OVERVIEW

A new child, whether birthed, adopted, or fostered is a wonderful and great change in a person’s life, but a complicated one. In between the avalanche of diapers, feedings, sleep schedules, friends and family checking in, congratulatory phone calls, emails, and legal matters, there is a special bonding process that takes place. Work life often precludes spending much – if any – time to bond with this new addition to your family. Now there is a new resource available to help you during this period.

In the 2020 negotiations, the employers and the WGA agreed to a new benefit for writers: Paid Parental Leave (PPL). The purpose of this benefit is to provide income replacement for Participants who take leave from employment to bond with their newborn, newly adopted, or newly fostered child.

Beginning May 2, 2021, the Paid Parental Leave (PPL) benefit is available to all covered Health Fund Participants with qualifying coverage if a child is born, or if the Participant newly adopts or fosters (or has a child placed for adoption) after that date. The PPL benefit is available for a 12-month window from the date of birth, adoption, or fostership, and can be broken into non-concurrent weeks should you desire. The PPL benefit is $2,000 per week, for up to 8 weeks, and the weeks do not need to be taken sequentially.

You should receive a PPL enrollment package once you declare your new dependent. If this doesn’t happen, or if you have any questions or concerns, please feel free to contact the Health Fund at (818) 846-1015 or toll-free (800) 227-7863 or via email at: Pmailbox@wgaplans.org.

ELIGIBILITY

In order to qualify for the Paid Parental Leave benefit, the Participant must have qualifying Writers’ Guild-Industry Health Fund health coverage at the time of the birth, date of adoption of the child, or the date of formally fostering of a child. The Participant’s qualifying health coverage only needs to be in place at that time – the coverage need not be maintained throughout the leave period.

For this purpose, adoption includes placement for adoption. Fostering of a child means that the child is placed with the Participant by an authorized placement agency or a court order. In all cases, the child must be new to the Participant. (Thus, for example, if the Participant adopts the child of a spouse or partner and the child has already lived with the Participant for an extended period of time, the Paid Parental Leave benefit would not be available.)
The qualifying Writers’ Guild-Industry Health Fund health coverage may be Active Coverage, Extended Points Coverage, or COBRA Coverage (but not Total Disability Extension Coverage or Retiree Coverage). The qualifying health coverage must have been earned from contributions of employers that contribute for the Paid Parental Leave benefit.

A Participant can only take one Paid Parental Leave benefit in any 12-month period. However, if both parents are Participants with qualifying Writers’ Guild-Industry Health Fund health coverage then each Participant is separately eligible for their own, individual Paid Parental Leave benefit, which can be taken concurrently or separately.

The Paid Parental Leave benefit is not available to employees of Named Employers. In addition, dependents of Participants are not eligible to receive the Paid Parental Leave benefit should they have a child, adopt a child, or foster a child.

If there are multiple births, adoptions, or foster placements at a time, there is only one Paid Parental Leave benefit.

**ELECTING PAID PARENTAL LEAVE**

Paid Parental Leave is intended as a replacement for income lost during a parental leave as a result of not working. In order to receive PPL benefits you must not work for an employer during, or be paid by an employer for, the period for which the Paid Parental Leave is taken.

To get started, you simply fill out an application provided by the Administrative Office. As part of this application, you must sign an attestation that you will not perform work for an employer during, or be paid by an employer for, the period for which you are receiving the Paid Parental Leave benefit.

You may also have to disclose whether you are receiving or will receive any state-mandated family leave benefits in connection with your newly-acquired child. Under the rules that apply to the PPL benefit, state-mandated family leave benefits are offset against the Paid Parental Leave benefit. This disclosure and offset requirement is temporarily waived until December 31, 2022.
You must advise the Fund Office immediately if, after applying for Paid Parental Leave, you decide to return to work for an employer during (or are going to be paid by an employer for) any portion of the period for which you applied for Paid Parental Leave.

**PAYMENT DURATION AND AMOUNT**

Once the Paid Parental Leave benefit is elected, and the attestation is signed, you will receive $2,000 per week for a period of up to 8 weeks, for a total of up to $16,000.

The Paid Parental Leave benefit may be taken sequentially or it can be broken into non-consecutive weekly increments, not to exceed the total number of sequential Paid Parental Leave benefit weeks (and, as described above, not to be paid beyond 12 months after birth/adoption/fostership). The minimum increment is one week. Payment will be made on a weekly basis. The child must be in the Participant’s home for all weeks for which payment is made.

