

# Questions to Ask When Developing a Paid Family Leave Policy

*These principles and key questions serve as benchmarking criteria by which to assess employer paid family leave policies – and provide a road map for employers who are currently developing and/or updating paid family leave policies.*

## **1. Is your paid family leave policy universal?**

- Does your policy apply to all employees and staff (salaried, hourly, full-time, part-time, and subcontractors)?

## **2. Is your paid family leave policy inclusive?**

- Does your paid family leave policy extend beyond parental leave, including paid leave for employees who need to care for aging parents or a family member with a serious illness?
- Does your definition of ‘family’ include siblings, grandparents, and chosen family?

## **3. Is your paid family leave policy equal?**

- Does your parental leave policy provide equal leave to mothers, fathers and adoptive parents?
- Does your parental leave policy move beyond outdated distinctions of ‘primary’ and ‘secondary’ caregiving that serve to perpetuate gender biases at home and in the workplace?
- Are you tracking usage of paid family leave to ensure that all employees are accessing and using it regardless of gender or employee class? How are you addressing the common corporate cultural barriers that may prevent or inhibit people accessing their paid family leave?

## **4. Does your paid family leave policy meet the needs of your employees?**

- Does your company, at a bare minimum, provide significant, meaningful wage replacement for all FMLA-qualified family leave?
- Does your policy allow all employees to take paid leave without undue financial pressure or fear of retribution (social, economic or otherwise)?
- Does your policy offer flexibility so that people can take their time off in the way that works best for them?

## **5. Is your paid family leave policy accessible?**

- Are current and prospective employees able to easily access details about your paid family leave policy on your company’s website?
- Are managers trained in your policy and able to explain it accurately to their direct reports?

## **6. Does your paid family leave policy address the employee’s return-to-work experience?**

- Does your policy allow employees to return part-time as they ease back in to work?
- Does your company provide a comfortable and private place for new mothers to pump breast milk?
- Does your policy help employees gradually ramp back to the expectation levels of a full-time tenured employee, and/or take into account other ways to help the employee have a positive return-to-work experience?

## Paid Parental Leave [Sample Policy]

*All team members at PL+US are eligible for Paid Parental Leave, for up to twenty-four (24) weeks in a twelve-month period following the birth of a child, adoption of a child, or placement of a foster child in their home.*

### **A team member may take Paid Parental Leave in the following format:**

- Weeks 1–12: Full-time parental leave, and in receipt of 100% of your salary.
- Weeks 13–24:
  - » Option A: Return to work after 12 weeks at 50% of pre-leave working hours, in receipt of 100% of your regular salary.
  - » Option B: Continue on full-time leave, in receipt of 50% of your regular salary. Return to work at full duties, after 24 weeks.

Employees are always welcome and encouraged to talk with their managers about a return-to-work schedule with reduced or flexible work hours to accommodate family needs.

### **EMPLOYEE NOTIFICATION:**

We ask that team members notify their Manager and/or the Executive Director as soon as practicable of their intention to take parental leave.

### **REMUNERATION SOURCE FOR PARENTAL LEAVE:**

For employees in California (and any other states with Paid Family Leave schemes), your salary will be in part provided by State Disability Insurance (or equivalent system), and the remaining 'top up', up to 100% of your regular salary, will be paid by PL+US. At the conclusion of your SDI entitlements, PL+US will continue to pay you your full salary, pursuant to the Parental Leave Option that you select.

### **PREGNANCY DISABILITY LEAVE:**

You may also be eligible for Pregnancy Disability Leave – up to 4 months unpaid, job-protected leave – if you are disabled by pregnancy, childbirth or related condition. This can be taken intermittently. For further information, please refer to this LAS-ELC Factsheet and discuss further with your Manager.

## Family and Medical Leave [Sample Policy]

### **Family and Medical Leave will be granted for the following reasons:**

- To care for an employee's family member – spouse, registered domestic partner, child, parent, sibling, grandparent or other qualifying family member – with a serious health condition
- When the employee is unable to return to work because of a 'serious health condition' (See definition below).

### **A team member may be eligible for the following combined total of family and medical leave for the reasons listed above, within a 12 month period:**

- Up to 6 weeks paid family and medical leave
- Up to a further 6 weeks of unpaid family and medical leave

You may be eligible to take family and medical leave on an intermittent basis, or to work a reduced schedule. You will be required to discuss and negotiate with your Manager and/or the Executive Director any proposed scheduled leave so as not to unduly disrupt the organization's operations.

### **'SERIOUS HEALTH CONDITION'**

PL+US has adopted the meaning of 'serious health condition' as defined under the Family and Medical Leave Act, meaning an illness, injury, impairment, or physical or mental condition that involves:

- any period of incapacity or treatment connected with inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility; or
- a period of incapacity requiring absence of more than three calendar days from work, school, or other regular daily activities that also involves continuing treatment by (or under the supervision of) a health care provider; or
- any period of incapacity due to pregnancy, or for prenatal care; or
- any period of incapacity (or treatment therefore) due to a chronic serious health condition (e.g., asthma, diabetes, epilepsy, etc.); or
- a period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective (e.g., Alzheimer's, stroke, terminal diseases, etc.); or,
- any absences to receive multiple treatments (including any period of recovery therefrom) by, or on referral by, a health care provider for a condition that likely would result in incapacity of more than three consecutive days if left untreated (e.g., chemotherapy, physical therapy, dialysis, etc.).