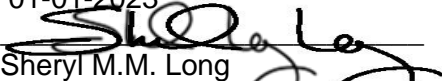



**CITY OF CINCINNATI**  
**Human Resources Policies and Procedures**

No. 4.7	Policy: Parental Leave	No. of Pages: 7
Revision Date: 01-01-2023	Supersedes: 01-01-2016	
City Manager:  Sheryl M.M. Long	HR Director:  Edward G. Ramsey	

## 4.7 Parental Leave

### 1. PURPOSE

Effective January 1, 2023, it is the policy of the City of Cincinnati to provide Paid Parental Leave (PLP) for non-seasonal, full-time employees of the City. This policy establishes guidelines and requirements for taking Paid Parental Leave and sets forth the processes involved with providing Paid Parental Leave to an employee unless superseded by a collective bargaining agreement. The Human Resources Director may review exceptional circumstances on a case-by-case basis when questions of eligibility arise.

### 2. DEFINITIONS

#### A. Child

A person under the age of 18 to whom the employee stands in loco parentis or a biological or legally sanctioned foster or adoptive relationship.

#### B. Eligible Employee(s)

Non-seasonal, full-time employee(s) of the City of Cincinnati.

#### C. Foster Placement

The placement of a Child by a state or state-sanctioned agency with an individual who is not the Child's parent or legal guardian for an indeterminate amount of time.

#### D. Intermittent Leave

Scheduled and approved leave taken in non-consecutive blocks of time due to a single qualifying reason. A modified schedule that reduces an employee's usual number of working hours per workweek, or hours per workday.

#### E. Legal Guardianship Placement

A court-ordered relationship in which a person is assigned the responsibility and authority to provide physical care and supervision for a Child.

#### F. Pre-natal Leave

Scheduled and approved leave for the purpose of allowing an employee to attend

## **CITY OF CINCINNATI**

### **Human Resources Policies and Procedures**

routine medical appointments associated with pregnancy.

#### **G. Pre-adoption Leave**

Scheduled and approved leave taken to attend any interviews or examinations required to obtain approval for an employee's adoption of a child(ren).

#### **H. New Parental Event**

Determined by the date of birth of a new child(ren), date of adoption of a new child(ren), date an employee accepts a child(ren) in foster care to their home, or date an employee accepts legal guardianship of a child(ren) in their home.

### **3. PAID PARENTAL LEAVE POLICY GUIDELINES PER QUALIFYING EVENT**

Eligible employees of the City of Cincinnati experiencing a New Parental Event (live birth, adoption, foster placement, or legal guardianship) shall receive up to twelve (12) consecutive weeks (480 hours) of Paid Parental Leave (PLP) at 100% of base pay immediately following eligible Parental Events. The twelve weeks may be divided between up to two (2) New Parental Events in a rolling twelve-month period, as defined under the FMLA, but may not exceed 12 weeks in total.

This policy also sets forth paid leave applicable to prenatal care or required pre-adoption meetings, as defined herein. Multiple births, adoptions, or foster or legal placements of child(ren), such as siblings, do not increase the length of PLP granted. If the City of Cincinnati employs both parents, each will be eligible for paid leave as defined herein.

All paid leave under this policy runs concurrently with unpaid leave granted under the FMLA. However, exhaustion of available unpaid leave under the FMLA does not preclude leave under this policy.

To meet the intent of the policy to provide up to 12 weeks of leave at an employee's base rate of pay, for calculation purposes only, employees of the Cincinnati Fire Department on 48-hour work weeks may be left on a 48-hour work week and provided with 576 hours of paid leave at that rate of pay.

#### **A. Pre-natal or Pre-adoption Care:**

Accessible after 12 weeks of pregnancy, an eligible employee is entitled to up to 20 hours of intermittent paid leave at 100% base pay, to attend pre-natal medical and related appointments up to the birth of a child(ren) subject to applicable leave approval processes. Employees will be entitled to prenatal leave no more than two (2) New Parental Events per rolling twelve (12) month period.

Employees who pursue a legally-sanctioned adoption process are eligible for up to 20 hours of intermittent paid leave at 100% base pay to attend required meetings or interviews to obtain approval for an adoption of a child or children. To be eligible, employees must notify their supervisor and departmental human resources of their intent and request leave subject to applicable leave approval

## **CITY OF CINCINNATI**

### **Human Resources Policies and Procedures**

processes. Employees will be entitled to no more than 20 hours of leave for pre-adoption care meetings in a rolling twelve-month period.

