



# Paid Parental Leave Policy for Birth or Adoption

## ***Purpose***

The birth or adoption of a child is an exciting time for both biological and adoptive parents and their families. The Archdiocese supports its employees in their decisions to become parents and in their work for the Archdiocese. The Archdiocese provides eligible employees with a paid leave of absence for up to twelve (12) weeks to bond with their newborn or newly adopted child and to achieve a healthy balance between their employment and their new family obligations. This policy is effective as of July 1, 2016.

## ***Eligibility Requirements***

To be eligible for the paid parental leave benefit, an employee must: (1) be employed by the Archdiocese in a full or part-time benefits eligible position for at least one (1) full month of service prior to the birth or adoption of their new child; (2) be an expecting biological or adoptive parent; (3) experience a birth or adoption event occurring on or after July 1, 2016; and (4) intend to return to work following the leave (hereinafter “Eligible Employee”).

## ***Paid Parental Leave Benefit***

Eligible Employees will receive one (1) week of paid parental leave for each full month of benefits eligible service prior to the birth or adoption of the child. The maximum amount of paid parental leave available to any Eligible Employee is twelve (12) weeks. Paid parental leave must be used within six (6) months of the birth or adoption of the child. Paid parental leave expires at the end of the six (6) month period beginning on the date of the birth or placement with the employee of a child for adoption. Paid parental leave shall be administered in conjunction with leave provided under the Family and Medical Leave Act (“FMLA”) and will run concurrently with FMLA leave when an employee is eligible for FMLA leave. If both parents are Eligible Employees employed by the Archdiocese such parents are entitled to a combined total of twelve weeks of paid parental leave. Paid parental leave will not reduce an eligible employee’s paid leave balance such as sick, vacation, or personal days. Eligible Employees shall be paid at their regular per diem wage rate based upon their regular work week in effect at the time the paid parental leave commences.

## ***Employee Notice, Benefit Accrual, Job Restoration, Intent to Return and Other Procedures***

Employee notice for paid parental leave, benefit accrual, job restoration, intent to return and other procedures will be administered in accordance with the Archdiocese’s FMLA policy and procedures whether or not an Eligible Employee is eligible for leave under the Archdiocese’s FMLA policy, except as modified herein.

In addition to the FMLA provisions, an Eligible Employee who has taken paid parental leave is expected to return to work for the Archdiocese and remain working for the Archdiocese for a period of not less than 60 work days following return from leave. If the employee does not return to work for at least 60 work days or resigns during that period, the employee must repay a pro-rata share of the salary received during the period of paid leave.



## **Paid Parental Leave Administration Q & A**

### **1. *What is the purpose of this policy?***

This policy was adopted to provide benefits eligible employees who become biological or adoptive parents of a new baby or child paid time off for the purpose of bonding with their new baby/child and time to achieve a healthy balance between their employment and their new family obligations.

### **2. *When does the Paid Parental Leave Policy take effect?***

The Paid Parental Leave Policy is effective July 1, 2016. Birth or adoptions occurring on or after July 1, 2016, would be eligible for paid parental leave provided the eligibility requirements are met. During this transition time and implementation, the benefit is being made available to staff whose child was born/adopted retroactive to any time after April 1.

### **3. *What are the eligibility requirements to obtain paid parental leave?***

To be eligible for the paid parental leave benefit, an employee must: (1) be employed by the Archdiocese in a full or part-time benefits eligible position for at least one full month of service prior to the birth or adoption of their new child; (2) be an expecting biological or adoptive parent; (3) experience a birth or adoption event on or after July 1, 2016, or within 3 months of the effective date of July 1, 2016; and (4) intend to return to work after the leave.

### **4. *How does this work?***

Employees who meet the eligibility requirements will have up to 12-weeks of paid parental leave for birth or adoption which must be used during the 6-month period immediately following the birth or adoption.

