

**Federal Employee Parental Leave Act (FEPLA)
Overview of Paid Parental Leave
As of February 24, 2021**

Introduction

This document provides National Aeronautics and Space Administration (NASA) employees with an overview of the Federal Employee Parental Leave Act (FEPLA), commonly referred to as Paid Parental Leave. This document includes important information regarding eligibility, requesting this leave, supporting documentation, service agreement, impact of prior use of the Family and Medical Leave Act (FMLA), and additional resources.

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Overview

On December 20, 2019, President Donald J. Trump signed into law a major improvement in the compensation and benefits package for Federal civilian employees as part of the National Defense Authorization Act (NDAA) for Fiscal Year 2020. The Act provides up to 12 weeks of Paid Parental Leave in connection with the birth, adoption, or foster care placement of a child for employees covered by FMLA provisions applicable to Federal civilian employees. The new law applies to leave taken in connection with a birth or placement occurring on or after October 1, 2020.

Authorized Reasons to Use Paid Parental Leave

Paid Parental Leave can be authorized to cover periods when the employee is in the home with the child or is otherwise involved in spending time with the child (e.g., bonding). It may include short periods away from the child's physical presence to purchase supplies needed to care for the child (e.g., buying baby food, diapers, or other supplies). Paid Parental Leave is not appropriate if an employee is not engaged in activities directly connected to care of the child. An example of this is if the employee is physically located outside the local geographic area where the child is located.

Eligibility Requirements

Employees must meet the following requirements to be eligible for Paid Parental Leave:

- Be on an appointment of more than 1 year in duration. Employees on temporary appointments not-to-exceed 1 year are excluded.
- Be on a part-time or full-time work schedule. Employees on intermittent work schedules are excluded.
- Prior to January 1, 2021, employees must have completed at least 12 months of service in an other than temporary or intermittent appointment. Beginning January 1, 2021, and beyond, employees must only have completed at least 12 months of service as an employee (as defined in 5United States Code § 2105, Employee), which includes temporary and intermittent service. This time does not have to be consecutive service and may be met by utilizing prior appointments.
- Sign a service agreement that the employee will work for NASA for a minimum of 12 weeks from when the use of such leave concludes.
- Have a qualifying birth or placement event that occurs on or after October 1, 2020.

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- Be eligible for and invoke FMLA. By requesting and using Paid Parental Leave, you are invoking your rights to FMLA and will not be required to submit a separate form or documentation.
- An employee who is ineligible for Paid Parental Leave at the time of a qualifying birth or placement may establish eligibility during the 12-month period following the qualifying birth or placement and use Paid Parental Leave during that period. For example, an employee may become eligible for Paid Parental Leave by completing the required 12 months of service or by changing to a qualifying work schedule or appointment. Once all eligibility requirements are met, the employee is then eligible for Paid Parental Leave for the remainder of the 12-month period following the qualifying birth or placement of a child.

Requesting Paid Parental Leave

Employees must notify their supervisor of their intent to take Paid Parental Leave not less than 30 calendar days in advance of their anticipated date of delivery or placement. Although this leave will not be available for use until after the birth or placement occurs, the request process should start prior to the occurrence of the anticipated event. If the birth or placement occurs before anticipated, the employee should provide notice to their supervisor within a reasonable amount of time appropriate to the circumstances involved.

After notifying the supervisor, employees or their representative must submit a request for Paid Parental Leave via the [Web-based Time and Attendance Distribution System \(WebTADS\)](https://webtads.nasa.gov/) (<https://webtads.nasa.gov/>) by navigating to the **Leave Balances** page and selecting **Create New PPLA Request** under the **Paid Parental Leave Act Requests** section.

Supporting Documentation

Employees who request Paid Parental Leave are required to provide supporting documentation, which establishes both of the following:

1. The date of birth, adoption, or foster care placement.
2. The parental affiliation.

Common examples of supporting documentation that would contain this information can be found in the Office of Personnel Management interim regulation, Attachment 4, Types of Supporting Documentation for the Use of Paid Parental Leave:

<https://www.chcoc.gov/sites/default/files/Attachment%204%20-%20Examples%20Types%20of%20Supporting%20Documentation.pdf>

All supporting documentation is to be submitted directly to the NASA Shared Services Center (NSSC) by utilizing one of the following options:

1. Fax to the attention of the NSSC Leave Programs Team at 1-866-779-6772.

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2. Mail to the NSSC:

