

# Partnership for Children of Cumberland County, Inc.

## Human Resources Policies and Procedures

### Employment Information – Benefits

#### Section 427 – Parental Leave

##### Introduction

In order to optimize the health and well-being of parents and children, support recruitment and retention of employees, and stabilize income for new parents, the Partnership will provide Paid Parental Leave to all eligible PARTNERSHIP Employees to care for and bond with a newborn or child under the age of eighteen (18) newly-placed for adoption, foster, or other legal placement. This guide will be in effect for births or adoptive, foster or other legal placements occurring on or after June 1, 2020.

##### Guidelines

The Guidelines provide an administrative framework for the use of Paid Parental Leave. Twelve (12) weeks (480 hours) of Paid Parental Leave shall be provided to Eligible PARTNERSHIP Employees who have given birth for recuperation during the disability period and bonding with a newborn. Eight (8) weeks (320 hours) of Paid Parental Leave shall be provided to other Eligible PARTNERSHIP Employees to care for and bond with a newborn or newly adopted, foster, or otherwise legally placed child.

Paid Parental Leave must be used within 12 months of the birth, adoption, foster, or other legal placement of a child (under age eighteen) with the state employee. Each week of Paid Parental Leave will be compensated at 100% of the employee's regular, straight-time weekly pay.

##### Coverage and Eligibility

An employee's eligibility for Paid Parental Leave shall be made based on the employee's months of service and hours of work as of the date of the qualifying life event. Employees who become parents via birth, adoption, foster or another legal placement are eligible if:

- Employee is regular full-time, abbreviated schedule, or part-time position.
- Employee has been continuously employed by PARTNERSHIP for the immediate 12 preceding months.
- Employee must be eligible for Family and Medical Leave Act (FMLA) by being in pay status in the previous 12-month period.

Eligibility determinations are made as of the date that the child is born or placed via adoption, foster or other legal placement.

*Note: Other legal placement does not include parental custody cases or legal assignments as a Guardian ad Litem (GAL).*

If both parents are Eligible PARTNERSHIP Employees, each may receive Paid Parental Leave. Both parents may take their leave simultaneously or at different times.

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An Eligible PARTNERSHIP Employee who has given birth may receive eight (8) weeks of Paid Parental Leave but will not receive an additional four (4) weeks of Paid Parental Leave for that birth.

#### Leave Amount

Eligible PARTNERSHIP Employees shall receive:

- Twelve (12) weeks (480 hours) of Paid Parental Leave to Eligible PARTNERSHIP Employees who have given birth; or
- Eight (8) weeks (320 hours) of Paid Parental Leave to Eligible PARTNERSHIP Employees to care for and bond with a newborn or recently adopted, foster, or otherwise legally placed child.

#### Leave Usage

Paid Parental Leave may be utilized as follows:

- Paid Parental Leave may be used only once for a birth, adoption, or placement of a child within a twelve-month period. The fact that a multiple birth, adoption or other legal placement occurs (e.g., the birth of twins or adoption of siblings) does not increase the total amount of Paid Parental Leave granted.
  - Unused Paid Parental Leave is forfeited twelve (12) months from the date of the birth or legal placement, whichever comes first.
- Paid Parental Leave shall not accrue or be donated to another employee.
- Eligible PARTNERSHIP Employees may charge Paid Parental Leave in one continuous period.
- Eligible PARTNERSHIP Employees may not use accrued sick leave, annual leave or other leave in lieu of Paid Parental Leave.
- Eligible PARTNERSHIP Employees may request intermittent use of Paid Parental Leave subject to PARTNERSHIP's approval.
- PARTNERSHIP must provide Paid Parental Leave as soon as practical following the Qualifying Event.
- However, under no circumstances may Paid Parental Leave be denied, delayed, or provided intermittently to an Eligible PARTNERSHIP Employee who has given birth, unless the employee requests intermittent Paid Parental Leave.
- Each week of Paid Parental Leave is compensated at 100 percent of the employee's regular, straight-time weekly pay (to exclude shift differential, premium pay, or overtime).
- Paid Parental Leave shall not be counted against or deducted from the Eligible PARTNERSHIP Employee's accrued leave balances.
- Unused Paid Parental Leave is not compensable if an employee separates from employment with PARTNERSHIP or moves to a non-covered position.
- Leave usage must be recorded in same required increments as all other time.

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- If the employee requires leave before the actual birth or adoption due to medical reasons or to fulfill legal adoption obligations, other available leave balances shall be utilized in accordance with the PARTNERSHIP’s leave policy. Paid Parental leave shall not be used prior to the qualifying event.

**Family and Medical Leave Act**

Paid Parental Leave runs concurrently with the Family and Medical Leave Act (FMLA), as applicable.

- Employees using Paid Parental Leave are afforded the remaining job protection under FMLA for an absence up to a total of twelve (12) weeks (480 hours). They may charge personal leave or take leave without pay to cover the additional absence.
- An employee shall be eligible for Paid Parental Leave even if the employee has exhausted her/his FMLA time consistent with the law covering FMLA.
- If an employee becomes eligible for FMLA while on Paid Parental Leave, the employee must apply for and use FMLA and the leave runs concurrently with FMLA.

**Employee Responsibility**

Eligible PARTNERSHIP Employees:

- Will provide his or her supervisor and human resources with notice of the request for leave at least 30 days prior to the proposed date of the leave (or if the leave was not foreseeable, as soon as possible).
- Must complete the necessary HR forms and provide all documentation as required by HR to substantiate the request.
- May withdraw their request for Paid Parental Leave at any time.
- Shall be required to comply with PARTNERSHIP leave request procedures, absent unusual circumstances, and may be required to submit documentation:

Qualifying Event	Acceptable Documentation
Adoption	<ul style="list-style-type: none"> <li>• Adoption Order</li> <li>• Proof of Placement</li> </ul>
Birth	<ul style="list-style-type: none"> <li>• Birth Certificate or Report of Birth</li> <li>• Certified DNA Results</li> <li>• Custody Order</li> <li>• Proof of Placement</li> </ul>
Foster Placement	<ul style="list-style-type: none"> <li>• Foster Care Placement Agreement</li> <li>• Custody Order</li> <li>• Proof of Placement</li> </ul>
Other Legal Placements	<ul style="list-style-type: none"> <li>• Custody Order</li> <li>• Proof of Placement</li> </ul>