

POLICY: 6Hx28: 3D-06.1.1



Responsible Official: Vice President,
Organizational Development and Human
Resources

Specific Authority: 1001.64, F.S.
Law Implemented: 1001.64, F.S.

Effective Date: 10-22-2014

Parenting Leave

Policy Statement:

Valencia College provides paid parental leave to eligible employees for activities related to the care and well-being of their newborn or adopted child under 5 years of age. The purpose of the paid parental leave policy is to give parents additional flexibility and time to bond with their new child, adjust to their new family situation, and balance their professional obligations. This leave will run concurrently with Family and Medical Leave Act (FMLA) leave, and in cases where an employee is eligible for FMLA leave, the period the employee is placed on paid parental leave will count toward the twelve (12) weeks of FMLA Leave.

I. Definitions:

- A. Eligible Employee: An employee who has been employed by the college for at least one continuous year (12 months) in a full-time, regular position (part-time employees and employees in temporary positions are not eligible).
- B. Parent: An individual who is a birth mother, a birth father, a domestic partner of the birth mother, a domestic partner of the birth father, an adoptive mother or father, a domestic partner of an adoptive mother or father.
- C. Paid parental leave: a period of paid leave of absence (that does not reduce an eligible employee's accrued balance of any other paid leave such as sick, vacation, or personal leave) for the purpose of recovery from the birth of a child; and/or to bond with a newborn child or with a newly-adopted child under 5 years of age, available to eligible employees during the first 6 months following the birth or adoption.

Related Documents/Policies:

See Policy 6Hx28: 3D-06.1 "Family/Medical Leave"

Policy History:

Adopted 10-22-2014

Procedure Statement:

- I. **Application for Leave and Notice.** An employee seeking paid parental leave for activities related to the care and well-being of their newborn or adopted child under 5 years of age must consult with the Human Resources department to determine eligibility and, if available, to plan/coordinate the paid parental leave with other forms of leave, Family Medical Leave Act (FMLA) leave (if available/applicable), and the employee's department/work unit. In all cases, Human Resources will forward the following documents to the employee for completion within five (5) business days of the receipt of the request for leave, and the employee will submit it to their supervisor for approval. The supervisor will submit the form to Human Resources for review and approval.
 - A. Application for Parental Leave
 1. appropriate medical documentation for the birth of a child. If the employee is eligible for FMLA leave, the medical certification requirements will govern. The medical documentation will be completed and signed by the individual's health care provider;
 2. appropriate adoption documentation, such as a letter from an adoption agency, or from the attorney in cases of private adoptions;
 - B. Application for Family Medical Leave
 - C. Notice of Intent to Return to Work

Failure to return any of these documents within twenty (20) calendar days of the postmarked date of the College's request may result in denial of the leave until such time as the forms are provided. Employees will be notified in writing if there are any problems with the paperwork that was received or if additional information is required and will be given seven (7) days to supplement the certification.

An employee seeking leave from work for activities related to the care and well-being of their newborn or adopted child under 5 years of age must provide to the college appropriate advance notice of the leave. Requests shall be made at least thirty (30) days in advance where the leave is foreseeable. Where the leave is not foreseeable the request should be made as soon as practical. If the employee is eligible for FMLA leave, the FMLA notice requirements will govern. If the employee is not eligible for FMLA leave, requests for parental leave shall be on an Application for Parental Leave form and along with the appropriate documentation to support the birth or adoption of a child, shall include the starting date of the leave, the reason for the leave, and the anticipated termination of the leave.

II. Duration and Paid Benefits. The maximum duration of paid parental leave for an eligible employee, to be taken during the first 6 months following the birth or adoption, is 30 continuous days per event, where multiple births (e.g. twins) and simultaneous adoptions are considered one "event." If both parents are eligible employees, the combined total of their paid parental leave may not exceed 45 continuous days. The parents may elect to combine the total of their paid parental leave and allocate the total between them, provided that the maximum any eligible employee may receive is no more than 30 continuous days. The parents may allocate the hours in the manner that best suits their needs, but they must give the college advance notice of the allocation they choose. Paid parental leave may not be used intermittently. Paid parental leave can be used following subsequent births or adoptions. In order to use the full paid benefit, an employee would have to begin his or her leave within 30 days of the six month limit following a birth or adoption, or sooner when both parents are eligible employees.

- A. All paid parental leave described in this policy shall be compensated based on 100% of an eligible employee's straight-time, regular salary and shall be available for a 6 - month period commencing immediately following the birth or adoption of a child. Paid parental leave may occur immediately prior to an adoption if deemed by the college to be necessary to fulfill legal requirements with respect to the adoption. An employee who adopts a spouse's or partner's child(ren) is not eligible for this benefit.
- B. If an official college holiday occurs during the eligible employee's paid parental leave, the eligible employee will receive holiday pay in lieu of a paid parental day, provided the eligible employee is in a paid leave status the day before and the day after the official college holiday.
- C. An employee on paid parental leave is an employee for purposes of participating in the programs and of receiving the benefits made available by or through the college or state to employees. During the duration of the paid parental leave, the college shall continue all payments and payroll deductions as required by law and as specified by the employee in accordance with the employee's contract of employment and college procedures. Employees on paid parental leave will continue to accrue vacation and sick leave as prescribed in college policy/procedure.

III. Concurrent with the FMLA Leave. Paid parental leave will run concurrently with FMLA leave, if and when the eligible employee meets the eligibility requirements of the FMLA and has available FMLA leave. If the employee becomes eligible for FMLA Leave, or if FMLA leave

becomes available for an eligible employee, during the paid parental leave period, then the employee will be placed on FMLA Leave as well for the remainder of the paid parental leave.

- IV. **Coordination with other types of paid leave.** The Human Resources department will determine eligibility and, work with employees to plan/coordinate the paid parental leave with other forms of leave, Family Medical Leave Act (FMLA) leave (if available/applicable), and the employee's department/work unit. In accordance with college policy employees must use all available paid leave (except where restricted by law, rule, or policy) before taking time off without pay for any remaining time provided through FMLA Leave. The concurrent use of paid parental leave and FMLA leave will reduce the amount of FMLA leave available to an eligible employee, and thereby reduce the amount of time the employee can be away from work for a serious health condition in a job protected status.
- V. **Expectation of Future Service.** Paid parental leave is only awarded with the express provision that the recipient will be expected to continue in full-time service at the college for at least six full months after completion of the paid parental leave. Failure to return to and remain in Valencia College employment for all or part of the six-month period (excluding properly reported, approved, and documented leave taken in accordance with Valencia's policies and procedures) will make the person liable to reimburse the college an amount of money equivalent to all, or part, of the paid parental leave (the gross salary paid to the recipient during the term of the paid parental leave).

Procedure

History:

Adopted 10-22-2014; Amended 9-22-2015

Supersedes Policy & Procedure Amended 10-22-2014