NASA Shared Services Center (NSSC)
ATTN: Leave Programs Team
Building 1111, Jerry Hlass Road
Stennis Space Center, MS 39529-6000

3. E-mail the NSSC at nssc@nasa.gov. (Entrust encrypted e-mail is accepted.)

Service Agreement

Prior to using Paid Parental Leave, employees must sign a service agreement (electronic signatures are acceptable) that they will complete a 12-week work obligation at NASA starting from the date the usage of Paid Parental Leave concludes. There is no flexibility to prorate the 12-week work requirement based on not using the full amount of Paid Parental Leave available. Regardless of how many hours of Paid Parental Leave are used, the work requirement will remain 12-weeks after the use of Paid Parental Leave ends. The work requirement will be waived if an employee is unable to return to work because of the continuation, recurrence, or onset of a serious health condition (including mental health) of the employee or the newly born/placed child—but only if the condition is related to the applicable birth or placement.

The term “work” means a period during which the employee is in duty status (i.e., actually working), excluding any periods (paid or unpaid) of leave, time off, or other nonduty status. Periods of paid time off include paid holidays on which an employee does not work. Periods of other nonduty status include such periods as a furlough or an Absence Without Leave (AWOL). Any periods of leave, time off, or other periods of nonduty status will extend the length of time it will take the employee to fulfill the 12-week work obligation. To satisfy the work obligation, the employee must complete 12 weeks of work, regardless of how much leave the employee takes before satisfying the obligation.

Paid Parental Leave concludes on the workday on which an employee finishes using 12 administrative workweeks of Paid Parental Leave during the 12-month period that began on the date of birth or placement. If the employee does not use 12 administrative workweeks of Paid Parental Leave during the 12-month period that began on the date of birth or placement, the date of the last workday on which an employee takes Paid Parental Leave is considered to be the date the Paid Parental Leave concludes.

If the employee fails to meet the service agreement, the employee may be required to repay an amount equal to the total amount of the Federal Employees Health Benefits (FEHB) Government contributions paid by the Agency while the employee was using Paid Parental Leave. This reimbursement provision may not be applied if the employee is unable to return to work based on the conditions that qualify for a waiver described in the first paragraph of this Service Agreement section. Also, this provision may not be applied if the employee fails to meet the 12-week work obligation for any other circumstance beyond the employee’s control.

Impact of Prior Usage of FMLA Leave

Employees are entitled to use the full amount of Paid Parental Leave only to the extent that there are 12 weeks of available Family and Medical Leave Act (FMLA) leave to which the employee is

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entitled. Paid Parental Leave is a paid version of FMLA leave that is used in connection with a qualifying birth or placement. Since Paid Parental Leave is a substitution for FMLA unpaid leave, use of Paid Parental Leave is constrained by the use of FMLA unpaid leave.

The following are things to note:

- FMLA leave is limited to a total of 12 weeks in any 12-month period. This includes the use of FMLA unpaid leave as well as Paid Parental Leave combined.
- Any use of FMLA leave for a purpose other than birth or placement may affect your ability to use the full 12 weeks of Paid Parental Leave during the 12-month period following a birth or placement.

The NSSC understands that this may be a burden for an employee to track. For that reason, when an employee submits a request for Paid Parental Leave, the NSSC Leave Programs Team will review the prior FMLA usage and provide the employee with the number of Paid Parental Leave hours to which the employee is entitled and the inclusive dates in which the authorized Paid Parental Leave can be used.

Example: If an employee uses 6 consecutive weeks of FMLA unpaid leave based on the employee's own serious health condition, the employee could only use 6 weeks of FMLA unpaid leave based on birth or placement of a child (for which Paid Parental Leave could be used) during the 12-month period that began when the employee commenced using FMLA unpaid leave based on the employee's serious health condition. The remaining unused 6 weeks of Paid Parental Leave could then be used once the initial 12-month period based on the serious health condition ended. In this scenario, the employee would still be required to complete the full 12 weeks of work per the service agreement.

Additional Resources

- [Paid Parental Leave Frequently Asked Questions \(FAQs\)](#)
- [Key Features of the Paid Parental Leave Law and Interim Regulations](#)
- [Paid Parental Leave Interim Final Rule Published by OPM](#)
- [NASA Continued Service Agreement for Paid Parental Leave](#)
- [Summary of Title 5 Technical Amendments Made by the Paid Parental Leave Technical Corrections Act of 2020 \(Section 1103 of the FY 2021 NDAA, Public Law 116-283\)](#)