**Example 1:** Employee A has been continuously employed in a full-time benefits eligible position for 3-years. Employee A gave birth on April 15, 2016. Employee A has approximately 12 weeks of paid parental leave available for use because there are at least 12 weeks remaining within the six month period of the birth or adoption.

**Example 2:** Employee B has been continuously employed in a full-time benefits eligible position for 3-months. Employee B gave birth on July 2, 2016. Employee B has 3-weeks of paid parental leave available for use which must be used within 6-months of birth (December 2, 2016).

**Example 3:** Employee C has been continuously employed in a part-time benefits eligible position for 5 years. On July 2, 2016, Employee C must travel to another destination to obtain the adoptive child. Employee C has 12-weeks of paid parental leave available for use which must be used within 6-months of the adoptive event (December 2, 2016).

**Example 4:** Employee D, a male, began working in a full-time benefits eligible position on July 15, 2016. On July 25, 2016, Employee D's spouse gives birth to a newborn. Employee D is not eligible for any paid parental leave because he was not continuously employed 1 full month prior to the birth of this child.



**5. Can an eligible employee elect to receive payment for parental leave without actually taking time off?**

No, the purpose of the leave is to allow new biological or adoptive parents time to bond with their new baby/child.

**6. Does paid parental leave coordinate with leave provided under the Family and Medical Leave Act policy?**

Yes, while leave under the Family and Medical Leave (“FMLA”) Policy allows eligible employees to take up to 6-months of unpaid leave, parental leave offers 12-weeks of paid time, which must be used within the first 6-months following the birth or adoption. If an employee is eligible for both FMLA and paid parental leave, paid parental leave will run concurrently with FMLA after the employee’s period of disability, if any.

**Example 1:** Employee A is eligible for FMLA leave and the full 12-weeks of paid parental leave. Employee A gives birth on August 1, 2016 and has thirty (30) paid sick days available for use at the time of birth. Employee A requests 6-months of FMLA leave and 12-weeks of paid parental leave. Employee A must exhaust her 30 paid sick days (i.e. 6 weeks) during the period of disability following birth (typically 6 weeks for a normal delivery) per the FMLA policy. Upon the expiration of the disability period, up to 12-weeks of paid parental leave becomes available for use in accordance with Employee A’s stated preference.

**Example 2:** Same facts as Example 1 except that Employee A only has 10 paid sick days available for use at the time of birth. Employee A will not receive pay during the remaining 4 weeks of the disability period as she has used all of her available paid sick leave. Employee may request that her paid parental leave be advanced to her to avoid a break in salary payments but such advance would be deducted from her paid parental leave.

**7. Can the time be taken intermittently or on a reduced leave schedule?**

No, paid parental leave is not available on an intermittent or reduced leave schedule basis. Employees must select the amount of time (up to 12 weeks) they desire for parental leave when making their initial request. Subsequent modifications to or requests for additional time related to the same birth or adoption will not be granted after the initial leave request is submitted.

**8. What if both parents work for the same location?**

Assuming that both parents qualify for the maximum period of paid parental leave (12-weeks), both parents will be eligible for a combined 12 weeks paid parental leave, which the parents can allocate between themselves. For example, the mother can elect to be out 8 weeks and the father 4 weeks, or vice versa.

**9. How will this benefit be funded?**

The Fringe benefit assessment pool will be used to fund the cost of the paid parental leave. The employee will be paid at his/her per diem (daily) pay rate in effect at the time the paid parental leave commences for the duration of the paid parental leave.

**10. How is the pay calculated for teachers who have elected to have their pay issued over 12 months?**

Parental leave will be paid at the existing rate of pay in effect at the time the leave commences and will continue to be in force for the duration of the paid parental leave. If the



teacher does not return to work from the leave of absence, the standard reconciliation as is used for teachers selecting 12-month pay, in accordance with the payback provision referenced in #11.

