



January 28, 2020

Mr. Monty Wilkinson  
Deputy Assistant Attorney General for Human Resources and Administration  
U.S. Department of Justice  
Justice Management Division

Re: DOJ Can Close the Paid Parental Leave Gap

Dear Mr. Wilkinson:

On December 20, 2019, the president signed into law the National Defense Authorization Act (NDAA), which provides 12 weeks of paid parental leave for employees who are parents of newborns, newly adopted children, or foster children. This law is a monumental and overdue achievement that will benefit countless Justice Department employees. However, because the law will not go into effect until October 1, 2020, likely hundreds of DOJ employees and their families will be left behind. In some cases, these employees have exhausted sick days, scrimped to take unpaid leave, or will have to return to work before they are ready.

The DOJ Gender Equality Network (DOJ GEN) believes that the Justice Department can prevent the unfair situation where an employee who has a child on September 30, 2020 will not receive any paid leave but a colleague who has a child 12 hours later will. Below are several suggested options that we believe DOJ could implement:

- 1) Provide some amount of paid parental leave to employees who welcomed or will welcome a child during the period between December 20, 2019 (when the NDAA was signed into law) and September 30, 2020 (the day before it goes into effect).
  - a. Other agencies have already done this—the SEC and FDIC provide paid parental leave to their employees, and the CIA and the National Geospatial-Intelligence Agency may be doing the same.
  - b. If DOJ is unable to provide paid parental leave across the Department, then we suggest allowing and encouraging components to offer it.
- 2) Create a special leave fund designated for DOJ employees who welcomed or will welcome a child between December 20, 2019 and September 30, 2020.
  - a. To bolster the fund, DOJ could contribute the fiscal year 2019 use-or-lose annual leave that DOJ employees forfeited (i.e., annual leave employees did not use by Jan. 3, 2020).
  - b. Create an exception to the Voluntary Leave Transfer Program to allow employees who are expecting a child to apply to receive leave donations *before* the birth.

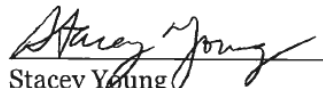
Currently, the employee must wait until after a “medical emergency” to apply, even though the birth of a child is expected for months. (By comparison, FMLA paperwork and advanced sick leave paperwork can be submitted in advance.) The current rules lead to inequitable results; a parent whose child is born at the end of the year is likely to benefit from colleagues’ direct use-or-lose leave transfers, while a parent whose child is born early in a calendar year is less likely to receive direct leave transfers.

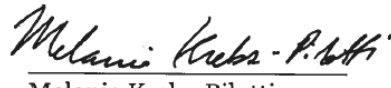
- 3) Lift the restriction on the amount of sick leave available to DOJ employees who welcome a child between December 20, 2019 and September 30, 2020. Currently, the length of parental leave for the birthing parent is restricted to six or eight weeks depending on the type of delivery. The statute at 5 U.S.C. § 6382(d) permits employees—regardless of whether they are the birthing parent—to take up to 12 weeks of sick leave, if an agency permits. However, agency practices vary, with some only allowing employees who are the partners of birthing parents to take 104 hours of accrued sick leave pursuant to 5 U.S.C. § 6307(d). Thus, DOJ GEN asks that DOJ:
- a. Use the discretion given in 5 U.S.C. § 6382(d) to allow all new parents the ability to use up to 12 weeks of accrued sick leave following the birth or adoption of a child. In the alternative:
    - i. Issue guidance to all DOJ components that birthing parents are entitled to the maximum amount of leave, regardless of the type of delivery.
    - ii. Permit employees who adopt children unlimited use of their sick leave pursuant to 5 U.S.C. § 6307(c), which addresses activities relating to the adoption of a child.
    - iii. Permit all employees to advance up to 240 hours of leave if they adopt a child, or if they/their partners give birth, pursuant to 5 C.F.R. 630.402(a)(i) and (iv).
  - b. Permit employees to stagger their use of sick leave over a year like the new paid parental leave law allows, since 5 U.S.C. § 6382(b) permits discretion for employees to use intermittent leave when the employee and agency agree.

