



**City of Madison
Paid Parental Leave Policy**

**Human Resources Department
Effective January 1, 2019**

STATEMENT OF POLICY

It is the policy of the City of Madison to provide up to 6 (six) weeks of Paid Parental Leave to Eligible Employees following a qualifying birth or adoptive event. Our Paid Parental Leave Policy (“Policy”) exceeds any legal requirement as, at this time, there is no legal requirement to provide any paid parental leave. This policy will run concurrently with Family and Medical Leave Act (FMLA) leave in cases where an Eligible Employee is also eligible for FMLA leave. This means the employee’s Paid Parental Leave time will be subtracted from the total of 12 weeks available under FMLA.

The effective date of this Policy is January 1, 2019 and this Policy is applicable to qualifying birth or adoptive events that occur on or after September 1, 2018.

REASON FOR POLICY

The purpose of Paid Parental Leave is to provide a parent with paid time off to care for and to bond with their newborn or newly adopted child. The intent of this Policy is to provide Eligible Employees with a paid leave benefit to allow for time to bond with their new child, adjust to their new family situation, and balance personal obligations that result from a birth or adoptive event. Departments should be flexible in managing Paid Parental Leave requests to the greatest extent possible and refrain from any interference in the use of leave taken in conjunction with this Policy.

CONTACT

For questions regarding this Policy, please contact the Human Resources Department.

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I. DEFINITIONS

1. Paid Parental Leave – leave taken following the birth of an Eligible Employee’s child or the placement of an adopted child with an Eligible Employee for the purpose of caring for and/or bonding with a newborn or newly adopted child under the age of 18. Use of this leave will not reduce an Eligible Employee’s balance of any other paid leave type (sick, vacation, floating holiday, compensatory time).
2. Eligible Employee – an active employee who has been employed by the City of Madison for at least one year immediately prior to the qualifying birth or adoption and who is classified as either a permanent full-time or permanent part-time employee, as defined by the City of Madison, shall be eligible. The employee must satisfy the additional eligibility requirements detailed in the Eligibility section of this Policy document.

II. ELIGIBILITY

To qualify for Paid Parental Leave under this Policy, the employee must meet the following conditions:

1. The employee must hold a permanent full-time or permanent part-time appointment with the City of Madison; AND
2. On or after the effective date of this Policy (allowing for a grace period prior to the effective date), the employee has given birth to or fathered a child or has adopted a child who is 17 years old or younger; or the employee's spouse has given birth to a child. An unmarried employee will be required to provide documentation establishing paternity or maternity in order to be eligible for the benefits afforded by this Policy. The adoption of a stepchild (a child of the employee's spouse from a previous relationship) by an employee does not qualify for a benefit under this Policy; AND
3. The employee has completed at least one year of permanent (not hourly or seasonal) service immediately prior to the date of the qualifying birth or qualifying adoption; AND
4. The employee was in a paid status for at least 1,000 hours in the 12-month period immediately prior to the date of the qualifying birth or qualifying adoption.

III. LEAVE PROVISIONS

Procedure:

1. Employees who are eligible and anticipate experiencing a qualifying event must complete an application for Family & Medical Leave (FML). The FML application will serve to qualify the employee for both FML and Paid Parental Leave, subject to any additional requirements for supporting documentation. The application must include the employee's expected start and end date for the leave of absence.
2. Human Resources will evaluate whether the employee satisfies the eligibility criteria for Paid Parental Leave and, upon approval, will forward approval to the Finance Department, at which time the employee will have the appropriate amount of time allotted into their available paid leave bank.

Use:

1. Paid Parental Leave will be available for use on or after the date of the birth or adoption of the child, and may be used for a period of up to 12 (twelve) months from the date of birth/adoption. In the case of a foreign adoption, the date of the event is the date the child enters the United States. Paid Parental Leave may be taken consecutively, intermittently (separate, non-consecutive blocks of time), or to work a reduced schedule, but in no case will the amount of available leave exceed 6 (six) total weeks per qualifying event. An Eligible Employee must consult with their supervisor and make a reasonable effort to schedule intermittent or

reduced schedule Paid Parental Leave to avoid disruption of departmental operations.

