



Unified Government Human Resources Guide

Effective 01-01-22

PAID CHILDBIRTH AND PARENTAL LEAVE

- I. General: Paid childbirth leave is available to employees who give birth to a child or children to provide time for recovery from childbirth before returning to work. Paid parental leave is available to eligible employees to care for and bond with their child or children after birth or placement with the employee for adoption or foster care. These benefits are separate from leave under the Family and Medical Leave Act (FMLA) but will run concurrently with FMLA leave.
- II. Policy
 - A. Paid childbirth leave
 1. Full-time employees who give birth to a child or children are eligible for up to 240 hours of paid leave following delivery. Part-time A employees who give birth are eligible for up to 120 hours of paid leave following delivery.
 2. Paid childbirth leave begins on the day of delivery and must be taken continuously.
 3. An employee should notify her department that she will be taking leave for childbirth at least 30 days before the anticipated delivery date.
 - B. Paid parental leave
 1. Eligibility
 - a. Full-time or Part-time A employees are eligible for paid parental leave following a qualifying event. An employee need not be eligible for leave under the FMLA to use paid parental leave.
 - b. Parents who are both eligible employees may each take the maximum amount of leave available under this policy for the same qualifying event; they are not required to share the paid leave.
 2. Definitions
 - a. “Child” means a biological, adopted, or foster child who is under age 18.
 - b. “Qualifying event” means the birth of the employee’s child or children or the placement of one or more children with the employee for adoption or foster care.



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3. Leave available

Paid parental leave is available to full-time and Part-time A employees as follows:

<u>Employee Status</u>	<u>Maximum per qualifying event</u>
Full-time	160 hours
Part-time A	80 hours

4. Use of leave

- a. Paid parental leave may be taken continuously or, with the approval of the department head, on an intermittent or reduced schedule basis.
- b. Employees may not use more hours of paid parental leave per day than they are normally scheduled to work.

5. Limitations on paid parental leave

- a. An employee may receive paid parental leave for only one qualifying event in a 12-month period.
- b. An employee may receive only one instance of paid parental leave per qualifying event. (For example, a full-time employee is eligible to receive 160 hours, not 320 hours, of paid parental leave following the birth of twins.)
- c. A child may be the subject of only one qualifying event. (For example, an employee who uses paid parental leave following the placement of a child with the employee for foster care is not eligible for paid parental leave if the employee later adopts the child.)
- d. Paid parental leave must be used within 16 weeks of the qualifying event. Leave not used within 16 weeks is forfeited. The County Administrator may make exceptions to this requirement in extenuating circumstances (such as when a child is born prematurely and must remain in neonatal intensive care for an extended time after birth). An employee requesting an extension of time to use paid parental leave may be required to provide supporting documentation from the treating medical provider.
- e. Paid parental leave may not be taken beyond the life of the child or the end of the child's placement with the employee.



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- f. The following employees are ineligible for paid parental leave:
 - (1) Surrogate mothers and sperm donors.
 - (2) Employees who elect to give up their newborn child for adoption.
 - (3) Employees who adopt a stepchild.

- 6. Requests for leave
 - a. Human Resources is responsible for determining an employee's eligibility for paid parental leave and for approving the leave.
 - b. An employee must submit a completed Request for Paid Parental Leave form to Human Resources at least 30 days before the anticipated qualifying event. If the completed form cannot be submitted 30 days in advance, it must be submitted as soon in advance as possible.
 - c. An employee may be required to submit documentation substantiating the reason for the leave. The documentation required will be determined by Human Resources.

- 7. Notification to department
 - a. Upon submitting a Request for Paid Parental Leave form to Human Resources, an employee must notify his or her department of the request for paid parental leave.
 - b. If taking paid parental leave on an intermittent or reduced schedule basis, an employee must submit a proposed leave schedule to his or her supervisor for approval before beginning paid parental leave. If the supervisor does not approve the schedule, the supervisor and employee should work together to come to a mutually acceptable schedule.

- C. Compensation
 - 1. Childbirth and parental leave will be paid at the employee's base salary or hourly rate of pay.
 - 2. Paid childbirth and parental leave will not count as hours worked for purposes of calculating overtime.



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3. Paid childbirth and parental leave will count towards the minimum month worked.
4. Employees using paid childbirth or parental leave will continue to accrue vacation and sick leave.
5. Official holidays will not be counted against paid childbirth or parental leave.

D. Relationship to FMLA and other leave policies

1. Paid childbirth and parental leave will run concurrently with FMLA leave.
2. Employees are not required to exhaust other available leave (e.g., vacation or sick leave) to use paid childbirth or parental leave.

E. Separation or retirement

Employees will not be paid for unused childbirth or parental leave upon separation from employment or retirement.

F. Effective date

Paid childbirth and parental leave will be available for births or, in the case of paid parental leave, for placements for adoption or foster care that occur on or after January 1, 2022.