DOJ GEN strongly supported the enactment of paid parental leave; it has always been a high priority for our membership, and we are relieved to know DOJ employees and their families can depend on it. Extending this critical benefit to more employees will do exactly what the law was intended to do—prevent turnover, boost morale, and move the government closer to achieving workplace fairness and equality.

DOJ GEN appreciates your consideration and looks forward to working with you to close this gap.

Respectfully,

  
Stacey Young  
DOJ GEN President

  
Melanie Krebs-Pilotti  
DOJ GEN Vice-President

# OPTIONS FOR CLOSING THE PAID PARENTAL LEAVE GAP



## Provide Paid Leave

Stop the leave gap before Oct. 1

- Provide paid parental leave to employees from Dec. 20, 2019 through Sept. 30, 2020
- Other federal agencies have offered paid leave at their discretion
- Provide Department-wide or allow individual components to decide



## Special Leave Fund

Earmark leave for new parents

- Create a special leave fund for those who welcomed a child between Dec. 20, 2019 and Sept. 30, 2020
- Allow employees to earmark leave for specific individual or donate to the pool generally
- Contribute forfeited use-or-lose annual leave from 2019 to the fund



## Remove Restrictions

Broader use of sick leave

- Allow those who welcomed a child between Dec. 20, 2019 and Sept. 30, 2020 to use their sick leave
- Do not restrict use of leave based on gender or type of birth
- Allow employees to stagger use of sick leave over one year





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The following anecdotes are from DOJ Gender Equality Network (DOJ GEN) members who faced hardships as the result of not having paid parental leave. The new paid parental leave law is a game-changer for DOJ employees and their families, but those who welcome children before the law's October 1, 2020 start date will miss out. We urge DOJ to do whatever is within its power to prevent unnecessary hardships like these from recurring over the next few months.

**1. Stephanie Raney**

I started with DOJ as a paralegal in 2006. A few years later, I continued working full time while attending law school at night. During this time, I frequently used my annual leave for school-related events, including studying for finals and the bar exam. I became an Honors attorney in the fall of 2013. In 2015, I suffered a stroke while sitting at my desk and ended up having to take several months of sick leave in order to recover. During those weeks, I suffered another stroke which ended up extending my time on leave. I am currently four months pregnant with my first child, and my husband and I are elated. Due to my past medical events, my pregnancy has been closely monitored by my doctor from the very beginning and I have been required to seek the treatment and advice of various specialists, and will continue to do so, all requiring me to use my accrued sick leave. When I heard about the new paid parental leave policy, I breathed a serious sigh of relief. But to my dismay, I soon learned that it would not apply to me.

**2. Meghan Buhl-Madsen**

I had my first child during my second year at DOJ. I worked until the day before I went into labor and had taken practically no sick leave during my entire employment other than for necessary pre-natal doctor's appointments. I was able to take eight weeks off after giving birth, including two weeks of unpaid leave. This was difficult as a young mother, early in my career, less than two years out of law school, but my family made it work. I had my second child 18 months later and again was only able to take eight weeks off. This time I was allowed to take a small amount of advanced sick leave for a limited amount of time following the birth to avoid any unpaid leave. I am now happily expecting my third child, unfortunately in July 2020, before the NDAA will take effect. I only finished repaying my advanced sick leave from my last parental leave about a month ago. I'm scrimping all the other leave I can, taking no sick days, even during bouts of extreme morning sickness, in the hope that I will be able to stay home for a limited amount of time after my next child is born. Unpaid leave will not be an option for me as I am the sole financial supporter of my soon-to-be family of five.

**3. Danica Glaser**

I joined DOJ in September 2012. In February 2013, my brother passed away unexpectedly. As I had accumulated very little time off (and had used much for the fall/winter holidays), I borrowed (advanced) sick leave for bereavement leave. This left me in a deficit for the remainder of 2013. I then had my first child in April 2014, and as a result of having advanced sick leave the prior year, I again had very little sick leave to use – less than two weeks – for my maternity leave. I ended up taking four months of leave, but only three weeks of that was paid. In effect, the consequences of not having paid family leave available for one event (my brother's death) had iterative effects on a later unrelated family event (my child's birth).