#### **B. After the Birth of a Child(ren):**

Following the birth of a child(ren) an eligible employee shall be entitled to twelve (12) weeks (480 hours) of PLP at 100% of base pay no more than two (2) times in a rolling twelve (12) month period to run concurrently with any available FMLA leave for the purpose of bonding and care of a newborn.

#### **C. After the Adoption of a Child(ren):**

After the adoption of a child(ren), eligible employees are entitled to Twelve (12) weeks (480 hours) of PLP at 100% base pay no more than two (2) New Parental Events per rolling twelve (12) month period for the purposes of bonding. Multiple adoptions (for example, the adoption of siblings) does not increase the length of PLP granted.

#### **D. After Acceptance of a Child(ren) in Foster Care:**

An eligible employee accepting a child in foster care to their home is entitled to twelve (12) weeks (480 hours) of PLP at 100% base pay no more than two (2) times in a rolling twelve (12) month period for the purpose of bonding. The initial date of placement triggers the right to PLP. Multiple placements in a single qualifying event (for example, the acceptance of siblings) does not increase the length of PLP granted. The PLP entitlement (12 weeks of 100% base pay) can only be used once (1) for the same Child(ren) during the Employee's career with the City of Cincinnati. In the event of foster placement interruptions (e.g., the child is removed from the home and returned to the home sometime later) the employee may use the unused balance of their entitled twelve (12) weeks of PLP as established from the initial placement date. PLP will only be provided for the period that the Child(ren) is placed in the employee's home.

To be eligible for PLP for foster placements, employees who may receive a foster placement with little notice must notify supervisors of the possibility of unexpected leave for the effective planning and continuation of City operations upon licensure.

#### **E. Foster-to-Adopt**

An eligible employee fostering a child with the intent to adopt is entitled to pre-adoption leave: two (2) days (up to 20 hours of intermittent leave) of PLP at 100% of base pay no more than two (2) times in a rolling twelve (12) month period.

The initial date of legal placement triggers the right to PLP for the adoption. Paid Parental Leave can only be used once for the same Child(ren) associated with the qualifying New Parental Life Event, and the adoption of a foster child for

## **CITY OF CINCINNATI**

### **Human Resources Policies and Procedures**

whom leave was already taken does not increase the total amount of paid leave. Upon successful adoption of the foster child(ren), the employee is entitled to use their remaining PLP balance as granted under the acceptance of a Child(ren) in Foster Care, but is not entitled to an additional twelve (12) weeks of leave under Adoption. Multiple adoptions (for example, the adoption of siblings) does not increase the length of PLP granted. PLP will only be provided for the period that the Child(ren) is placed in the employee's home.

#### **F. Legal Guardianship:**

An eligible employee assigned the responsibility and authority by a court of law to provide physical care and supervision for a Child(ren) is entitled to twelve (12) weeks (480 hours) of PLP at 100% base pay no more than two (2) times in a rolling twelve (12) month period for the purpose of bonding. Parental Leave can be used only once for the same Child(ren). PLP will only be provided for the period that the Child(ren) is placed in the employee's home.

## **4. EXCEPTIONS**

### **A. Intermittent Leave**

Eligible Employees with approval by the Human Resources Director, under a mutually beneficial arrangement between the Department and the Employee, can use PLP intermittently or on a reduced leave schedule. Departments must submit a memo with an attached schedule and plan, outlining the terms of the request. In no instance would a request allow for an exception for the paid leave to be taken more than 6 months after the parental event or on an unscheduled basis.

### **B. Remote Work**

If the eligible employee is medically unable to report to work, and the essential functions/duties of their position can be adequately completed at an alternate work location within the jurisdiction of the City of Cincinnati, remote work could be an option under an intermittent or reduced schedule arrangement with approval by the Human Resources Director.

## **5. PREGNANCY ACCOMMODATIONS**

City of Cincinnati employees affected by a pregnancy, childbirth, or related medical conditions are entitled to the same rights as those with similar abilities or disabilities to work, and are entitled to reasonable workplace accommodations if needed to perform the essential functions of their job.

## **6. BENEFITS DURING PARENTAL LEAVE**

Employees remain eligible for all employer-paid and employer-provided benefits and will continue to accrue other forms of paid leave while on Parental Leave.

### **A. Health Insurance**

Employees on Paid Parental Leave remain eligible for health insurance

## **CITY OF CINCINNATI**

### **Human Resources Policies and Procedures**

coverage.

#### **B. Holiday Pay**

An employee is eligible to receive holiday pay during parental leave under City policy congruent with all other policy and provisions in the applicable collective bargaining agreement(s). In no instance, including intermittent exceptions, will the occurrence of a holiday during an employee's PLP justify an extension of any kind.

