

## **SAN FRANCISCO ADDENDUM TO PAID PARENTAL LEAVE POLICY (San Francisco Employees Only)**

The San Francisco Paid Parental Leave Ordinance (“SFPPLO”) requires that the Company provide partial wage replacement for up to six weeks to eligible employees during the time they are taking otherwise approved leave to bond with their new child during the first year after the birth or placement of the child, and utilizing the California Paid Family Leave (“PFL”) Benefits Program.

### **Integration with California PFL Benefits/Obligation to Provide or Consent to Release of PFL Benefits Information to the Company**

To be eligible to receive SFPPLO Supplemental Compensation, an employee must be eligible to receive California Paid Family Leave (PFL) Insurance benefits (“California PFL benefits”). As a precondition of receiving SFPPLO Supplemental Compensation, an eligible employee must: (1) complete the San Francisco Paid Parental Leave Form (available on HR Connect or at [www.sfgov.org.pplo](http://www.sfgov.org.pplo)); *and* (2) do one of the following: (a) provide the Company with a copy of the employee’s Notice of Computation of California Paid Family Leave Benefits from the State of California or other legally authorized statement; or (b) at the time of applying for California PFL benefits, provide the State of California with written authorization to disclose the employee’s weekly PFL benefit amount to the Company, so that the Company may request and obtain this information from the State of California. An eligible employee’s failure to comply with this requirement relieves the Company of its obligation to provide the employee with SFPPLO Supplemental Compensation.

### **Eligibility**

To qualify for SFPPLO Supplemental Compensation, an employee must: (1) have been employed by the Company for at least 180 days before the start of the leave period; (2) perform at least eight hours of work per week within the City and County of San Francisco; (3) perform at least 40% of his or her weekly hours worked for the Company within the City and County of San Francisco; *and* (4) be eligible to receive California PFL benefits through the State of California for the purpose of bonding with a new child.

### **Amount of Benefits**

SFPPLO Supplemental Compensation paid by the Company is calculated so that California PFL benefits *plus* SFPPLO Supplemental Compensation provide, but do not exceed, 100% of the employee’s current normal gross weekly wages, up to a maximum benefit cap. Because there is a maximum benefit cap, an employee will *not* necessarily receive 100% of his or her normal gross weekly wages from a combination of California PFL benefits and SFPPLO Supplemental Compensation.

The maximum benefit cap is calculated based on the gross wage that is derived from dividing the California PFL maximum weekly benefit amount by the percentage rate of wage replacement provided under the California Paid Family Leave (PFL) Insurance Program. The benefit cap changes when state law changes.

## **Maximum Benefit Period**

California PFL benefits last a maximum of six weeks, so SFPPLO Supplemental Compensation benefits also are limited to six weeks.

## **Application of Vacation Time**

To be eligible to receive SFPPLO Supplemental Compensation, an employee must agree to allow the Company to apply up to two weeks of the employee's unused vacation that the employee has accrued as of the start of the leave period to help meet the Company's obligation to provide SFPPLO Supplemental Compensation during the leave period. This requirement is *in addition* to the requirement that an employee first use up to two weeks of accrued vacation before he or she is entitled to receive California PFL Benefits.

If, for example, an employee has four weeks of accrued vacation available for use, the employee will be required to use two weeks of this accrued vacation before he or she is entitled to receive California PFL Benefits. The employee then is eligible for up to six weeks of California PFL benefits and SFPPLO Compensation. During this six-week period, the Company will require the employee to use his or her remaining two weeks of accrued vacation. If an employee does not agree to the application of up to two weeks of his or her accrued vacation time, then the Company is not required to (and will not) pay the employee SFPPLO Supplemental Compensation.

## **Time Away from Work/Reinstatement**

SFPPLO Supplemental Compensation does not provide time away from work or any reinstatement rights upon an employee's return to work. Instead, SFPPLO Supplemental Compensation only provides *wage replacement benefits* when an employee suffers a wage loss due to taking time off work for bonding with a new minor child during the first year after the birth of the child or after placement of the child with the employee through foster care or adoption.

See the Company's Family and Medical Leave Policy and/or California Family Rights Act Policy for guidance on eligibility and approval of time off. The other terms of the leave of absence (including the employee's reinstatement rights at the end of the leave) are governed by the applicable leave of absence policy. Please refer to the Family/Medical Leave Policy and California Family Rights Act Policy for more information.

## **Termination and Re-Employment**

If an employee separates from employment prior to reaching at least 180 calendar days of employment, his or her prior days of employment count towards the SFPPLO 180 calendar day eligibility period *if* that employee returns to work for the Company *within one year* of his or her most recent separation date.

If an employee separates from employment *after* reaching 180 calendar days of employment with the Company, then he or she will *not* be required to complete a new 180 calendar day eligibility period for coverage under the San Francisco PPLO *if* the employee is rehired by the Company *within one year* of his or her most recent separation date.

If an employee is involuntarily terminated during the leave period, the Company will continue to provide SFPPLO Supplemental Compensation for the remainder of the leave period that the employee continues to receive California PFL benefits.

If an employee *voluntarily* separates from employment within 90 days after the California PFL benefit period ends, the employee must reimburse the Company for all SFPPLO Supplemental Compensation received from the Company, upon the Company's written request.

### **Reference**

For more information on filing a claim for California PFL benefits please visit EDD's website at [http://www.edd.ca.gov/Disability/SDI\\_Online.htm](http://www.edd.ca.gov/Disability/SDI_Online.htm).

The SFPPLO form and poster are available at [www.sfgov.org/pplo](http://www.sfgov.org/pplo).