



Ohio National Guard Federal Employee Benefits Bulletin

Bulletin Number: OH-03	Date: 21 September 2020
Applicability: National Guard (NG) Federal Employees (T5 and T32)	Subject: Federal Employee Paid Parental Leave Act (FEPLA) Interim Guidance

Background: The Office of Personal Management (OPM) issued interim guidance to information Federal Departments and Agencies of the forthcoming guidance on the Federal Employee Paid Leave Act (FEPLA) signed into law through the National Defense Authorization Act of 2020. The new law applies to leave taken in connection with birth, adoption, or foster care placement of a child occurring on or after **October 1, 2020**, for employees covered by the Family and Medical Leave Act provision applicable to Federal civilian employees.

Employee Eligibility: To be eligible for the FEPLA under the authority in Title 5 USC, the federal employee must also be eligible for FMLA under that title as well. The employee must meet the following FMLA eligibility requirements:

- Has completed at least 12 months of Federal service that is covered under the T5 FMLA provisions
- Has a part time- or full-time work schedule (employee's with an intermittent work schedule are ineligible); and
- Has an appointment of more than 1 year in duration (employees with temporary appointments NTE 1 Year are ineligible).

The employee must have a *qualifying* birth or placement event- that is, the birth or placement (for adoption or foster care) of the employee's child must occur on or after October 1, 2020.

Leave Entitlement and Usage: An employee must invoke FMLA unpaid leave for the birth of a child or placement of a child with the employee for adoption or foster care in order to receive the paid parental leave.

Work Obligation: Prior to using the paid parental leave, an employee is required to enter into a written service agreement to work for the agency (the agency employing the employee at the time the FEPLA concludes) for 12 weeks **after** the day on which the paid parental leave concludes.

Time Card Codes: In the interim of approved leave codes from DFAS and DCPAS, the employee will use the "LV code in ATAAPs for the use of FEPLA.

More information: An HRO policy will be published including more guidance and how to request the use of the FEPLA.

For any other questions or concerns regarding any of the information listed above or on any Technician Benefits please contact the Benefits email distro at: ng.oh.oharnq.list.j1-hro-benefits@mail.mil