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**4. Barbara Schwabauer**

After my most recent pregnancy, I completely depleted all of the leave I had in order to get 12 weeks at home with my newborn (six of those as sick leave, due to the limit for a vaginal birth). However, I learned shortly after my child was born that I had suffered an injury that required surgery and that could entail a one to two-week recovery. It has been more than a year since I was diagnosed with this injury, and I cannot have the surgery because I have still not built back up the sick leave to have sufficient time for the surgery and recovery. All of the sick leave I have accrued (starting at zero since my parental leave) goes to sick kids home from daycare or their doctor's appointments.

**5. Lila Jones**

I am in the sixth month of my first pregnancy. Knowing from my first day with DOJ that I would not be afforded any paid family leave for any children I might have, I have desperately hoarded every sick day. This has meant foregoing, for years, my own medical needs so that I could avoid consuming sick-leave days as much as possible. Now, with three months left until my daughter arrives, my husband and I are facing the reality that I will have only six weeks with her postpartum. This will consume nearly my entire bank of reserved sick days, and it will take years to replenish them. This reality will severely limit my ability to stay home, for any period of time, with any children I might be blessed with in the future. While several people point out that I can "always take unpaid leave," doing so is not a viable option for our family financially. I put myself through college and law school, and I don't have a trust fund or other independent source of income. And despite our great efforts to save and be financially conservative, my husband and I do not have three months of savings that we can afford to completely deplete all at once – nor would doing so be responsible for our family's future. The lack of paid family leave creates a terrible tension for federal families; one side pulls on the purse strings and the other on the heart. I am delighted to welcome my daughter, and frustrated by the employer-caused limitations I face when she arrives.

**6. Andrew Hall**

For my last job, I worked as a law clerk at the Arizona Court of Appeals. Arizona is a pretty conservative state—certainly not some kind of Scandinavian-style, Socialist system. Yet, even in Arizona state government, I was entitled to six weeks of paid paternity leave when my first son was born in 2016, no questions asked. This was in stark contrast to summer 2019, when, as a DOJ employee, I got no paid family leave when my second son was born, and I could only even use my accrued sick time to the extent it was to take care of my wife in her recovery. Fortunately, both of our sons were healthy and the pregnancies had no significant complications. But neither my family nor others should have to rely on luck when it comes to childbirth or our health.

**7. Anonymous**

In early 2018, at the age of 32, I was diagnosed with a highly aggressive form of breast cancer. I had been employed at DOJ for five years at that point so I was lucky to have a reasonable amount of accrued sick leave. That leave was rapidly deployed to cover more than four months of intensive chemotherapy, a double mastectomy, and another five months of immunotherapy in a clinical trial. All told, treatment took nearly a year, with additional follow-on surgeries thereafter. Throughout that process, my managers at DOJ were enormously flexible and helpful in ensuring I could cover treatment with my existing leave and was not compelled to take unpaid leave—which often meant finding work I could handle in the parts of my chemo cycle when I was feeling more able or that I could do from a hospital waiting room. And for that I'm incredibly grateful. But the



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end of that process left me with no remaining sick leave and with the bare four hours we accrue per pay period rapidly being eaten up by follow-up tests and appointments (of which I'll have many for at least the next three to five years). I have not yet made the decision to start a family, but it is no small matter to me that I will very likely have no available paid leave when I choose to do so. The decision to have a child would require that I balance that choice against the financial ramifications of even a short period of unpaid parental leave.

