



April 24, 2019

**TO:** THE DISTRICT BOARD OF TRUSTEES  
OF VALENCIA COLLEGE

**FROM:** SANFORD C. SHUGART  
President

**RE:** POLICY ADOPTION

The following proposed amended policy conforms to applicable laws and regulations, and provides updates to reflect current and desired practices:

- College Policy 6Hx28: 3D-06.1.1 Parenting Leave

**RECOMMENDED ACTION:**

- The President recommends that the District Board of Trustees of Valencia College approve Policy 6Hx28: 3D-06.1.1 Parenting Leave, as presented.

  
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President



**POLICY: 6Hx28:3D-06.1.1**

**Responsible Executive:** Vice President,  
Organizational Development & Human  
Resources

**Policy Contacts:** Director, HR Policy and  
Compliance Programs

**Specific Authority:** 1001.64, F.S.

**Law Implemented:** 1001.64, F.S.

**Effective Date:** 04-24-2019

**Date of Last Policy Review:** 04-24-2019

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## **Total Rewards: Parenting Leave**

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### **Policy Statement:**

Valencia College provides paid parent~~ing~~ leave to eligible employees for the purpose of recovery from the birth of a child and/or 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 parent~~ing~~ 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. If applicable, 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 parent~~ing~~ leave will count toward the twelve (12) weeks of FMLA Leave. The College President or designee shall establish procedures to implement this policy.

#### **~~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.~~

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**Policy History:**

Adopted 10-22-2014; Amended 04-24-2019

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**Related Documents/Policies:**

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

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**Procedures:**

The following procedures outline definitions, eligibility criteria, benefits and expectations of parenting leave, and the college's process for reviewing requests for parenting leave, in accordance with this policy:

**I. Definitions:**

A. Eligible Employee: An employee must have been employed by the college for at least one continuous year (12 months) based on their category of employment in a full-time, regular position (part-time employees and employees in temporary or grant positions are not eligible). A continuous year is defined as any rolling twelve-month period measured backward from the start date of the parenting leave.

B. Parent: An individual who is a birth mother, a birth father, a domestic partner or spouse of the birth mother, a domestic partner or spouse of the birth father, an adoptive mother or father, a domestic partner or spouse of an adoptive mother or father.

C. Paid parenting leave: A period of paid leave of absence (the usage of which 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 to be used within the first 6 months following the birth or adoption.

**II. Application for Paid Parenting Leave and Notice.** ~~An employee seeking requesting~~ paid parenting ~~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 Organizational Development and Human Resources department (ODHR) to determine eligibility and, if available, to plan/coordinate the paid parenting~~ leave with other forms of leave (paid or unpaid), Family Medical Leave Act (FMLA) leave (if available/applicable), and the employee's department/work unit. In all cases, within five (5) business days of the receipt of the request for leave, Human Resources-ODHR will forward the appropriate documentation to the employee and the employee shall submit the completed applicable forms and

~~supporting documentation to ODHR for review and approval: 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 paid parenting leave (Note: The employee shall obtain supervisor signature on this form prior to submission.)~~

~~B. Expectation of Future Service Form~~

~~C. Supporting Documentation, may include without limitation: Application for Parental Leave-~~

~~1 Birth certificate; or 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 representing the adoptive parent in cases of private adoptions. (Note: Employees should contact ODHR for guidance on eligible events);~~

~~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 paid parenting 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) calendar 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. Once ODHR provides an eligible employee with the appropriate paid parenting leave application form, the employee has twenty (20) calendar days to submit the completed form along with applicable supporting documentation to~~

ODHR. Failure to return any of the required documentation may result in delay of the evaluation for approval of the leave until such time as the forms are provided. Employees shall be notified if additional information is required and will be provided seven (7) calendar days to supplement the missing information/documentation.

**H.III.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 Within a rolling twelve (12) month period, an eligible employee may receive up to a maximum of 30 continuous business days of paid parenting leave to be taken within the first six (6) months following the birth or adoption of a child or event; 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 parent~~ing~~ leave may not exceed 45 continuous business days. The parents may elect to combine the total of their paid parent~~ing~~ leave and allocate the total between them, provided that the maximum any eligible employee may receive is no more than 30 continuous business 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 through the application form submission. ~~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 parent~~ing~~ leave ~~described in this policy shall be compensated based on 100% of an eligible employee’s straight time, regular salary and shall be available to be taken and completed within for~~ a 6 - month period commencing immediately following the birth or adoption of a child. Paid parent~~ing~~ leave may ~~occur~~ begin 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. Upon an employee’s return to work following paid parenting leave, any unused paid parenting leave shall be forfeited by that employee and considered non-cumulative, non-compensable, and non-transferable.
- B. If an official college observed holiday(s) or paid non-duty day(s) occur(s) during the eligible employee's paid parent~~ing~~ leave, the eligible employee will receive holiday pay in lieu of a paid parent~~ing~~ day, provided the eligible employee is in a paid leave status the full workday before and the full workday after the official college observed holiday(s) or paid non-duty day(s).
- C. An employee on paid parent~~ing~~ 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 parent~~ing~~ 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 parenting~~ingal~~ leave will continue to accrue vacation and sick leave as prescribed in college policy/procedure.

C.D. An employee may use paid parenting leave for one event in a rolling 12-month period. The first day of paid parenting leave shall establish a 12-month period; a new paid parenting leave period shall not begin until the previous 12-month period has expired.

~~**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 Organizational Development and Human Resources ~~department~~ will determine eligibility and, work with employees to plan/coordinate the paid parenting~~ingal~~ leave with other forms of leave (paid or unpaid), Family Medical Leave Act (FMLA) leave (if available/applicable), and the employee's department/work unit.

A. Family/Medical Leave (FMLA) – Paid parenting leave shall run concurrently with FMLA leave, if and when the eligible employee meets the eligibility requirements of the FMLA and has available FMLA leave. If during the paid parenting leave the employee becomes eligible for FMLA leave, or if FMLA leave becomes available for an eligible employee, then the employee shall be placed on FMLA leave as well for the remainder of the paid parenting leave. 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 parenting~~ingal~~ 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.

IV.V. **Expectation of Future Service.** Paid parenting~~ingal~~ 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 parenting~~ingal~~ 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~~may make the person liable to reimburse the college an amount of money equivalent to ~~all, or part, of~~ the paid parenting~~ingal~~ leave (the gross salary paid to the recipient during the term of the paid parenting~~ingal~~ leave).

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## Procedure History:

Adopted 10-22-2014; Amended 09-22-2015; Amended 04-24-2019

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**Date of Last Procedure Review:** 04-24-2019

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