



Parental Leave

Flexible and family-friendly policies are essential to cultivating an atmosphere where employees can thrive professionally without sacrificing essential family obligations. The City of Fort Worth provides paid parental leave to employees following the birth of an employee's child or the placement of a child with an employee in connection with adoption, foster care or other legal placement. The purpose of paid parental leave is to enable the employee to care for and bond with a newborn, newly adopted child, new foster child or other legal placement. This policy will be in effect for births, adoptions, foster care or legal placements occurring on or after October 1, 2020.

Because of payroll programming restraints, Parental Leave as a separate type of paid leave will not be available for employee use until January 1, 2021. To give employees additional opportunities to be paid for their time off work for Parental Leave, from October 1, 2020 through December 31, 2020, employees can use any type of accrued paid leave available to them to cover the time, up to six weeks, that they are off work for Parental Leave, as described in this policy.

This policy does not currently apply to employees that are a part of bargaining units covered by the Meet and Confer Agreement between the City and the Fort Worth Police Officers Association, or the Collective Bargaining Agreement between the City and the Fort Worth Professional Firefighters Association, Local 440. Including those employees will require an amendment to those agreements.

Eligibility

To be eligible for Parental Leave, an employee must be eligible for leave under the Family and Medical Leave Act ("FMLA") by meeting the following criteria:

- Have been employed with the City for at least 12 months (the 12 months do not need to be consecutive); and
- Have worked at least 1,250 hours during the 12 consecutive months immediately preceding the date the leave would begin; and

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- Be regularly scheduled to work 20 or more hours per week in a full-time or reduced-schedule position.

Temporary or seasonal employees and interns are not eligible for Parental Leave.

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

- Have given birth to a child;
- Be a spouse of a woman who has given birth to a child;
- Have adopted a child age 17 or younger, except for adoption by one spouse of the other spouse's child; or
- Placement with the employee of a foster child, or other child, to whom the employee stands in the position of a parent (*in loco parentis*), age 17 or younger.

Parental Leave is not allowed for placement of a child in parental custody cases or legal assignments as a Guardian ad Litem.

Amount, Time Frame and Duration of Paid Parental Leave

- The City of Fort Worth provides up to six (6) weeks of paid parental leave per calendar year.
- In no case will an employee receive more than six weeks of paid parental leave regardless of whether more than one birth, adoption, or foster care placement occurs within that 12-month time frame.
- If spouses are both employed by the City, and each is eligible for Parental Leave, as provided in this policy, each spouse may use a maximum of six weeks under this policy.
- For this policy, the date of adoption of a child is, at the employee's choice, the date that the child is placed in the employee's home, in anticipation of legal adoption, or the date that the adoption is approved by a court of law. For adoption, paid parental leave is allowed for time prior to the placement

of the child for adoption, if the need for leave is related to the adoption. Eligibility for this leave prior to placement will be decided on a case-by-case basis.

- Each week of paid parental leave is compensated at 100 percent of the employee's regular, straight-time weekly pay. Paid parental leave will be paid on a biweekly basis on regularly scheduled pay dates.
- Approved paid parental leave may be taken at any time during the twenty-six week period immediately following the birth, adoption, or placement. Paid parental leave may not be used or extended beyond this twenty-six week time frame.
- Employees may take paid parental leave continuously or intermittently, but all parental leave used must be used during the twenty-six weeks following the child's birth, adoption or placement. Any unused paid parental leave will be forfeited at the end of the twenty-six week time frame.
- Upon termination of the individual's employment at the City, he or she will not be paid for any unused paid parental leave for which he or she was eligible.

Coordination with Other Policies

- In no case will the total amount of leave for the birth, adoption, foster care or other legal placement, whether paid or unpaid, granted to the employee exceed 12 weeks. Available leave (for example, sick, vacation, holiday) may be used to extend paid leave beyond the six weeks of paid parental leave. Employees are not required to exhaust all leave before taking paid parental leave.
- The City of Fort Worth will maintain all benefits for employees during the paid parental leave period just as if they were taking any other paid leave.
- If a City holiday occurs while the employee is on paid parental leave, the absence will be charged to holiday pay; however, such holiday will not extend the total paid parental leave entitlement period.

Request for Paid Parental Leave

- Parental Leave runs concurrently with Family and Medical Leave; however, if an employee has exhausted all available Family and Medical Leave because of a reason that is not the birth, adoption, or placement of a child, the employee is still eligible for up to six weeks of paid Parental Leave. The employee must submit his or her FMLA application at least 60 days prior to the proposed date of the leave (or if the need for leave was not foreseeable, as soon as possible after the need for leave is known). The employee must complete the necessary forms and provide all documentation as required by the City of Fort Worth or City of Fort Worth's FMLA vendor to substantiate the request.
- The decision regarding the request for leave will be provided in writing by the City's FMLA vendor within 15 days of the request. Any delay in making the decision or informing the employee of the decision will not extend the total paid parental leave entitlement period.
- As is the case with all policies, the City of Fort Worth has the exclusive right to interpret this policy.