**8. Melanie Krebs-Pilotti**

My husband and I have both worked for the federal government for about 15 years, and we have had two children while in the federal workforce. As we have both worked in government for many years, we have been fortunate to accrue sick leave. However, current federal rules are frustratingly limiting and place strict controls on amounts of sick leave that can be used after a birth, even if employees have accrued significant reserves of sick leave. As a non-birth parent, my husband was only allowed to use 13 days of his sick leave after the births of our children in 2010 and 2016. In order to maximize his limited ability to be at home after the birth, he opted not to attend most all of my medical appointments, which was difficult for both of us. After each birth, my husband returned to work after just two weeks. We would all have been better off if he could have had some paid leave to stay at home for a longer period of time.

**9. Alyssa Lareau**

While I was pregnant with my daughter, I became ill with hyperemesis, which is debilitating due to severe nausea and vomiting. This condition meant that I had to use a lot of my sick leave, which was scary because HR had told me in advance that I would only be able to get six weeks of leave following a vaginal birth. When my daughter was just six days old, she developed sepsis due to a staph infection. She passed away within a day. Her death was devastating and the bureaucratic headache of navigating the sick leave process only compounded my stress. The whole experience was terrible, but I consider myself lucky because I had colleagues who spent a lot of their time coordinating with HR so that I could focus on my recovery and bereavement. I also had to rely on them for leave donation. With 12 weeks of paid family leave, I would have been able to avoid a lot of the stress and anxiety that pervaded my life during that sensitive time.

**10. Anonymous**

Following the birth of my son, I worked all hours of the day to successfully participate in a two-week trial only four months after returning to work, and a one-week trial, six months after returning to work. It still didn't help me make up my sick leave deficit. In the five years following his birth, I then had two additional surgeries, each within eighteen months within one another. Ultimately, my last surgery ended with a hysterectomy and radical excision of endometriosis in May 2014. Due to complications, I took one week of sick and annual leave to recover, but that week was not enough and I had no additional leave to use. In total, even five years after the birth of my only son, I was still cobbling together enough leave for me to recover from a severe hemorrhage, a complication from the surgery.

**11. Marissa Nash**

In January 2007, I gave birth to my first son after working for the federal government for two and a half years. Shortly before I was to return from maternity leave, I learned I was unexpectedly pregnant again. My second son was born in January 2008. I had exhausted annual and sick leave and quickly exhausted advance leave options. I took leave without pay to give birth and stay home with my babies for a few months. When my



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second son was born, my husband was serving overseas with the military. In May 2018, I gave birth to my third son. Once again, even though I was nearly 14 years into my federal government career, I was cobbling together leave and advance leave options. I was doing my best to not take any leave while pregnant and tending to my high-risk pregnancy, knowing that every day and every hour saved was more paid time I could have with my baby when he arrived.

**12. *Anonymous***

When I gave birth in 2012, I had been employed by the government for less than three years. I had very few options for staying home to care for my child other than to expend all of my sick and annual leave and to take unpaid leave. It is heartbreaking.

**13. *Anonymous***

I gave birth to my first child in January 2018. As I had worked in the federal government for only a few years, I had accrued just slightly more than six weeks of sick leave. I had an uncomplicated vaginal birth, and so I was physically “cleared” to return to normal activity after six weeks. But I was not ready to go back to work. I had trouble with breastfeeding, which took more than six weeks of nursing practice and pumping. Additionally, six weeks was not sufficient time to bond with my new child. In total, I took 13 weeks of leave, six weeks of sick leave, and seven weeks of a combination of annual leave (which I used up) and unpaid leave. My husband was between jobs at the time, so the time I took unpaid was a financial strain on our family.

**14. *Anonymous***

My husband and I adopted an infant in 2014. We are permitted to use some sick leave when adopting but only in very limited circumstances, and not akin to the six to eight weeks of sick leave permitted for the recovery from childbirth. I used all my available annual leave, accrued after working for the federal government for over a decade, and then took leave without pay to care for our daughter. The average cost of domestic adoption in the United States is approximately \$43,000. Taking leave without pay after such a significant cost was a hardship. We are contemplating a second adoption but I know that I wouldn’t be able to go without pay for very long now.

