



February

2018

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TOWN OF CUTLER BAY

# Paid Parental Leave Policy

THE TOWN OF CUTLER BAY

# Paid Parental Leave Policy

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TOWN HALL

10720 Caribbean Boulevard • Suite 105  
Cutler Bay, Florida 33189  
Phone (305) 234-4262 • Fax (305) 234-4251

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## Purpose

*“Parents are the ultimate role models for children. Every word, movement, and action has an effect. No other person or outside force has a greater influence on a child than a parent.” – Bob Keeshan*

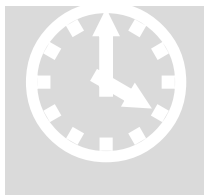
The Town of Cutler Bay will provide up to four (4) weeks of paid parental leave to employees following the birth of an employee’s child or the placement of a child with an employee in connection with adoption or foster care. The purpose of paid parental leave is to enable the employee to care for and bond with a newborn or a newly adopted or newly placed child. This policy will run concurrently with Family and Medical Leave Act (FMLA) leave, as applicable. This policy will be in effect for births, adoptions or placements of foster children occurring on or after the effective date of this policy.

## Policy & Eligibility

In order to be eligible for paid parental leave an employee must meet the following criteria:

- Have been employed by the Town of Cutler Bay for at least twelve (12) months.
- Have worked at least 1,250 hours during the twelve (12) month period preceding the leave.
- Be a full-time, regular employee not covered by a collective bargaining agreement (temporary employees and interns are not eligible for this benefit).

If both parents work for the Town, each is entitled to a four (4) week leave period, and they may take their parental leave period concurrently, subsequently, or in any other combination they wish.



Qualifying Reasons

Paid Parental Leave under the terms of this policy is available to eligible employees for one or more of the following qualifying reasons:

- The birth of child/children of the employee, or to care for the newborn child/children (within twelve (12) weeks of birth);
- The placement of a child/children with the employee for adoption or foster care, or to care for the newly placed child/children (within twelve (12) weeks of placement).



## Amount, Time Frame and Duration of Paid Parental Leave

- Eligible employees will receive a maximum of four (4) weeks of paid parental leave per birth, adoption or placement of child/children. The fact that a multiple birth, adoption or placement occurs (e.g., the birth of twins or adoption of siblings) does not increase the four (4) week total amount of paid parental leave granted for that event. In addition, in no case will an employee receive more than four (4) weeks of paid parental leave in a rolling twelve (12) month period, regardless of whether more than one birth, adoption or foster care placement event occurs within that twelve (12) month time frame.
- Paid parental leave may be taken by day or week during the first twelve (12) weeks after the birth, adoption, or foster care intake of the child or children.
- Each week of paid parental leave is compensated at one-hundred percent (100%) of the employee's regular, straight-time weekly pay. Paid parental leave will be paid on a bi-weekly basis, on regularly scheduled pay dates.
- Any unused paid parental leave will be forfeited twelve (12) weeks after the birth, adoption, or foster care intake of the child or children.
- Upon termination of the individual's employment at the Town, he or she will not be paid for any unused paid parental leave for which he or she was eligible.

## Coordination with Other Policies

- Paid parental leave taken under this policy will run concurrently with leave under the Family and Medical Leave Act (FMLA); thus, any leave taken under this policy that falls under the definition of circumstances qualifying for leave due to the birth or placement of a child due to adoption or foster care, the leave will be counted toward the twelve (12) weeks of available FMLA leave, per a twelve (12) month period. All other requirements and provisions under the FMLA will apply. In no case will the total amount of leave, whether paid or unpaid, be granted to the employee under the FMLA exceed twelve (12) weeks during the twelve (12) month FMLA period. Please refer to the Family and Medical Leave Policy for further guidance on the FMLA.
- After the paid parental leave (and any short-term disability leave for employees giving birth) is exhausted, the balance of FMLA leave (if applicable) will be compensated through employees' accrued sick, vacation or personal time. Upon exhaustion of accruals, any remaining leave will be unpaid leave. Please refer to the Family and Medical Leave Policy for further guidance on the FMLA.
- For employees who are eligible for short-term disability (STD) leave/benefit for recovery following childbirth, paid parental leave cannot be used concurrently (i.e., at the same time) with a STD disability leave/benefit. Instead, paid parental leave must be used either before or after the use of STD disability leave/benefit.
- The Town will maintain all benefits for employees during the paid parental leave period just as if they were taking any other paid leave of absence.
- If a Town holiday occurs while the employee is on paid parental leave, such day will be charged to holiday pay; however, such holiday pay will not extend the total paid parental leave entitlement.
- If the employee is on paid parental leave when the Town offers administrative leave, that time will be recorded as paid parental leave. Administrative leave will not extend the paid parental leave entitlement.
- An employee who takes paid parental leave that does not qualify for FMLA leave due to its exhaustion for other qualifying events will be afforded the same level of job protection for the period of time that the employee is on paid parental leave as if the employee was on FMLA qualifying leave.

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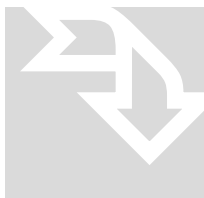
## Request for Paid Parental Leave

- Employees seeking paid parental leave must provide their Department Director and the Administrative Services Department at least thirty (30) days advanced written notice before the leave is to begin if the need for the leave is foreseeable based on an expected birth, placement for adoption or foster care. If thirty (30) days' notice is not practicable, notice must be given as soon as practicable.
- When medical emergencies are involved, notice may be given in person or by telephone, and may be given by the employee's spouse or other family member if the employee is unable to do so due to a serious health condition. Written notice will not be required in the case of a medical emergency.
- Employees seeking paid parental leave shall complete the Parental Leave Request form, Request for FMLA form, and Certification of Health Care Provider form and submit all applicable forms and necessary documentation to the Administrative Services Department, stating the reason for the request, and the beginning and ending dates of the requested leave. The Town will make a determination of the employee's eligibility and qualification, and approve or deny the request for parental leave.
- Employees on Paid Parental Leave are to comply with the Town's employee leave policies, are precluded from outside employment while on the leave and may, if necessary, be required to submit additional documentation to further substantiate the leave.

## Designation Notice

Once it has been determined that paid parental leave will be granted, the Administrative Services Department will notify the employee in writing within five (5) business days, absent extenuating circumstance, as to whether or not the leave will be designated as paid parental leave, and provide the employee with notice detailing the specific expectations of the employer and explaining any consequences of a failure to meet these obligations.

## Acknowledgement of Receipt



All eligible employees are required to read, and comply with the foregoing policy and sign the Acknowledgement of Receipt, which is attached to this policy. The Acknowledgement of Receipt will be retained in the Human Resources Department's employee file.

## Acknowledgement of Receipt

I hereby acknowledge that I have read and understood the foregoing policy, rules and conditions governing the use of the Town of Cutler Bay's **Paid Parental Leave Policy**. I understand that it is my responsibility to follow the rules and regulations regarding paid parental leave, that I must adhere to this policy and that a violation of this policy or any other Town policy may result in disciplinary action, including possible termination, and/or legal action.

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Employee Signature

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Employee Name (Print)

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Date

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Witness Signature – Human Resources (HR) Representative

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HR Representative Printed Name

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Date