and PFL (if eligible).
- G. An eligible employee who seeks to use PPL agrees to return to work for at least six (6) months at the end of the period of PPL or any period of approved paid or unpaid child care or other leave that continues after the PPL unless waived by the Vice President of Human Resources. Any payments made for PPL to an employee who does not return to work for a duration of six months must be returned to and are recoverable by the System.
- H. For part-time eligible employees, the 12 weeks will be pro-rated based on their regular schedule.
- I. Supervisors may not approve PPL; all PPL must be requested in advance by the employee and may only be approved by HRSS Leaves Administration. Under no circumstances may the employee begin using PPL without approval from HRSS Leave Administration.
- J. If the PPL and PFL (if eligible) is interrupted or ceased as a result of the child(ren) no longer being under the care of the eligible employee, the eligible employee must immediately notify HRSS Leave Administration and end their bonding related leave. Untimely notification will result in overpayment recoverable by the System.

- K. As with other paid leaves, an employee will accrue annual and sick leave during the PPL period in accordance with the applicable leave regulations. The employee however, will not be credited with the annual and sick leave time accrued until the employee returns from PPL or such other approved leave that may continue after PPL.
- L. PPL shall run concurrent with all applicable leaves including, but not limited to, Paid Family Leave (if eligible), Child Care Leave (Operating Procedure 20-21) and Family and Medical Leave Act ("FMLA" (if the employee is eligible for FMLA)) for the same qualifying event.
- M. If eligible, other applicable leaves can be applied intermittently but Child Care Leave (CCL) must be used continuously. Electing to use PFL and/or PPL intermittently would cause a break in CCL. If there is a break in CCL, any remaining time you may have been entitled to will be forfeited.
- N. All leaves cumulatively cannot exceed one year of bonding related leave.

**V. DUTIES AND RESPONSIBILITIES:**

**A. Employee's Responsibilities:**

- 1. PPL and PFL (if eligible) are predominantly foreseeable, an employee must notify HRSS Leave Administration via email at [PPLHRSS@nychhc.org](mailto:PPLHRSS@nychhc.org) of their intent to use PPL and PFL (if eligible) at least 30 (thirty) calendar days in advance. Please note this leave will not be applied retroactively.
- 2. Employee must submit the Request For Paid Family Leave – Bonding forms to [PPLHRSS@nychhc.org](mailto:PPLHRSS@nychhc.org), followed by supporting documentation which includes:
  - a. Proof of birth listing the eligible employee as a parent; or
  - b. A certified copy of adoption certificate or certified copy of a foreign adoption order that has been registered and lists the eligible employee as the parent, or
  - c. A certified copy of initial and continuing family court orders of foster care placement listing the eligible employee as a foster parent;
  - d. In addition to the foregoing, if the employee is the non-biological parent and/or is not the adoptive/foster parent, proof of relationship to the biological/adoptive/foster parent must be provided, i.e. Marriage certificate and/or domestic partnership certification.
  - e. All documentation must be provided within 15 calendar days of the request for PPL noting the request will not be approved retroactively.
  - f. If the PPL is interrupted or ceased as a result of the child(ren) no longer being under the care of the eligible employee, the eligible employee must immediately notify [PPLHRSS@nychhc.org](mailto:PPLHRSS@nychhc.org) and either return to work or apply to use other leave, if applicable.
  - g. If eligible for PFL, the 3<sup>rd</sup> party insurance carrier provides final determination on the approval status of PFL. The employee must communicate with the insurance carrier directly if the insurance carrier reaches out to request additional information. Failure to comply with their requests may result in the insurance carrier rescinding any provisional approval that was issued by HRSS Leaves Administration.

3. In order to return to duty, employees are required to comply with any applicable conditions of employment (e.g. OHS clearance, licensure and other requirements for position).
4. If approved for intermittent PPL and PFL (if eligible), the employee is responsible to schedule usage in a manner least disruptive to operations and is expected to coordinate with their supervisor to properly monitor use of intermittent leave.

**B. Human Resources Shared Services Leave Administration Responsibilities:**

1. Upon receipt of request and supporting documentation, HRSS Leave Administration reviews and determines eligibility within five business days.
2. Completed forms and supporting documentation is forwarded to 3<sup>rd</sup> party insurance carrier to determine PFL eligibility and provide final determination.
3. Communicates approval or denial of PPL to the employee, reports to manager, and facility Human Resources department. If employee is also eligible for PFL, HRSS Leave Administration will provide provisional approval.
4. Updates PeopleSoft to reflect the paid leave status.
5. Updates PeopleSoft when the employee returns to duty from paid leave to active or other change in status.

**C. Supervisor's Responsibility:**

1. Responsible for properly coding the employee's time record to reflect the approved period of time as per approval letter issued by HRSS Leave Administration.
2. Responsible for monitoring PPL usage on an intermittent basis.

**D. Payroll's Responsibility:**

1. Ensures credits for earned leave accruals are not posted to the approved employees' records until they return from leave.
2. Track and monitor PPL usage recorded by employee.

**VI. INTERPRETATION:**

The Senior Vice President of Human Resources is responsible for interpreting this Operating Procedure through additional memorandums as necessary.