2. Paid Parental Leave may be substituted for time off beginning on the date of the birth or adoption, and to cover up to 6 (six) weeks of leave used for the purpose of caring for or bonding with a newborn or newly adopted child. Time off under the Policy is prorated based upon an employee's benefit full-time equivalent (FTE) percentage. Pursuant to the sick leave usage parameters (City and/or Department policy), employees are eligible to use sick leave for caring for and/or bonding with a newborn or newly adopted child. Pursuant to vacation, floating holiday, and compensatory time usage parameters (City and/or Department policy), employees are eligible to use accrued balances of those leave types for caring for and/or bonding with a newborn or newly adopted child.
3. Paid Parental Leave will run concurrently with available Federal or State Family and Medical Leave (FML) where possible. If the amount of FML available is less than the amount of Paid Parental Leave to be taken, Paid Parental Leave will still be granted as specified in this Policy, without regard to the existence of the individual's available FML.
4. Paid Parental Leave may be taken in the event of fetal loss that occurs at or beyond 24 weeks gestation. In such event, a maximum of two weeks of Paid Parental Leave may be used and appropriate medical documentation is required. Time off is based on an employee's benefit full-time equivalent (FTE) percentage. Additional time may be used from sick leave balances – Medical documentation may be required.
5. One Paid Parental Leave benefit is available per employee, per each qualifying birth or qualifying adoption. In the case of multiple births (twins, triplets, etc.), all children are treated as one qualifying event. In the case of multiple children being adopted, all children are treated as one qualifying event. Employees will be limited to 2 (two) Paid Parental Leave benefits per calendar year, not to exceed a total of 12 weeks. Unused Paid Parental Leave balances from one year may be carried over into the following year; however, the carried over Paid Parental Leave balance must be exhausted within 12 months of the qualifying birth or qualifying adoption, or the carried over balance will be forfeited.
6. Surrogacy clarified: Employees receiving a child from a surrogate incur a qualifying event under this Policy. An employee serving as a surrogate does not incur a qualifying event under this Policy.
7. An employee must return to work for at least 6 (six) months following use of Paid Parental Leave or the value of Paid Parental Leave used must be repaid to the City of Madison. This requirement may be waived by the Human Resources Director, or their designee, as determined on a case-by-case basis.

8. Upon termination of employment, the employee shall not be eligible for payment for any unused Paid Parental Leave balances.
9. The City of Madison may take disciplinary action, up to and including termination of employment, against an employee who uses Paid Parental Leave for purposes other than those described in this Policy. (Example: Engaging in other paid employment while on an approved Paid Parental Leave.)
10. For purpose of calculation, standard weeks are computed at five 7.75 or 8 hour workdays.

IV. NOTICE, APPLICATION, AND OTHER CONSIDERATIONS

1. The employee must ordinarily provide a minimum of 30 (thirty) days' advance notice when the Paid Parental Leave taken under this Policy is foreseeable. If 30 days' notice is not given, the leave may be denied until 30 days after the notice is received. If an employee does not become aware of the need for Paid Parental Leave until a period less than 30 days in advance of leave commencing, but fails to inform the City of Madison within a reasonable time, it may result in a delay before the employee is eligible for Paid Parental Leave. Application for Paid Parental Leave should be made via the City of Madison's [Application for Family/Medical Leave](#).
2. If an official City holiday occurs during the Eligible Employee's Paid Parental Leave, the Eligible Employee will receive holiday pay in lieu of a Paid Parental Leave day, provided that the Eligible Employee is in a paid status the day before and the day after the official City holiday.
3. While using Paid Parental Leave, an Eligible Employee will continue to accrue other paid leave balances, including sick leave and earned vacation leave.
4. Use of Paid Parental Leave will not affect an Eligible Employee's seniority.
5. The City of Madison reserves the right to modify this Policy. The Human Resources Director shall maintain and interpret this Policy.

V. CONFIDENTIALITY

All medical information relating to use of Paid Parental Leave, whether verbal or written, including FMLA medical documentation, shall be kept confidential to the maximum extent possible. All medical documents including, but not limited to, medical statements and FMLA medical certifications must be maintained within the Human Resources Department in confidential, secure files separate from personnel files.