

# Pregnancy and parental leave

## PREGNANCY AND PARENTAL LEAVE

Minnesota Paid Leave provides paid time off and job protections for most workers during pregnancy, after childbirth or to bond with a child. You may be able to take Paid Leave for:

- pregnancy-related health needs;
- childbirth and recovery;
- bonding time as a birthing or non-birthing parent; and
- bonding after adoption or foster care placement.

If you qualify, you can take up to 12 weeks for your own care and 12 weeks for bonding, with a combined total of up to 20 weeks. Bonding leave must be used within 12 months of the birth, adoption or foster placement. While on Paid Leave, you'll receive part of your normal pay from the state.

Paid Leave may overlap with federal Family and Medical Leave Act (FMLA) protections. If you do not qualify for Paid Leave or FMLA, Minnesota law still provides 12 weeks of job-protected unpaid parental leave. For more information, visit [paidleave.mn.gov](https://paidleave.mn.gov).



### When does the pregnancy and parental leave start?

The following rules apply to both Paid Leave and unpaid leave under Minnesota's Pregnancy and Parenting Leave law:

- Leave must be taken within 12 months of the birth or adoption.
- Employees must request the leave from their employer.
- Employees can choose when the leave will begin.

Employers can adopt reasonable policies about when requests for leave must be made.

**Note:** Under Minnesota Paid Leave, bonding leave must end within 12 months of the birth, adoption or foster placement. Some of the same rules apply, but eligibility and certification requirements are different. For more information, visit [paidleave.mn.gov](https://paidleave.mn.gov).

## FREQUENTLY ASKED QUESTIONS

### What can count against my unpaid pregnancy and parental leave?

If you have paid leave, including sick leave or paid vacation, pregnancy and parental leave can be reduced so the total leave (pregnancy and parental plus paid leave) is not more than 12 weeks. Leave taken for prenatal care may not count against pregnancy and parental leave. If you qualify for both federal Family and Medical Leave Act (FMLA) and pregnancy or parental leave, you only have a right to 12 weeks of leave in total for childbirth or adoption of a child and any other pregnancy-related leave. You may be entitled

to additional leave under FMLA for a non-pregnancy related serious health condition. If you have questions about FMLA, contact the U.S. Department of Labor at 612-370-3341 or [dol.gov/whd/fmla](https://dol.gov/whd/fmla).

### Does Minnesota offer paid family and medical leave?

Yes. Minnesota Paid Leave provides partial wage replacement and time off during or following a pregnancy. Find more information at [paidleave.mn.gov](https://paidleave.mn.gov).

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## **Does my employer have to continue my benefits during the leave?**

Yes. Employees on pregnancy and parental leave are entitled to the same coverage and employer contribution as if they were not on leave.

## **Do I get my job back when I return from leave?**

Yes. You are entitled to employment in your former position or one with comparable duties, hours and pay. You are also entitled to the same benefits and seniority you had before the leave. You may return to part-time work during the leave without forfeiting the right to return to full-time work at the end of the leave. It is against the law for your employer to retaliate, or take negative action, against you for requesting or taking a leave.



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Notice: This flyer is a brief summary of Minnesota law. It is intended as a guide and is not to be considered a substitute for Minnesota Statutes regarding parental leave laws.

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