#### **C. Overtime**

Employee(s) are not eligible for any overtime while on parental leave or an intermittent schedule, if approved. Overtime hours are not included when calculating the average number of hours worked in the preceding three months.

### **7. PROCESS**

#### **A. Notification, Request, and Approval**

For the purpose of planning continued operations, employees who wish to take Paid Parental Leave should notify Human Resources (HR) at least 30 days prior to the expected leave start date, with the understanding that some events, such as live births, are unpredictable. Employees opting to participate in a Foster Parent Program, who could be subject to an emergency foster placement, should notify HR and their supervisor immediately upon program acceptance.

Once HR determines eligibility, the employee will complete a Parental Leave Request Form along with FMLA paperwork to be completed and returned to HR with the appropriate supporting documentation for the qualifying New Parental Event.

All verifying documentation is due no later than 30 days following the date of the qualifying event. If the employee fails to provide notice of the need for leave due to pregnancy, foster licensure, or pending adoption, the employee will not be eligible for Paid Parental Leave. If an employee fails to provide verification documentation within 30 days of the New Parental Event, the employee's Paid Parental Leave will be terminated.

Once all documentation has been returned to and reviewed by HR, approval or denial notification will be sent to the employee and the employee's department. All Paid Parental Leave must be pre-planned and approved by HR before use.

#### **B. Options for Acceptable Forms and Documentation:**

- i) Adoption
  - Court Documentation of adoption naming requesting

## **CITY OF CINCINNATI**

### **Human Resources Policies and Procedures**

employee(s).

#### ii) Foster Placement

- Foster Care papers that show the name of the person who was placed in foster care and the date of the placement. This needs to be signed by a government office or court official.
- Child support or other court order that shows the name(s) of the employee(s) accepting the placement and the name(s) of the child(ren) and the date of the order.
- Documentation from the state-sanctioned foster agency confirming completion of required training and screening.

#### iii) Legal Guardianship

- Court documentation of legal placement of the child(ren) in the custody of the employee(s).

#### iv) Live Birth

- FMLA form completed by employee's health care provider.
- Certificate of Birth listing employee(s) requesting the leave as one or both parents or a copy of the Verification of Facts of Birth document from the discharging hospital.

#### v) Pre-adoption

- Declaration of Intent to Adopt
- Adoption Assessment Application
- Documentation from the agency processing the adoption

### **C. Denials of Paid for Parental Leave**

Denial for Paid Parental Leave does not mean that an employee cannot take time off using other forms of leave such as accrued sick or vacation. Employees may also use Leave Without Pay in accordance with City Policy or applicable collective bargaining agreement. Before requesting Leave Without Pay, Employees will be required to use any available accrued paid leave. This time may fall outside of the FMLA protections if the employee is not FMLA-eligible at the time of the New Parental Event.

## **8. COORDINATION WITH OTHER POLICIES**

### **A. Family and Medical Leave Act**

Paid Parental Leave taken under this policy will run concurrently with leave under the FMLA; therefore, any leave taken under this policy that falls under the definition of circumstances qualifying for leave due to the birth of a child or placement of a child due to adoption, the leave will be counted toward the 12 weeks of available FMLA leave. All other requirements and provisions under the FMLA will apply. In no case will the total amount of paid or unpaid leave granted

## **CITY OF CINCINNATI**

### **Human Resources Policies and Procedures**

to the employee under Paid Parental Leave and the FMLA exceed 12 weeks during the 12-month FMLA period.

#### **B. Outside Work**

Employees may continue to perform work for an outside employer in compliance with Human Resources Policies and Procedures 2.3, but forfeit paid Parental Leave if outside work is performed during regularly scheduled hours for the City unless circumstances would provide for the possibility in any case. Exceptions must be reviewed by departmental Human Resources staff and may be approved only by the Human Resources Director or designee.

#### **9. CONSEQUENCE OF FALSIFICATION/FAILURE TO FOLLOW THIS PROCEDURE**

An employee who provides false or misleading information may be subject to discipline, up to and including termination. Any employee found to be holding any unapproved or unreported outside employment inconsistent with this policy during Paid Parental Leave may be subject to discipline up to and including termination. An employee who fails to submit the appropriate forms and/or documentation shall not qualify for Paid Parental Leave.

#### **10. CONFLICT**

Nothing in this policy shall be determined to conflict with the terms of any applicable collective bargaining agreements that are in effect.

#### **11. DISCRIMINATION PROHIBITED**

No employee shall be discriminated against for utilizing Paid Parental Leave. Harassment related to Paid Parental Leave will not be tolerated. Employees shall not be retaliated against for filing a complaint, whether orally or in writing, related to this policy.