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## Know Your Rights: Georgia's Paid Parental Leave Bill for Teachers and State Employees

As of July 1, 2024, if you are an employee of a local education agency or the state of Georgia, you have expanded protections to take care of your child and maintain your economic security. Georgia's HB 1010 now allows eligible employees to take up to 6 weeks of paid parental leave for the birth of a child or the placement of a minor child for adoption or foster care.

### What does HB 1010 do?

- HB 1010 expands upon Georgia's 2021 law that provided state employees and employees of local boards of education with 3 weeks (120 hours) of paid parental leave.
- The new law doubles the amount of leave to 6 weeks (240 hours) and adds charter school employees to the list of those eligible. Additionally, your employer is required to inform you about your rights under this law.

### Am I covered?

- The law covers certain state or local education agency employees in Georgia who...
  - Are classified as full-time
  - Have been employed for 6 continuous months
  - Have experienced a qualifying life event in the past 12 months
- The following employees may be eligible:
  - Public school and charter school staff and educators
  - Full-time employees who are directly compensated by a department, agency, or institution of state government, including public university employees
  - Administrative and clerical personnel of the Georgia General Assembly
  - And more
- Some eligible hourly employees can take paid parental leave if they have worked at least 700 hours over the six months immediately preceding the requested paid parental leave date.

### What constitutes a qualifying life event?

- The birth or placement of a minor child for adoption or foster care constitutes a qualifying life event for paid parental leave.



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- You are only guaranteed up to 6 weeks of paid parental leave in a 12-month period, no matter how many qualifying events you experience in a year. This rolling 12-month period will be measured backward from the date you first use parental leave.
- Any leave that remains 12 months after your initial qualifying life event can not be carried over for future use.

#### **How do I request paid parental leave benefits?**

- You should contact your manager or human resources for more information on the paid parental leave (PPL) request form.

#### **Do I have to take all my paid parental leave at the same time?**

- No. Leave may be spread out over time and used as needed in smaller increments of less than 8 hours, as long as it is taken within the 12-month period.

#### **Can this leave be used for my pregnancy-related health needs prior to giving birth?**

- No. Paid parental leave cannot be used for prenatal medical appointments or absences due to medical conditions during pregnancy, but can be used for the birth of your child.
- You may be able to use other forms of accrued time off, or request time off or other accommodations under federal laws such as the Family and Medical Leave Act (FMLA), Americans with Disabilities Act (ADA), Pregnant Workers Fairness Act (PWFA), or Pregnancy Discrimination Act (PDA). Learn more [at this link](#).

#### **Can this leave be used for qualifying life events that occurred before July 1, 2024?**

- Yes, if you are an eligible employee who has experienced a qualifying life event that happened before July 1, 2024, you are entitled to paid parental leave. However, all leave must be taken in the 12 months following the initial qualifying event.
- If you have already taken 3 weeks of paid parental leave for a qualifying event that happened before July 1, 2024, you are eligible for 3 more weeks, beginning on July 1, 2024 (if the time can be taken before the expiration of the applicable 12-month period).

#### **If both parents work for the state or a local education agency, can they each take 6 weeks of leave?**

- Yes. If both parents are eligible employees, they may each take 6 weeks of paid parental leave.



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- Notably, the FMLA has special rules for spouses who work for the same employer. Under the FMLA, both parents would have a combined total of 12 weeks of job-protected, unpaid leave for these qualifying life events. Based on your employer's written policy, this FMLA leave may have to be taken at the same time as Georgia paid parental leave.

#### **How does paid parental leave interact with FMLA?**

- If you qualify for FMLA and paid parental leave, FMLA may run concurrently with paid parental leave. This depends on your employer's written policy.
- Time spent on paid or unpaid leave does not count toward your eligibility for FMLA.
- An eligible employee may be able to use paid parental leave before they are eligible for FMLA if they have worked continuously at the employing entity for 6 months. In this case, you could take 18 total weeks of leave, as paid parental leave and FMLA would not be running concurrently.

#### **Am I still eligible for Georgia's paid parental leave law if my local education agency already has a paid parental leave policy?**

- State law does not prevent local education agencies from providing their own paid parental or family leave in addition to the state law.

#### **Do I have to use sick or vacation days beforehand?**

- No. Under this law, paid parental leave is provided in addition to any accrued paid or unpaid sick, vacation, or medical leave.
- You do not have to use your vacation or sick days before taking paid parental leave.

#### **Can teachers and school staff use paid parental leave during the summer?**

- Maybe. It may depend on the local school board's regulations on paid parental leave. Contact your local district for more information.

### **Need any help or have questions?**

*Call A Better Balance's free, confidential legal helpline at 1-833-NEED-ABB (1-833-633-3222) to speak with an attorney about your workplace rights.*