**15. *Danielle Wolfson Young***

I turned down the opportunity to work at a prestigious law firm in Washington, D.C. that offers over five months of paid maternity leave without realizing that the federal government offered none. When our daughter arrived over a year after I started at the Department, I was forced to take advance sick leave, even though I had not taken a single sick day prior to her birth. Our daughter is almost two now, and I have just recently paid back the sick leave I borrowed from my first maternity leave—again without ever having otherwise taken a sick day for myself. We are now very blessed to be expecting our second child, and because my sick leave balance is so low, I will be forced to borrow sick leave that will take years to pay back. Like many employees, this creates a precarious situation for my family.

**16. *Anonymous***

I had been working at DOJ for about two and a half years by the time I gave birth to my son. I had managed to save up six weeks of sick leave and about two weeks of annual leave so I could take eight weeks off fully paid. By week six of leave I started to develop postpartum anxiety, and by week eight I was suffering from full on





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postpartum depression. There was no way I could have gone back to work at that point. I had to take another eight weeks of leave without pay in order to address my medical situation. This created a serious financial hardship for my family, but if I went back to work earlier than that I definitely would have had to quit my job.

**17. Deborah Cain**

As a federal employee, I was told I'd have six weeks of parental leave for a "normal pregnancy" (or delivery). Not only did I have an abnormal pregnancy, the delivery of my twins was unexpected (two months early) and traumatic. I needed more time, so I was required to have my doctor sign a form to extend my leave from six weeks to eight weeks. Because I spent endless hours each day in the NICU with my premature babies, it was very difficult to get to a medical appointment to have my doctor sign the form. Also, because I had my twins vaginally, I was not able to get the additional two weeks of leave that is approved automatically if one has a C-Section delivery. Although my delivery was physically and emotionally traumatic, and although one of my babies was born not breathing, and although the doctors explained that I could die and thus I needed to say goodbye to my wife in case I did not make it, I could not automatically get two extra weeks of sick leave. Once my babies were healthy enough to come home after 47 days in the NICU, I could not find childcare because they were still too small. This whole process puts extraordinary pressure on families that, by definition, are in a vulnerable position due to the stress of one or more new babies coming into the world, even under the best of circumstances.

**18. Anonymous**

I joined DOJ in 2019 and am expecting my second child in 2020. Because I am expecting a baby within one year of starting, I have not had a chance to accrue much sick leave and will be forced to take a substantial amount of unpaid leave. We will be forced to tap into our savings, which is currently set aside in hopes of buying a family home, simply to make ends meet. Because of this, I will much spend less time with our newborn than I would otherwise. Adding to our concerns is that because both my husband and I are new federal government employees, neither of us will be able to maximize the leave, nor can we take leave together to bond with our baby as a family. Instead, we will run our leave consecutively (with my husband only taking a week), so that our baby can have more time at home with at least one parent. As new federal employees, we had to honestly consider whether we could even afford to add another baby to our family right now, something we desperately wanted to do.

**19. Anonymous**

When I became pregnant in 2017, I was thrilled. However, I have epilepsy and had to visit my neurologist and obstetrician regularly to monitor my health. It was incredibly challenging to schedule all of these appointments while preserving as much sick leave as possible to recover from childbirth and spend time with my newborn. In fact, I chose a new obstetrician based primarily on his ability to see patients after 5:30 p.m., rather than his particular familiarity with my medical condition or any other substantive qualification. Despite this workaround, I still brought my laptop to appointments to avoid taking even a few minutes of leave while waiting for doctors, and this was with me having substantial sick leave saved because I had been working at DOJ for over 10 years. When my daughter was born in 2018, she was unexpectedly delivered via C-Section. Even though I had approximately 15 weeks of sick leave built up, the policy only allowed me to use eight weeks. It was only because my epilepsy is exacerbated by lack of sleep, and my neurologist asked for me to be able to take a few





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more weeks that I was allowed to take a total of 12 weeks. That is the amount of time most attorneys get as a floor, not a ceiling, in the private sector.

