

UFT PARENTAL LEAVE - SPECIAL SCENARIOS

Spring/Summer Births and School Year Employees

Non-birth parents:

- If the 6 weeks of UFT PL eligibility starts during the school year and runs into the summer, then the UFT Parental Leave will end on the last school/work day.
- If the covered event occurred during the summer, then, if eligible for any leave, the UFT Parental Leave will start on the first day of the school year and end 6 weeks from the date of the Covered Event (not 6 weeks from the first day of school)
 - For example, if the non-birth parent's child is born on August 15, six weeks from that date would be September 25. In this case the employee is eligible to take UFT Parental Leave starting on the first day of the school work year and ending no later than September 25.
 - If the six week period from the covered event ends before the start of the school/work year, then the employee is not eligible for any Parental Leave.

Birth Mother:

- If the 6 weeks of UFT Parental Leave starts during the school year and runs into the summer, then the UFT Parental Leave will end on the last school/work day.
- 6 weeks of UFT Parental Leave must not extend beyond 12 weeks (14 weeks for Caesarean) from the date of birth. Options are available depending on availability/usage of CAR/sick days:
 - For example: For an August 1st, non-Caesarean birth, the 6 weeks for a recovery period would end September 11. The birth parent may start the school work year on the following options:
 - If the birth mother chooses not to use CAR/sick days, she can start the school year on Parental Leave for up to a six week period from the first day of school.
 - If the birth mother chooses to use CAR/sick days, she can start the school year on CAR/sick days and then start UFT Parental Leave no later than September 12. UFT Parental Leave must end no later than October 23 (6 weeks from September 12).

Both Parents work for DOE and are represented by UFT

If both parents work for the DOE in titles represented by the UFT, then together they may take no more than 6 weeks of Parental Leave combined. In other words, only 6 weeks of Parental Leave is allowed per Covered Event, not per employee. Applications will be processed to prioritize the birth mother's request. As such, we encourage both parents to appropriately plan for their usage together.

Use of Parental Leave Time: The two parents may choose to use their leave time concurrently or consecutively after one returns to work.

- Example 1: If the birth mother uses 4 out of the 6 weeks of UFT Parental Leave starting on the birth date:
 - The non-birth parent is limited to 2 weeks of UFT Parental Leave
 - The non-birth parent has the option to take this time concurrently with the birth parent, starting with the birth of the child, OR
 - Consecutively after the return to work of the other parent (e.g., birth mother first takes 4 weeks and returns to work then the non-birth parent can take the next 2 weeks).
- Example 2: If the birth mother elects to use her CAR/sick days prior to the UFT Parental Leave for a recovery period of up to 6 weeks (8 weeks for a Caesarean):
 - Her partner could take UFT Parental Leave either beginning at the date of the covered event OR
 - Upon the return to work of the birth mother after the use of CAR/sick and any Parental Leave.
 - However, the total combined elapsed time period for both parents to complete Parental Leave must not exceed 12 weeks (84 days) immediately following the birth or 14 weeks (98 calendar days) following a Caesarean section. The option for the non-birth parent to delay the start of parental leave only applies to if and when the birth mother returns to work which must be immediately after the use of CAR/Sick for a recovery period and/or Parental Leave; it cannot be after any other leave or absence time.

Two non-birth parents: The same rules apply to two non-birth parents: they can both take leave starting upon the date of the event up to a total of six weeks or one non-birth parent can defer the start of the parental leave until the return of the other parent to work. Again, the total combined parental leave cannot exceed 6 calendar weeks and, in the case of two non-birth parents, it must be used within the six week period starting on the event date.

Birth mother elects to use Traditional Maternity: If the birth mother elects to use traditional maternity including the use of borrowed CAR days and/or a grace period, then the non-birth parent must begin the parental leave immediately upon the event and cannot defer the start.

Premature births and Service Requirements

If an employee has a documented expected due date **after** the required time period for UFT Parental Leave eligibility, but has a medically documented premature birth **prior** to serving the required time, the employee will still be deemed eligible for Parental Leave.

Surrogates

A surrogate (an individual who is delivering a child on behalf of another) is eligible for maternity leave, but not UFT Parental Leave.

Individuals who become parents as a result of surrogacy shall be treated in the same manner as a person who adopts a child and are eligible for UFT Parental Leave.

Multiple Births/Events

Employees who are new parents of multiple children on the same day are only eligible for one Parental Leave; these multiples are treated as one Covered Event.

Material Changes in Relevant Circumstances

Once the 10 day period to modify a UFT Parental Leave application has passed, the employee must adhere to the Return Date indicated on their application (including any plans to take Child Care Leave). The exception to this is if the employee can demonstrate that relevant circumstances materially changed (such as a medical condition, death in the family, material change in family income, or a material change in circumstances related to child care) on or after the 10th calendar day following the Covered Event has occurred, warranting the change in the Return Date.

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