

Central Human Resources requesting the additional hours be added to the employee's military leave balance.

12.08 PAID PARENTAL LEAVE

Harris County proudly promotes a family-friendly workplace by providing paid leave to eligible employees to bond and care for a child after the birth, adoption, or foster-to-adopt placement.

12.081 The **Rolling 12 – Month Period** in this section is defined as a period of 12 consecutive months on a rolling basis, with a new 12-month period starting after the exhaustion of the employee's previous approved Paid Parental Leave or the last day the employee used Paid Parental Leave.

12.082 Eligibility

12.0821 To be eligible for Paid Parental Leave and Infant Sick Leave, employees must meet the following criteria:

- Be a full-time, [Regular Position Employee](#) (part-time and temporary employees are not eligible); and
- Been continuously employed with the County as a full-time, regular employee for at least 180 consecutive calendar days immediately preceding the birth, adoption, or foster-to-adopt placement of a child.

In addition, employees must meet one of the following criteria:

- Be a new parent by birth of a child;
- Be the new adoptive parent of a child who is 17 years or younger; or
- Be the foster parent to a new foster-to-adopt child who is 17 years or younger and placed with the foster parent.

This policy applies to a child that is newly added to the household through birth, adoption, or foster care and not a child who has been a member of the household for over a year. This policy also does not apply to the adoption of a stepchild by a stepparent. If both parents work for Harris County, then each employee is entitled to their own paid leave.

12.083 Amount and Use of Leave

12.0831 Starting January 14, 2023, employees who have reached 45 consecutive calendar days of employment but have not reached 180 consecutive calendar days of continuous employment immediately preceding the birth, adoption, or foster-to-adopt placement of a child may receive Paid Parental Leave as outlined in the following table.

Continuous Employment As a <u>Regular Position Employee</u>		Maximum Paid Parental Leave During Rolling 12-Month Rolling Calendar Year
At Least	Less Than	
45 Days	90 Days	3 Weeks/120 Hours
90 Days	180 Days	6 Weeks/240 Hours
180 Days		12 Weeks/480 Hours

**Employees will not receive more than the allotted maximum balance within a rolling 12 – month period starting from the exhaustion of any previous approved Paid Parental Leave.

**Births and adoptions that occurred before January 14, 2023, are eligible for a maximum of 10 weeks/400 hours of Paid Parental Leave per the previous policy.

Example: *Brian is expecting a child with his significant other and has applied for Paid Parental Leave. He has been employed with the County for 45 consecutive calendar days but will not have 180 consecutive calendar days of employment before the expected birth of his child to be eligible for the maximum 12 weeks (480 hours) of Paid Parental Leave. However, Brian will be eligible to use 120 hours of Paid Parental Leave immediately preceding the birth of his child. He may also use other available paid leave, such as accrued vacation or compensatory time, with his department head’s approval for parental support purposes.*

12.0832 Employees will not receive more than the maximum allotted amount of Paid Parental Leave in a rolling 12-month period starting from the exhaustion of the previous approved Paid Parental Leave or the last day the employee used Paid Parental Leave, regardless of whether more than one birth, adoption, or placement event occurs within that 12-month time frame.

Example: *Kimberly adopted a child with an effective court order date of March 31, 2022. She used 10 weeks of Paid Parental Leave from June 3, 2022, to August 12, 2022. Kimberly adopted another child, with an effective court order date of May 26, 2022. Kimberly will not be eligible for Paid Parental Leave for the second adoption (Kimberly would qualify for Paid Parental Leave for a birth or adoption/placement occurring after August 12, 2022).*

- 12.0833 For child bonding purposes, Paid Parental Leave must be used entirely before other forms of paid or unpaid leave are used after the birth, adoption, or foster-to-adopt placement of a child.
- 12.0834 Approved Paid Parental Leave may be taken at any time during the 12- month period immediately following the birth, adoption, or foster-to-adopt placement of a child with the employee. Paid Parental Leave may not be used or extended beyond this 12-month time frame.
- 12.0835 Employees must take Paid Parental Leave in one continuous period of leave unless the employee's Department Head allows the employee to use Paid Parental Leave intermittently.
- 12.0836 Paid Parental Leave is compensated at the employee's regular rate of pay. Any unused Paid Parental Leave is not compensable and will be forfeited at the end of the 12-month time frame or when an employee separates from employment with Harris County or moves to an ineligible position, whichever occurs first.
- 12.0837 **Recipients of Paid Parental Leave must maintain full-time employment with Harris County for at least 180 consecutive calendar days of continuous service immediately after the expiration of approved leave or reimburse Harris County for the Paid Parental Leave funds received.**
- 12.0838 **Harris County shall be entitled to recover from the employee any Paid Parental Leave funds received if such employee does not return to work as a full-time, [Regular Position Employee](#) for at least 180 days of continuous service after receiving Paid Parental Leave.**