**11. If the employee does not return to work following the leave, will they need to repay the Archdiocese? (Payback Provision)**

The Archdiocese may request reimbursement from the employee for the salary paid under this policy if the employees fails to return to work for at least 60 work days after their approved paid parental leave has been exhausted or expires.

**12. Does the biological or adoptive parent taking the paid leave need to be the primary caregiver?**

No.

**13. Is the benefit available to employees adopting their spouses' children?**

No. The benefit is not available when adopting the children of their spouse.

**14. How frequently will the benefit be provided?**

Following the same guideline as current FMLA policy which provides for up to six months within a calendar year, no more than one paid parental leave will be granted within 12-month calendar year period.

**15. How do I use paid parental leave?**

Application for leave will be submitted to the local benefit administrator (ie, Parish/School/Pastoral Center HR), following existing process for Leaves of absences. A FMLA and Paid Parental Leave Benefit forms will be completed indicating the date of birth/adoption, and the period of time to be covered by the paid parental leave benefit.

Employee completes Part I of the form, obtains the signature supervisor, and forwards the form to the Archdiocese of Chicago Human Resources Department ("HR") at [HR@archchicago.org](mailto:HR@archchicago.org), or by fax to 312.534.5345. Accrued paid sick leave must be used during the period of disability.



# Paid Parental Leave Policy for Birth or Adoption

## Application Form

**Instructions:**

Notice of intent to take paid parental leave, for a period not to exceed 12 consecutive weeks, must be submitted to the Pastor, Principal, Pastoral Center Agency Director, or their designee 60 calendar days prior to the expected due date of the baby or 60 days prior to the expected placement of the child with his/her adoptive parents; in the event that the adoption placement date is not known 60 days in advance, the application must be filed as soon as the placement date is known to the parent.

Employee completes Part I of the form, obtains the signature supervisor, and forwards the form to the Archdiocese of Chicago Human Resources Department (“HR”) at [HR@archchicago.org](mailto:HR@archchicago.org), or by fax to (312)534-5345. HR completes Part II of the form, returns a copy to the employee and to the supervisor. A copy of the form is maintained in the employee’s personnel file at the Parish/School/Agency, in accordance with standard procedures. If you have any questions, please contact Human Resources at (312)534-5360.

**PART I (To be completed by employee)**

Name: \_\_\_\_\_

Parish/School/Agency: \_\_\_\_\_ Job Title: \_\_\_\_\_

\_\_\_\_\_

Phone: (h) \_\_\_\_\_ (cell) \_\_\_\_\_

Email: \_\_\_\_\_

**I hereby give notice of my intent to take paid parental leave. The expected date of the child’s birth or placement for adoption is: \_\_\_\_\_.**

**I anticipate taking an FMLA leave of absence from \_\_\_\_\_ to \_\_\_\_\_**

\_\_\_\_\_

**I understand that I am required to use \_\_\_\_\_ days of my available sick time during the length of my medical disability as designated by my health care provider.**

**I request \_\_\_\_\_ days of paid parental leave from \_\_\_\_\_ to \_\_\_\_\_**

- **The period of the leave runs concurrently with leave under the Family and Medical Leave Act policy of the Archdiocese of Chicago (“FMLA”), to the extent that such leave**



is available to the employee. The application for paid parental leave benefit, accordingly, must be submitted with the application for leave policy.

- For staff under contract for less than a continuous 12-month period, the paid leave will be available during the period of the contract. Pay will not be provided during the academic break between contract years.

I understand that I will be required to submit proof of my child’s birth or proof of the formal placement with me of a child for adoption and proof of said child’s age.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

I have been informed of the anticipated leave:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Email: \_\_\_\_\_ Phone: \_\_\_\_\_  
\_\_\_\_\_

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**PART II**

**APPLICATION APPROVED:** \_\_\_\_\_

**NOT APPROVED:** \_\_\_\_\_ **Reason:**

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Signature: \_\_\_\_\_ Date: \_\_\_\_\_

(Human Resources Director)