

**Paid Parental Leave Frequently Asked Questions (FAQs)
As of February 24, 2021**

Introduction

The Frequently Asked Questions (FAQs) in this document are provided to assist National Aeronautics and Space Administration (NASA) employees and supervisors with requesting, approving, and using Paid Parental Leave, which was authorized under the Federal Employee Paid Leave Act (FEPLA).

Note: This document has been updated to include the Title 5 technical amendments made by the Paid Parental Leave Technical Corrections Act of 2020. A summary of the changes was posted by the Chief Human Capital Officer’s Council at:
<https://www.chcoc.gov/sites/default/files/CPM%202021-07%20Attachment.pdf>.

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FAQs

1. What is the purpose of Paid Parental Leave?

Paid Parental Leave was enacted to ensure parents welcoming new children have paid time off to bond with and care for their new child/children. To assist parents in this time, up to 12 weeks of Paid Parental Leave is substituted for unpaid Family and Medical Leave Act (FMLA) leave during the 12-month period following the birth or placement of the child.

2. What are the 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 5 United 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.
- Be eligible for and invoke Family and Medical Leave Act (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.

Note: 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.

3. What if both parents are Federal employees, are they both entitled to use Paid Parental Leave?

Yes. Both parents are eligible for up to a maximum of 12-weeks of Paid Parental Leave following the qualifying birth or placement of a child.

4. When can employees start using Paid Parental Leave under the Federal Employee Paid Leave Act (FEPLA)?

Employees are able to use Paid Parental Leave as of October 1, 2020.

5. Can an employee use Paid Parental Leave for children born, adopted, or foster care placements that occur before October 1, 2020?

Unfortunately, the law does not allow for use of Paid Parental Leave for births or placements that occur prior to October 1, 2020. However, employees are still eligible to invoke the Family and Medical Leave Act (FMLA) and substitute annual and sick leave for unpaid FMLA hours, when appropriate.

6. What type of absences can be covered by 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).

7. What documentation do employees need to submit to use this type of leave?

Employees who request Paid Parental Leave under the Federal Employee Paid Leave Act (FEPLA) 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.)

8. Can an employee use Paid Parental Leave intermittently?

Yes, subject to supervisory approval. If an employee anticipates using this type of leave intermittently, the employee should coordinate leave requests with the supervisor in advance.

9. Can Paid Parental Leave be used in conjunction with other types of leave?

Yes. The use of Paid Parental Leave does not impact an employee's ability to use other forms of accrued or advanced leave available, such as annual or sick leave.

10. When and how should an employee submit the request to use Paid Parental Leave?

An employee must notify the employee's supervisor of the intent to take Paid Parental Leave not less than 30 calendar days in advance of the 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 the supervisor within a reasonable amount of time appropriate to the circumstances involved.

After notifying the supervisor, the employee or the employee's 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.

11. Can Paid Parental Leave be used retroactively?

The general rule is that retroactive use of Paid Parental Leave is not allowed. However, there are limited exceptions to this rule if an employee is physically or mentally incapacitated and unable to provide advance notice. If one of these limited exceptions apply, the employee is required to request Paid Parental Leave within 5 workdays after returning to work to be eligible for retroactive use of Paid Parental Leave.

To use Paid Parental Leave, an employee must be eligible for the Family and Medical Leave Act (FMLA) and request Paid Parental Leave through the [Web-based Time and Attendance Distribution System \(WebTADS\)](https://webtads.nasa.gov/) (<https://webtads.nasa.gov/>). If the employee is unable to submit the request in WebTADS, the supervisor may submit the request on the employee's behalf. When feasible, employees should provide advance notice of requests to use Paid Parental Leave to the supervisor.

12. If an employee takes over care of a grandchild, is the employee eligible for Paid Parental Leave?

Possibly. If the employee applies for Paid Parental Leave under the adoption or foster care provisions, this type of leave may be allowable.

