

Idaho Division of Human Resources
Frequently Asked Questions
Section 10: Paid Parental Leave

Frequently Asked Questions

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Purpose of Paid Parental Leave

Paid parental leave (PPL) is intended to be used for care and bonding during the 12 weeks immediately following a new birth, adoption, or foster care of kinship placement¹ of a child (age 18 and under).

For purposes of this document, qualifying events including birth, adoption, or foster care or kinship placement shall be referred to as “the event.”

Amount of Paid Parental Leave

1. How much paid parental leave is available?
 - Up to 320 leave hours (equates to eight 40-hour weeks of leave) for eligible full-time employees.
 - As with other paid leave, an eligible employee working less than full-time may receive a prorated portion of leave in accordance with their full-time equivalence.
 - a. i.e. A 20-hour per week employee will be eligible for up to 160 hours of paid parental leave.
2. When is leave available?
 - For eligible employees, leave is available on the date of the event, which is birth, adoption, or foster care or kinship placement.
 - Paid parental leave must be used within 12 weeks of the date of the birth, adoption, or foster care or kinship placement.
3. What if I am not eligible for PPL when the event occurs but become eligible within 12 weeks of the event?
 - If an employee becomes eligible before 12 weeks have lapsed from the event, the employee is eligible to take PPL but, in some cases, may not receive the full 8 weeks.
 - An employee who is not eligible under the FMLA may not use PPL until they become eligible.

Probationary Employees

4. Can an employee use PPL during their probationary period?
 - If an employee meets the eligibility criteria as outlined in the policy, they may utilize PPL. Successful completion of probation is not a prerequisite for using PPL.

Both Parents Work for the State

5. What if both parents work for the State?

¹ PPL use for foster care or kinship placement is effective October 1, 2024.

- If both parents of the child are state employees but work for different state agencies, and both parents are eligible, each parent is eligible to utilize the full eight weeks of PPL.
- If both parents work for the same agency and are both eligible, they may be limited to a combined total of 12 weeks of PPL in a 12-month period, if the agency also limits the eligible parents to a combined total of 12 weeks of FMLA leave during the 12-month period due to a qualifying event. Otherwise, both new parents employed by the same agency are eligible to each use eight weeks of PPL.
- If both parents work for the state, in no situation may one parent donate PPL to the other parent. PPL is not eligible for donated leave to any state employee.

Employees in Agencies Other Than Executive Branch

6. Are state agencies outside of the Executive Branch eligible?
 - The executive order which established PPL addressed employees in the Executive Branch; however, agencies outside of the Executive Branch are encouraged to incorporate PPL for their employees.

Transfers and Separations

7. What happens to my PPL if I transfer agencies?
 - If an eligible employee transfers to another agency within the state, the remaining PPL will transfer just as other types of paid leave transfer. The 12-week expiration date will remain the same.
8. What happens to my PPL if I separate?
 - PPL hours are designed to provide pay to employees absent from work for a qualifying event. Any unused PPL hours are forfeited if the employee separates.

Adoption or Surrogacy

9. If I need to travel to another state or foreign country to make arrangements for adoption, can I use PPL?
 - No. PPL is available to eligible employees beginning on the date of the official adoption.
10. If an eligible employee becomes a parent via surrogacy, when is PPL available?
 - PPL is available to eligible employees on the date of the birth, OR, the date of adoption if the child is adopted.

Foster Care or Kinship Placement

PPL use for foster care or kinship placement is effective October 1, 2024

11. What is the difference between “foster caregiver” and “kinship caregiver”?

- “Foster caregiver” means an eligible employee holding a valid foster home license issued under [Title 39, Chapter 12](#), Idaho Code, and [IDAPA 16.06.02](#), and who is caring for a child in place of the child’s parents.
- “Kinship caregiver” means an eligible employee who is eighteen (18) years of age or older who has signed an attestation to one of the relationships listed below, and is caring for a child in place of the child’s parents:
 - a. The following individuals related by blood or adoption to the child:
 - i. Grandparents, including grandparents with the prefix “great,” “great-great,” or “great-great-great”;
 - ii. Siblings;
 - iii. Aunts, uncles, nephews, and nieces, including such relatives with the prefix “great,” “great-great,” “grand,” or “great-grand”;
 - iv. First cousins and first cousins once removed.
 - b. Stepparents and stepsiblings of the child;
 - c. Spouses and former spouses of individuals named in sections (a) and (b);
 - d. A legal guardian of the child;
 - e. A legal custodian of the child;
 - f. Any nonrelative adult that has a familiar and long-standing relationship or bond with the child or the family, which relationship or bond will ensure the child’s social ties.

12. What does “placement” mean?

- For a foster caregiver, placement is the point in time that the foster caregiver is authorized to, and actually begins to, provide care for a child by an authorized agency as defined in [§16-602\(7\)](#), and [§39-1202\(4\)](#), Idaho Code.
- For a kinship caregiver, the point in time that the child begins living in the kinship caregiver’s home for the purpose of the kinship caregiver providing care for a child in place of the child’s parents on a permanent or indefinite basis.

Multiple/Additional Births

13. If an employee adopts a child and later gives birth to another child, may they use PPL for each event?

- An employee may not receive more than eight weeks of PPL in a rolling 12-month period. Multiple births or adoptions do not increase the length of PPL.

Extending Absence

14. After an eligible employee uses their eight weeks of paid parental leave, are there options for extending the absence?
 - The employee may use any FMLA hours they have remaining for up to twelve months after the birth, adoption, or foster care or kinship placement in accordance with the statewide FMLA policy.
 - The employee may use a combination of sick leave (if applicable), vacation leave, or leave without pay for the remaining time FMLA hours available to them.
 - The employee may only code sick leave during the time considered medically necessary by their health care provider.

Use of Leave

15. Is an employee required to run FMLA concurrently with PPL?
 - Yes. An employee must be FMLA eligible to take PPL and the leave must run concurrently with FMLA.
16. Can an employee use PPL if their child has an FMLA certified illness or injury?
 - No. PPL is not available for reasons covered by the Family and Medical Leave policy other than for bonding.
17. Can an employee use PPL prior to the birth of a child for prenatal care?
 - No. PPL is available for bonding with the child and may not be used prior to the birth.
18. If an employee took an FMLA absence for another reason within the last year, are they still eligible to use paid parental leave?
 - Yes. The employee must only be eligible for FMLA at the time of the event AND be a benefits-eligible employee. They do not need to have the entire 480 hours remaining to use PPL.
19. Can PPL be used intermittently?
 - PPL cannot be used intermittently unless requested and approved by the employee's appointing authority and in no cases shall extend past the 12-weeks following the event.

Leave Accruals

20. When using PPL, do employees continue to accrue leave?
 - Yes. As with all paid leave, the employee will continue to accrue sick and vacation leave.

21. Will leave coded as PPL count against an employee's accrued compensatory, vacation, or sick leave balances?

- No. PPL is a separate leave benefit that will not reduce an employee's other accrued leave balances unless the employee elects to use them in conjunction with paid parental leave.

Short-Term Disability

22. Am I still eligible for short-term disability if I take PPL?

- PPL does not impact an employee's eligibility for short-term disability. However, an employee may not be eligible to use short-term disability concurrently with PPL. Short-term disability typically requires an employee to enter into a leave without pay status for a period of time before benefits will apply.
- For more information on short-term disability, visit: <https://ogi.idaho.gov/life-disability/>