12.084 **Requesting Paid Parental Leave**

- 12.0841 Employees should notify their supervisor or Department Head of their intention to request Paid Parental Leave as soon as practicable and provide them with the anticipated start date and duration of the leave. **Department Heads may delay Paid Parental Leave if advanced notice of the leave is not given.**
- 12.0842 To receive Paid Parental Leave, eligible employees must complete a [Request for Paid Parental Leave](#) Form and submit it to their department's human resources representative within thirty (30) days of the birth or adoption/placement.
- 12.0843 The request must include appropriate documentation that shows the employee's use of Paid Parental Leave is directly connected to a birth, adoption, or foster-to-adopt placement of a child. If the employee is eligible for FMLA leave, the FMLA leave requirements will govern, and the FMLA documentation provided will be used to verify eligibility.
- 12.0844 If the employee is not eligible for FMLA leave, proof of the birth or placement of the child must be provided. The employee's name must be included as a legal parent on the birth certificate or legal document establishing paternity or establishing adoption/placement.
- 12.0845 To qualify for Paid Parental Leave, documentation of the birth or adoption/placement of a child should be submitted as soon as it becomes available and no later than thirty (30) days after the birth or adoption/placement. **Submission of supporting documentation to HRRM Benefits does not substitute submission of supporting documents to the HRRM Paid Parental Leave Administrator.**
- 12.0846 If the employee fails to provide the Department Head with the required documentation or certification within the specified time period, the Department Head should determine that the employee is not entitled to Paid Parental Leave and require that the absence be charged to leave without pay or other forms of paid time off.
- 12.0847 To validate an absence, appropriate documentation may be required at any time if requested by the department, Central HR, or Payroll. Paid Parental Leave may be denied if appropriate documentation is not received.

Employees begin their Paid Parental Leave on the date specified in their request unless their child is born or adopted earlier or later. In these cases, employees need to notify their department and Central HR as soon as possible to be able to begin leave.

12.085 **Limitations of Paid Parental Leave**

- 12.0851 An employee may not use Paid Parental Leave in excess of the employee's normally scheduled workweek.
- 12.0852 For Paid Parental Leave to be used on a part-time (intermittent) basis, the leave schedule must be consistent with the department's operational needs and be approved in writing by the Department Head prior to the beginning of the leave.
- 12.0853 Eligible employees are strongly encouraged to plan in advance for when they expect to use Paid Parental Leave and communicate their plans to their immediate supervisor or Department Head, so they can do the necessary planning for their department's operational needs.
- 12.0854 **Paid Parental Leave must be used only for caring for or bonding with the child. Employees are not allowed to engage in any employment during the time the employee is taking Paid Parental Leave.** Department Heads may also adopt policies prohibiting their employees from engaging in any employment while on any type of paid leave including Paid Parental Leave. Department Heads may take disciplinary action against an employee who uses Paid Parental Leave for purposes other than those described in this policy.
- 12.0855 Employees out on Workers' Compensation or Leave of Absence (LOA) are not eligible for Paid Parental Leave.

12.086 **Coordination with Other Leave**

- 12.0861 Paid Parental Leave is a supplement to the employee's existing sick and other leave at the time of the qualifying event (birth, adoption, or foster-to-adopt placement).
- 12.0862 Paid Parental Leave is designed to run concurrently with FMLA and is not intended to extend the 12-week FMLA period. An employee on Paid Parental Leave who meets the FMLA eligibility requirements will be placed on FMLA leave at the start of the Paid Parental Leave. If the employee meets FMLA eligibility during the Paid Parental Leave period, the employee will be placed on FMLA at that time. All other requirements and provisions under the FMLA will apply.
- 12.0863 The County will maintain all benefits for employees during the Paid Parental Leave period just as if they were taking any other County paid leave.

Employees must follow their department's call-in procedures and provide periodic status reports to their department when on Paid Parental Leave.

12.09 INFANT SICK LEAVE

In recognition of the additional medical care needs of infants after birth, Harris County will provide eligible employees up to 40 hours of Infant Sick Leave to seek medical care for their infants during the infant's first 12 months of birth. An employee will not receive more than the maximum allotted amount of Infant Sick Leave in a rolling 12-month period, regardless of whether more than one birth, adoption, or foster-to-adopt placement event occurs within that 12-month time frame. The Infant Sick Leave expires a year after the birth and also applies to adopted and foster-to-adopt placement infants. Eligible employees must provide medical documentation to support the need to use Infant Sick Leave.

Example: *Jessica's baby was born on May 2, 2022. Jessica has until May 1, 2023, to use up to 40 hours of Infant Sick Leave to seek medical care for her infant.*

12.10 LACTATION/BREASTFEEDING

Harris County supports breastfeeding mothers by accommodating their desire or need to express milk during the workday. Departments will give a reasonable amount of break time and a place, other than a bathroom, which is shielded from view and free from intrusion from others to express milk. If you need assistance locating or establishing a Lactation Room, please contact HRRM or Facilities & Property Maintenance. Break times more than 20 minutes are unpaid. Retaliation against women who exercise their rights under this policy is strictly prohibited.

12.11 LEAVE OF ABSENCE WITHOUT PAY (LOA)

12.011 [Regular Position Employees](#) who have exhausted their Vacation Leave, Compensatory Time, Sick Leave, and FMLA leave, if applicable, and have extenuating circumstances may request an unpaid Leave of Absence for up to 6 months. If you do not return from a leave on the date approved, you will be separated from the payroll. Give your [Department Head](#) at least 30 days' written notice asking for the LOA and specifying when and why you need it. Departments can waive the 30-day notice requirement.