13. How long will this leave be available to use?

Employees have 12 months from the date of birth, adoption, or foster care placement to use Paid Parental Leave. It is important to understand that to be eligible for Paid Parental Leave, a new placement must occur. If the child has been living with the employee prior and is subsequently adopted, eligibility for paid parental leave will be based on the placement date and not the adoption date. Please note that if the placement happened prior to October 1, 2020, the employee is not eligible for Paid Parental Leave.

14. If an employee adopts a child, does the child have to be a baby or can the child be older?

The age of the child is irrelevant. Any new placement occurring on or after October 1, 2020, would qualify.

15. Is there anything that could impact an employee's ability to use the full 12 weeks of Paid Parental 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 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 NASA Shared Services Center (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 leave 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.

16. Is there a limit on the number of times that an employee can use this type of leave if the employee has multiple occurrences of giving birth to, adopting, or fostering a child?

There is currently no limit on the number of times an employee may qualify for Paid Parental Leave. If an employee has multiple children born or placed on the same day, that event will be treated as a single event triggering a single entitlement of up to 12 weeks of Paid Parental Leave during the 12-month period following the event. If an employee has one or more children born or placed during the 12-month period following the date of an earlier birth or placement, each subsequent birth or placement event will result in a 12-month period commencing on the date of birth or placement with its own 12-week limit. Any use of Paid Parental Leave during a given 12-month period will count toward that period's 12-week limit.

Example of Overlapping Periods: A NASA employee gives birth to a child on November 1, 2020, which entitles the employee to 12 weeks of Paid Parental Leave to use during the period of November 1, 2020 through October 31, 2021. The same employee adopts a child on September 1, 2021, which entitles the employee to an additional 12 weeks of Paid Parental Leave. However, this second instance only provides a period of November 1, 2021 – August 31, 2022 to use the additional 12 weeks since no more than 12 weeks of Paid Parental Leave can be used within a 12-month period.

17. How long do I have to submit supporting documentation from the time I submit my request for Paid Parental Leave?

You usually have 15 calendar days from the date of the Agency's request (if any) for documentation. If it is not practicable for an employee to respond within the 15-day time frame despite the employee's diligent, good faith efforts, the employee must provide the documentation or certification within a reasonable period of time, but no later than 30 calendar days after the date of the Agency's original request.

18. Does the 12 weeks of Paid Parental Leave start immediately following birth/adoption/foster placement or can you choose when it starts?

Employees must submit requests for Paid Parental Leave not less than 30 days in advance of their anticipated birth or placement. Once the birth or placement occurs, employees can request to use Paid Parental Leave starting at any time after the birth or placement of the child up through 1 year after the birth or placement, as long as all requirements are met. Employees will not be required to take all the leave concurrently or immediately following the birth or placement event. If the employee wishes to use the leave intermittently, the employee should coordinate this request with the supervisor in advance, when practicable.

19. What happens if an employee fails to meet the 12-week work requirement outlined in the service agreement?

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. The reimbursement 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. This reimbursement provision may also not be applied if the 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. However, a waiver is possible only if the condition is related to the applicable birth or placement.

20. Are employees on part-time work schedules eligible for the full 12 weeks of Paid Parental Leave?

Employees on part-time work schedules are eligible for a prorated amount of Paid Parental Leave, which equates to 12 administrative workweeks based on their approved tour of duty. When an employee submits the request for Paid Parental Leave, the NSSC Leave Programs Team will notify the employee the number hours of Paid Parental Leave for which the employee is approved.

Example: An eligible employee who works 80 hours a pay period is entitled to a maximum of 480 hours of Paid Parental Leave based on a qualifying birth or placement. An employee who works 40 hours a pay period is entitled to a prorated amount based on working 50% of a full-time work schedule, so 240 hours would be the maximum hours approved for the employee. This still equates to 12 administrative workweeks of leave for the employee on the 40 hours a pay period work schedule.

It is not appropriate to change an employee's tour of duty or increase the number of hours an employee is scheduled to work for the purpose of increasing the number of hours available under the Paid Parental Leave Program. If there is a change to an employee's work schedule after the birth or placement occurs, the prorated amount of leave available will be adjusted prospectively.