**20. Kunti Salazar**

I came from the private sector to the Department of Justice in 2015. In 2018, my husband and I were blessed with a beautiful baby girl. But, due to my lack of maternity leave, what should have been a time of deep bonding with my child and healing postpartum, turned into a stressful period of leave from work. My husband and I struggled with how many months I could take off from work and ultimately decided that four months was the maximum amount of time we could afford. What I realized was that I had not accumulated enough sick and annual leave prior to taking maternity leave, and therefore, I had to advance both. This meant that when I returned to work, I had a significant negative balance of leave; I could not take annual leave or “get sick” from August 2018 to April 2019. Even with advancing my leave, I still had to take one month of unpaid leave. This took a financial toll on my family since my husband and I both work in government and make monthly payments for student loans and a home mortgage. These financial hurdles have made me question whether leaving the private sector was the best choice for my family and our financial needs. Still, my commitment to the work and mission of the Department has made me stay because I care deeply about the people we serve.

**21. Anonymous**

My husband and I are both DOJ attorneys. I was under weekly doctor’s care for the entirety of my pregnancy, which ended in the C-section birth of my daughter at 40 weeks. By the time I gave birth, I had two days of sick leave and one week of annual leave remaining. I was very lucky because I received 160 hours of leave through the DOJ Leave Bank. I was also permitted to use 160 hours of advanced sick and annual leave. The remainder of my maternity leave was unpaid. During the last year and a half since I’ve returned from maternity leave, I’ve had to use my accrued annual leave for all of my and my daughter’s doctor’s appointments and sick days because my sick leave was already in the negative. I’m currently two pay periods away from finally coming out of the negative sick-leave territory. While I’m relieved that I will soon begin to earn sick leave again, I’m panicked because we are expecting our second child in May 2020. Again, I’m going to be under weekly care of my physician and expect to have very little leave remaining by the time I give birth in May.

**22. Anonymous**

I am resigned to going back to work eight weeks after I have my second child so that I do not have to take leave without pay, and just pray I do not have complications and that the rest of my family can stay healthy. In the face of regular opportunities for employment at private law firms with generous leave policies, this situation creates a big incentive for me to leave the government.

**23. Mallori Openchowski**

I started with the Civil Division in July 2016, after six and a half years in private practice. I’m expecting a baby at the end of this year. Because I already have two children, I will not have six weeks of accrued sick leave at the time of the birth; I have used it to cover illnesses over the past three years. I will advance the leave. I have a higher risk pregnancy now and am terrified of needing more monitoring/rest at the end. Conversely, when I was in private practice when I had my twins in 2015, I was able to take 20 weeks of paid leave, and an additional four weeks (we could take up to one year) of unpaid leave. Obviously, this was a tremendous financial benefit, but it also created peace of mind as I didn’t have to worry about whether I would have a difficult birth or



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recovery. I was covered and not “in the hole” when I returned. I took a 50% pay cut to come to DOJ, and while I don’t regret that choice, the disparity in family leave is stark.

**24. *Anonymous***

My partner and I adopted a newborn in January. Because we are a same-sex male couple, I was unable to take any paid sick leave to assist with child care (my understanding is that, if our daughter were born to a female spouse, I would have been able to take some time off to assist in her recovery). I was lucky that my daughter was born during the government shutdown, which allowed me three weeks to bond with her. However, if it weren’t for the shutdown I would have only have been able to take off a week from work.

**25. *Abigail Farthing***

My husband and I are both veterans and federal employees who welcomed our first child in December 2018. Our journey to pregnancy involved IVF, which requires numerous doctor appointments. The classified and sensitive nature of my job limited my abilities to telework or use flex hours to offset the sick leave I needed to attend these appointments for over a year leading up to the pregnancy. I eventually experienced unexpected delivery complications requiring a cesarean section. Had it not been for the government shutdown and my management’s flexibility, I would have been forced into either leave without pay or a premature return to work. My husband and I are dedicated and loyal government employees. It is disheartening to know that our situation and the tough decisions on when and how much leave we could afford to take is not an exception.