Once twelve months have passed since the birth, adoption, or fostering of a child, you are no longer eligible to receive the Paid Parental Leave benefit, regardless of whether the full available amount has been used.

**MISCELLANEOUS ISSUES**

The monies distributed via the Paid Parental Leave benefit will not be counted toward pension benefits or vesting or toward health coverage eligibility.

All Paid Parental Leave benefits are subject to the applicable tax deductions and withholdings. This is a taxable benefit for which you will receive a W-2.

**FAQs**

*How do I get started?*

Once the child is born, adopted, or placed with you, contact the Health Fund and let them know you have a new dependent. A PPL benefit package should be sent to you which
includes an application for the benefit and an attestation that you will not work while receiving the PPL benefit.

If you don’t receive your PPL benefit package, or if you have any questions or concerns about how to fill out the application you can contact the Fund at (818) 846-1015 or toll-free (800) 227-7863 or via email at: Pmailbox@wgaplan.org.

**Do I have to use the PPL benefit immediately?**

As long as you have qualifying Health Fund coverage when the child is born to, adopted by or placed/fostered with you, you have 12 months in which to use the PPL benefit. You can start right away, or at a time that is more convenient to you. Please keep in mind that the benefit is 8 weeks in length and ends at the close of the 12-month window, regardless of whether all of the weeks have been used, so you should plan accordingly.

**What if I only want to use a few weeks of the benefit, can I do that?**

Yes. You can use all 8 weeks, or as many as are convenient to you. Please keep in mind that there is a 12-month window in which to use some or all of the PPL benefit.

**Both myself and the child’s other parent are Participants with qualifying Health Fund coverage. Do we each get an individual PPL benefit?**

If you both are Participants with qualifying Health Fund coverage on the date of the child’s birth, adoption, or fostering, each of you will have your own individual PPL benefit. You can each take your leave payments as you see fit. If you want to have 8 consecutive weeks, then each of you will receive the $2,000 payment for 8 weeks. You can use the weeks concurrently or discretely. There can be gaps if you need to work, or find that this is better for your family. The PPL benefit is very flexible in this regard: how you use it is entirely up to you (subject to your getting the time off from your employer – see below).

Please note that dependents with Health Fund coverage are not eligible to receive the PPL benefit. If you are a Participant with qualifying Health Fund coverage and your spouse has dependent coverage under the Health Fund, your spouse is **not** eligible for the PPL benefit.
If I want to take the PPL benefit for a few weeks then go back to work and then take more weeks when my assignment is done can I do that?

You can use your 8 weeks of benefits in any order that best suits you. There are four caveats to keep in mind: 1) The PPL benefit begins with the birth, adoption or foster placement of a child. From that date, you have a 12-month window in which to use some or all of your PPL benefit, 2) If you do not use all your benefit within the 12-month period, you cannot reclaim the unused weeks at a later date, 3) Each time you seek to renew your PPL benefit payments during the 12-month window, you will have to fill out a new PPL benefit application and attestation form, and 4) The amount of time you can take for parental leave is between you and your employer (see below).

What if I get a residual or production payment or some other non-work payment while taking the PPL benefit?

As long as you are not working and the payment is not for the period for which you are taking leave, you may receive your PPL benefit. A residual, production bonus, or other similar payment will not interfere with this. If you’re not sure about a situation, or have any questions, please feel free to contact the Fund at (818) 846-1015 or toll-free (800) 227-7863 or via email at: Pmailbox@wgaplans.org.

Is the PPL benefit taxable?

The PPL benefit is taxable. You will need to fill out a withholding form when you apply for the benefit. You will receive a W-2 and I-9 statement for all monies you receive.

What if I have a second child during the PPL benefit period, do I get a second PPL benefit?

There is only one PPL benefit available in any 12-month window. If a Participant has qualifying Health Fund coverage at the time of the second child’s birth, adoption, or fostering during the first PPL benefit period, the Participant is eligible to apply for the second PPL benefit after the first PPL benefit period expires. The Participant will have 12 months from the date of the second child’s birth, adoption, or fostering to utilize the second PPL benefit – regardless of when the Participant is eligible to apply for the second PPL benefit.

Does this new rule require my employer to give me time off if I have a child?

The Plan’s PPL benefit provides a benefit that is available to you when you receive time off from your employer. However, it does not govern when you are entitled to that time off.
We hope this guide provides you the information you need about the Paid Parental Leave benefit. If you have any questions or concerns, please feel free to contact the Fund at (818) 846-1015 or toll-free (800) 227-7863 or via email at: Pmailbox@wgapplans.org and we will be happy to assist you.