

HR/LR Policy #1435

Paid Parental Leave

Date Issued: 11/16/2016

Date Revised: 1/28/2020, 1/1/2026

Authority: Enterprise Employee Resources

OVERVIEW

Objective

To provide parents the opportunity to bond with their new child, to ensure that agencies of the State of Minnesota can attract and retain a diverse and qualified workforce, and to demonstrate the commitment of the State of Minnesota to be a model employer.

Policy Statement

Eligible state employees are provided up to six (6) consecutive weeks of Paid Parental Leave (“PPL”) following: the birth of a child; the placement of a child in the employee’s home for adoption; or the placement of a child in the employee’s home to adjudicate parentage in cases of surrogacy when the employee is the intended parent. PPL is available to both parents if they are both eligible state employees.

Scope

This policy applies to all employees of agencies in the executive branch, as defined in Minnesota Statutes, section [43A.02](#), subdivisions 2 and 22, and employees of the Minnesota State Retirement System, Public Employee Retirement Association, and Teachers’ Retirement Association, provided that in all instances the employee’s terms and conditions of employment are established by a collective bargaining agreement negotiated by Minnesota Management and Budget or a compensation plan approved by Minnesota Management and Budget that contains a provision that provides eligible employees up to six (6) weeks of PPL.

Definitions and Key Terms

Appointing Authority

For purposes of this policy, “Appointing Authority” refers to the agency head or the designee of the agency head.

Child

For purposes of this policy, the term “child” refers to a person who is under the age of 18 at the time that PPL is to commence.

Eligible Employee

For purposes of this policy, the term “eligible employee” refers to an employee:

1. Who qualifies as an “eligible employee” under the federal Family and Medical Leave Act (FMLA) (an employee who has been employed by the State for at least 12 months, and has worked for at least 1,250 hours during the 12-month period immediately preceding the start of leave); and
2. Whose terms and conditions of employment are established by a collective bargaining agreement negotiated by Minnesota Management and Budget or a compensation plan approved by Minnesota Management and Budget that contains a provision that provides eligible employees with up to six (6) weeks of PPL.

New Parent

For purposes of this policy, the term “new parent” refers to an eligible employee who experiences a qualifying event.

Qualifying Event

For purposes of this policy, the term “qualifying event” refers to:

1. The employee or the employee’s spouse/partner giving birth to the employee’s child;
2. The placement of a child in the employee’s home for adoption; or
3. The placement of a child in the employee’s home to adjudicate parentage in cases of surrogacy when the employee is intended to be the permanent legal parent of the child.

The birth of multiples (twins, etc.), the concurrent placement with the employee of more than one child in a home for adoption, or the concurrent placement with the employee of more than one child to adjudicate parentage in cases of surrogacy when the employee is the intended parent constitutes a single qualifying event.

Exclusions

N/A

Statutory References

[M.S. 181.940](#); [181.941](#); [181.942](#); [181.943](#)

29 U.S.C. Ch. 28 and 29 C.F.R. Part 825 Family and Medical Leave Act (“FMLA”)

POLICY REQUIREMENTS

Notice

Employees are required to provide reasonable notice to their Appointing Authority in advance of taking PPL.

Proof of parent-child relationship

To confirm a parent-child relationship, an Appointing Authority may require the employee requesting PPL to provide reasonable documentation or statement of family relationship. Examples of this documentation include, but are not limited to, a child's birth certificate, a court document establishing parentage, etc. The Appointing Authority is entitled to examine documentation but must return the official document to the employee.

Amount of PPL

Full-time eligible employees are provided up to six (6) consecutive weeks of PPL, up to 40 hours per week (240 hours total), per qualifying event. Eligible employees who are not full-time employees are provided up to six (6) consecutive weeks of PPL, up to a weekly prorated amount based upon their normal work schedule, per qualifying event. For example, a 50 percent time employee may receive up to 20 hours per week of PPL for 6 weeks (120 hours total).

Eligible employees are limited to one PPL per qualifying event and one qualifying event per fiscal year. The fiscal year is July 1 to June 30.

Use

PPL hours are intended to be taken within six (6) months of the qualifying event. At the Appointing Authority's discretion, eligible employees may be allowed intermittent or reduced schedule use of PPL, which must be completed within twelve (12) months of the qualifying event. PPL hours used to supplement Minnesota Paid Leave ([M.S. Ch. 268B](#)) benefit payments shall be approved by the Appointing Authority for intermittent use pursuant to the terms of [HR/LR Policy #1450, Minnesota Paid Leave](#), and applicable agency MPL policy.

PPL is intended to provide eligible employees who are new parents of a child paid time off to bond with the child. Therefore, PPL cannot be used:

- Prior to the child's birth;
- Prior to the date of the child's placement in the employee's home for adoption by the employee; or
- Prior to the date of the child's placement in the employee's home to adjudicate the employee as the child's parent in the case of surrogacy.

PPL not used within the required timeframe (i.e., within six months of the qualifying event, or a term allowed by the Appointing Authority not to exceed twelve months from the qualifying event) cannot be carried over or cashed out.

PPL cannot be used retroactively to substitute previously taken paid or unpaid leave. PPL will be treated like other forms of paid leave for purposes of accruals, benefit eligibility, and rate of pay.

Interaction with other paid and unpaid leaves

Any PPL taken during unpaid leave under the Family and Medical Leave Act (FMLA), Minnesota Pregnancy and Parenting Leave ([M.S. 181.941](#)), or the applicable collective bargaining agreement or compensation plan runs concurrently with the unpaid leave.

Employees may use PPL to supplement Minnesota Paid Leave ([M.S. Ch. 268B](#)) benefit payments according to HR/LR Policy #1450, Minnesota Paid Leave. Minnesota Paid Leave benefit payments are a portion of an employee's average wage. At no time shall the use of PPL as a supplement combined with Minnesota Paid Leave benefit payments exceed the regular wage or salary of the employee. It is the employee's responsibility to accurately communicate information about requested or approved Minnesota Paid Leave benefits, including the amount of the weekly benefit received, to their agency.

PPL, whether it is taken on a continuous, intermittent, or reduced schedule basis, is to be used consecutively following the use of sick leave. Employees receiving PPL cannot also be paid for those hours using other types of paid leave, such as sick or vacation hours.

RESPONSIBILITIES

Agencies are responsible for:

Adopting this policy, providing PPL to eligible employees, and coordinating leave with other paid and unpaid leave entitlements under federal and state law, state policies, and collective bargaining agreements or compensation plans.

MMB is responsible for:

Updating this policy as necessary.

REFERENCES

[HR/LR General Memo #2016-1 Paid Parental Leave Frequently Asked Questions](#)

CONTACTS

MMB Enterprise Employee Resources