

715 – PAID PARENTAL LEAVE

Section 715.00 Purpose

The purpose of this policy is to support employees' work-life balance by providing Eligible Employees with additional paid leave time for recovery from childbirth and/or to bond with and care for their new child. Paid parental leave is available to Eligible Employees as set forth herein after the effective date of this policy.

Section 715.01 Paid Parental Leave (PPL)

Fort Bend County will provide up to six (6) weeks of Paid Parental Leave ("PPL") to eligible employees to bond and care for a child after the birth, adoption, or placement of a child for adoption. Eligible employees will receive up to three (3) weeks of PPL in the event of pregnancy/birth-related medical condition.

Section 715.02 Eligibility

Eligible employees must meet the following criteria:

1. Have been continuously employed with the County for 12 (twelve) months prior to the start of taking PPL.
2. Have worked a minimum of 1,250 hours during the 12 consecutive months immediately preceding the birth, adoption or placement for adoption. For purposes of this policy placement for adoption means foster-to-adopt placement or other placement of a child pending adoption as evidenced by a placement agreement or court action.
3. Be a full-time or part-time, regular employee (temporary employees and interns are not eligible for this benefit).

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

1. Be a new legal parent by birth or surrogacy of a child; or
2. Be the new adoptive parent of a child who is 17 years or younger; or
3. Be the foster parent to a new foster-to-adopt child who is 17 years or younger and placed with the foster parent; or
4. Be the prospective parent to a child who is 17 years or younger and who is placed with the prospective parent pending private adoption, as established by a legal court document establishing foster care placement.
5. Be the prospective parent or spouse of a prospective parent that recently experienced a miscarriage, stillbirth, or related medical condition.

This policy applies to a child that is newly added to the household through birth, surrogacy, adoption, or placement for adoption 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 Fort Bend County, they may take a total combined 6 weeks of PPL.

Section 715.03 Amount and Use of Leave

Eligible employees are entitled to up to 6 (six) weeks of paid parental leave. Employees who are eligible for PPL under Section 715.02 condition five (5) are only entitled to up to three (3) weeks of paid parental leave. Approved Paid Parental Leave may be taken immediately preceding the birth, adoption, or placement of a child.

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, placement, or related event occurs within that 12-month time frame.

Fort Bend County observes a backward rolling calendar year for the purposes of Paid Parental Leave. During any given 12-month period, an employee may qualify for up to 6 (six) weeks of PPL.

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 placement of a child.

Paid Parental Leave must be taken consecutively with the Family Medical Leave Act.

Paid Parental Leave may not be used or extended beyond this 12-month time frame.

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.

Paid Parental Leave is compensated at the employee's regular rate of pay. Paid parental leave will be paid based on Fort Bend County scheduled pay dates. 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 employment with Fort Bend County or transitions to an ineligible position, whichever occurs first.

Paid Parental Leave may not be used prior to the birth or placement even if the employee was granted FMLA unpaid leave or for periods prior to the birth or placement event.

**Section 715.04
Post-Paid Parental
Leave Employment**

Recipients of Paid Parental Leave must maintain full-time employment with Fort Bend County for at least 90 consecutive calendar days of continuous service immediately after the expiration of approved leave or reimburse Fort Bend County for the Paid Parental Leave funds received. Under limited circumstances Fort Bend County may elect to waive reimbursement, including when the recipient of paid parental leave involuntarily loses full time employment, such as in a reduction in force.

Fort Bend 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 90 days of continuous service after receiving Paid Parental Leave.

**Section 715.05
If Both Parents Are
County Employees**

If both parents are County Employees and would be individually deemed eligible under Section 715.02, they may take a total combined 6 weeks of PPL.

**Section 715.06
Requesting Paid
Parental Leave**

Employees should notify their supervisor or Department Head/Elected Official and the Human Resources department 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 PPL if advanced notice of the leave is not given.

To receive PPL, eligible employee must complete the necessary Paid Parental Leave Form and submit it to Human Resources at least (30) days prior to the proposed date of leave for the birth or adoption/placement.

The request must include appropriate medical documentation that the employee's use of PPL is directly connected to a birth, adoption, or placement of child for adoption. 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.

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.

If HR or a Department Head requests additional documentation to verify eligibility for Paid Parental Leave, employees seeking PPL must submit requested documentation within thirty (30) calendar days of the request. Failure to do so may result in the denial of Paid Parental Leave or the employee reimbursing Fort Bend County for any PPL funds received.

**Section 715.07
Coordination with
Other Leave or
County Holidays**

Paid Parental Leave is designed to run concurrently with leave under 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 the adoption or foster care, the leave will be counted toward the 12 (twelve) weeks of available FMLA leave per a 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-granted to the employee under the FMLA exceed 12 (twelve) weeks during the 12-month FMLA period. Please refer to Policy 704 The Family and Medical Leave Act.

After the Paid Parental Leave period has been exhausted, the balance of FMLA leave (if applicable) will be compensated through the employees' accrued sick, vacation, and comp time. Upon exhaustion of accrued time, any remaining leave will be unpaid leave. Please refer to Policy 704 The Family and Medical Leave Act.

An employee who takes Paid Parental Leave that does not qualify for FMLA leave 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 an FMLA-qualifying leave.

The County will maintain all applicable benefits for employees during the Paid Parental Leave period. Employees will be responsible for adherence to all County benefit policies.

If a company holiday occurs while the employee is on Paid Parental Leave, such day will be charged holiday pay; however, such holiday pay will not extend the total paid parental leave entitlement.

If any provisions of this Policy conflict with another applicable federal, state or local leave law, then the employee will be entitled to the benefits and protections of whichever is more generous to the employee.

**Section 715.08
Accommodations:
Pregnancy,
Childbirth, Related
Conditions**

Employees or applicants affected by pregnancy, childbirth, or related medical conditions may seek a reasonable accommodation for limitations related to pregnancy, childbirth, or related medical conditions. Accommodations that cause an undue hardship on operations may be denied.

**Section 715.09
Return to Work**

The birth parent must obtain a return-to-work statement from the health care provider and present it to their supervisor or Department Head/Elected Official and the Human Resources department prior to or upon returning to work.

Policy Approved and Adopted By:
Fort Bend County Commissioners Court
Effective January 23, 2024