**26. *Anonymous***

I started in my current position three years ago when I was 34 weeks pregnant. I had a baby five weeks later. My office was very flexible about permitting me to take time but, because I had not accrued much time, almost all of it was leave without pay. I took 16 weeks, which I don’t regret, but this imposed a considerable financial burden on my family. I had another baby two and a half years later and took 14 weeks. That leave comprised a combination of accumulated vacation, sick leave, advanced sick leave, and leave without pay. It will take more than a year to “repay” the sick leave that I advanced, which is very difficult because I have small children who get sick. I have to take annual leave whenever I have an appointment, and, except for visiting family during the holidays, we have not taken a vacation since I started here.

**27. *Anonymous***

Because I had to use all of my existing leave and also took advanced leave when I gave birth, I routinely came to work sick while pregnant (several times I had to throw up in my office trash can because I couldn’t make it to the restroom in time). When my child wasn’t yet born after my due date, I continued to work and even postponed/forwent postpartum care and other medical appointments to save on leave. I also regularly came to work sick and exhausted and did not take a vacation for a year. Even now, I have to borrow leave to take my child to her medical appointments.

**28. *Anonymous***

When I adopted my child, I had only been working for DOJ for just under three years, so I had not yet accrued much annual and sick leave. Knowing my adoption could happen at any time, I did not use much sick leave so I could save it for maternity leave. I also saved as much annual leave as possible. At the time of the adoption, I had only enough leave to fully cover my salary for about five weeks. That included using accrued time and



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borrowing time that I would earn that calendar year. To take my full maternity leave, I needed to take one or two days of leave-without-pay each week of my ten-week maternity leave. In addition, I returned to work without any available leave to use in the event of illness or an emergency. Having to worry about pay and the lack of available future leave while trying to focus on my child's needs during the first critical months following adoption was an added, and unnecessary, stressor that full paid maternity leave would eliminate.

**29. *Anonymous***

I am a mother who began at DOJ shortly before learning that I was pregnant and did not have enough sick or annual leave accumulated. I ended up going into leave debt and did not get out until over a year and a half had passed. My agency did allow me to have the advanced hours, but that was time I borrowed against myself. I tried asking people for donated time through the voluntary leave transfer program, but most people did not know me or have an incentive to donate hours to a new employee. The leave debt I accumulated was the maximum allotted advance sick and annual leave for the year. It simply was not enough, and my work performance suffered as a result—even more so after my second child. Most of all, my mental health suffered tremendously. We are forced to return to work prematurely as parents because we don't want to lose our positions or feel like we are slacking in any way. I would love nothing more than to have another child, but I can't because I simply can't afford it.

**30. *Elizabeth Gontarek***

I had my first child in October 2018. At the time, I had over 12 weeks of sick leave but did not realize that I could only use six of them for recovery, and the rest of my three-month "maternity leave" would have to be drawn from annual leave. I did not have nearly enough and could not even get advanced annual leave, as the pay period in which I would need it was at the end of the year, thus I could not earn the hours back before the year ended.

**31. *Anonymous***

When I gave birth in 2017, I used sick and annual leave to cover my 14-week maternity leave. I was only able to do so because of the amount of time I have been with the DOJ. I am hoping to have another child and if I do, I will have to take unpaid leave because my sick leave balance will not be high enough to cover the time I will need. Despite having been with the government for a long time, I will have insufficient hours saved because of the time I have used in the past to cover recovery from surgery, medical appointments, and sick leave taking care of my child. Given that I am the higher earner in our family, unpaid leave will affect our finances. We are also covered by my health insurance, and I worry what would happen if I had to take unpaid leave and cover the full cost of my family's health insurance.

**32. *Anonymous***

After becoming pregnant in August 2016, I was absolutely shocked to learn the federal government offered ZERO parental leave. I don't think it ever even crossed my mind to ask about it when I was interviewing because I just assumed it was provided. I had an emergency C-section with my son in May 2017. Because of resulting complications, I was able to receive two weeks of donated paid leave and ended up taking two more weeks unpaid (which had a financial impact for us). So I came back from "maternity leave" with 0 hours of sick leave and 0 hours of annual leave. My son is now two and a half and I have no hours of sick leave and 16 hours



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of annual leave. In two and a half years at DOJ I have not been able to build my leave because kids in daycare get sick. A LOT! So I am left with the choice of staying home with my sick son or depleting whatever small amount of leave I have or coming into the office with the flu. I've done both.

