

Paid Parental Leave Policy – Benefits Manual

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PUBLIC SCHOOLS OF NORTH CAROLINA

State Board of Education | Department of Public Instruction

Existing Benefits for Parents

Sick Leave

- Section 4.1.2
 - Up to 30 days of earned sick leave may be used to care for a child placed with an employee for adoption or foster care. May be taken any time within 12 months of placement and is available to either parent.
 - For the birth of a child, there is a presumptive recuperation period of 30 days (or longer by order of medical professional) for which sick leave may be used. Must immediately follow the birth of the child and is only available to the birthing parent.

Family Medical Leave Act

- Section 8.2
 - Allows eligible employees to take 12 work weeks of unpaid, job-protected leave during a qualifying event.
 - Employee may use accrued annual leave or personal leave during this time. Sick leave may be used if indicated by a medical professional.
 - Parents who are employed by same employer are limited to a total of 12 weeks of FMLA leave.

Unpaid Parental Leave

- Section 8.1.6
 - Unpaid leave of absence for up to one calendar year from the date of birth, adoption, or foster placement.
 - Annual leave (or sick leave by order of medical professional) may be used to maintain payroll status
 - Parents who are both employed are limited to a combined total of 12 months.

Paid Parental Leave

Definitions

- Public School Unit (PSU) – includes local boards of education, public charter schools, laboratory schools, schools for the deaf and blind, and all alternative school environments under the direction of a PSU.
- Parent – the legal guardian or custodian of a child through birth, adoption, foster care, or other legal placement.
- Child – a newborn biological child or newly placed adopted, foster, or otherwise legally placed child under the age of 18.
- Qualifying Event – when an eligible employee becomes a parent to a child.
- Paid Parental Leave – 8 weeks of paid leave for birthing parent; 4 weeks for all other qualifying events. Part-time limited to 4 weeks for birthing parent and 2 weeks for other qualifying events.

Eligibility

- Section 8.1.3
 - A permanent, full-time employee who becomes a parent to a child under the age of 18 years.
 - Time-limited and probationary employees are eligible for paid parental leave.
 - Prorated benefit for eligible, part-time employees.
 - Eligible employee must be employed by a PSU for the immediate twelve months without a break in service preceding the qualifying event.
 - At least 1,040 hours in payroll in that 12-month period
 - Temporary employees, ~~time-limited employees~~, and independent contractors are not eligible for paid parental leave
 - Each PSU is separate employer for meeting 12-month employment requirement.

Documentation

<u>Qualifying Event</u>	<u>Acceptable Documentation</u>
<u>Adoption</u>	<ul style="list-style-type: none">• <u>Adoption Order</u>• <u>Proof of Placement</u>
<u>Birth</u>	<ul style="list-style-type: none">• <u>Birth Certificate or Report of Birth</u>• <u>Certified DNA results</u>• <u>Custody Order</u>
<u>Foster Placement</u>	<ul style="list-style-type: none">• <u>Foster Care Placement Agreement</u>• <u>Custody Order</u>• <u>Proof of Placement</u>
<u>Other Legal Placement</u>	<ul style="list-style-type: none">• <u>Custody Order</u>• <u>Proof of Placement</u>

Leave Usage

- Leave is limited to the twelve months following the qualifying event. Multiple births (or placements) do not increase the total amount of the leave.
- Unused paid parental leave is forfeited twelve months from the date of qualifying event.
- Parental paid leave shall not be counted against or deducted from the employee's leave balances
- Employees shall not be paid out for this leave upon separation from employer.
- Paid parental leave may not be donated to another employee.

Leave Usage

- A PSU shall not deny, delay, or require intermittent use of paid parental leave to eligible employees, except by mutual agreement of the PSU and the employee.
- If delayed, PSU must provide paid parental leave as soon as practical.
- If parental leave is used intermittently, the use must be agreeable to both the PSU and the eligible employee.
- Paid parental leave may be used only once by an eligible employee within a rolling 12-month period.

Other Considerations

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- Paid parental leave is in addition to all other parental benefits offered by the State.
- Paid parental leave runs concurrently with FMLA provided the employer notifies the employee that the leave qualifies for FMLA leave in accordance with Section 8.2.10 of the Benefits Manual. Employee may take paid parental leave after exhausting FMLA.
- Employees may take parental leave benefits in any order provided they meet the requirements for using the leave at the time of request. Regardless of the order of leave options, parental leave is a FMLA qualifying event and will count against the employee's FMLA benefit entitlement.
- ~~Paid parental leave is only afforded to eligible employees for a child born on or after July 1, 2023, regardless of date of adoption or legal placement.~~
- This policy will become effective for qualifying events occurring on or after July 1, 2023.