**33. *Anonymous***

In order to care for my son after his birth, I burned through all of the annual leave I had saved over the course of six and a half years, in addition to taking unpaid leave. The city in which I live is an extremely high-demand area for daycare spots, and our only option for daycare would not accept our son until he was six months old. Bridging the gap between birth and six months with annual leave and unpaid leave was difficult, and required the grandparents flying here to live with us for a month once my leave was exhausted. Twelve weeks of paid family leave would have gone very far to help us manage.

**34. *Taryn Wilgus Null***

Before I came to DOJ, I worked for a small firm where I would have received eight weeks of paid parental leave. Additionally, I got 20 days of vacation per year, and I received all of my vacation days to use at the beginning of each calendar year. Since my son was born in October, I probably would have received close to 14 weeks of paid leave during my maternity leave, with a combination of parental leave, vacation, and sick leave. At DOJ I was very fortunate that my family could afford for me to take 10 weeks of unpaid leave so that I could be home with my son for the first 16 weeks of his life. I recognize that most people are not able to do this. For example, a secretary in my section had a baby a few days after I gave birth to my son. She was back to work eight weeks later. After having two children, I cannot imagine returning to work eight weeks after giving birth. The physical and emotional toll of this seems overwhelming for both the mother and the newborn.

**35. *Anonymous***

When I had my first child, I did a lot of research and digested OPM's Handbook. It was very stressful to count and calculate leave taken and leave remaining to ensure I had enough time to cover the healing process of childbirth and then time to bond with my newborn. I had to track every move on a spreadsheet and forgo taking leave during holidays. Luckily, I had been with the Department for three years and had strategically positioned myself to afford to take six weeks of sick leave and six weeks of annual leave. However, I returned to work with about 12 hours of cushion. I am currently pregnant with my second child and will not be so fortunate. I've already done the calculations and will have no choice but to take leave without pay.

**36. *Anonymous***

I started in the federal government in 2015 and had a child in 2017. I was able to take about four weeks of sick leave (keeping a bit in reserve for my return) and took three months of unpaid leave, which was a significant strain on my family and finances.

**35. *Stephanie Hennes***

Shortly after I joined DOJ, I developed a nearly fatal lung infection following emergency surgery. Because I could not breathe on my own, I was placed in a medically induced coma for one week, breathing through a ventilator, until doctors found medication that began to clear the infection. I spent nearly two weeks in the



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hospital, mostly in the ICU. Because I had only one year of government service at the time, I barely had enough sick leave to cover my time in the hospital. However, after my release, I could not immediately return to work. I was incredibly weak, weighing less than 100 pounds after being immobile and tube-fed for a week, and could barely walk from my apartment building to the corner. I had barely processed that I almost died when my employer required me to complete forms attesting to my severe medical condition and asked me to write about my near-death experience in order to convince others that they should donate their leave to me. I received a few days of donated leave, which took time to process. As I grew concerned about not getting a full paycheck, I elected to return to work, even though I did not feel ready to do so. Extinguishing all of my leave for this medical emergency also had consequences for my ability to take paid leave when I later had two children.

**36.      *Anonymous***

I had my son when I had been at DOJ for just less than two years. I had saved as much sick leave and annual leave as possible, but still did not have sufficient time, so I took more than a month of unpaid leave. It was a large hit to my family's budget to not be paid. After returning to work, my child was in daycare, which meant he got sick frequently and I did not have any sick leave accrued to stay with him. I am due with my second child in January and I am very hopeful that this legislation will pass so that I am able to care for my new baby under less financial stress than with my first. I am proud to be a public servant representing the United States and am hopeful that Congress will step up and take care of federal employees.