

Disclaimer: This Paid Parental Leave Policy is provided by Bringing Up Family (BringingUpFamily.org) as a template only and does not constitute legal advice. Users of this policy template should consult with their company's attorney for state applicability and compliance with existing companion policies and existing state and/or federal laws.

PAID PARENTAL LEAVE POLICY

Statement of Policy

It is the policy of **[Company]** to provide up to ___ weeks (note: at least 12 weeks suggested) of Paid Parental Leave to Eligible Employees.

The effective date of this Paid Parental Leave Policy is _____, 2017.

Purpose of Paid Parental Leave Policy

The purpose of the Paid Parental Leave Policy is to provide parents time to bond with their new child and adjust to their new family situation, and to provide birth mothers time to recover. The **[Company]** believes that flexibility and gender-neutral family-supportive policies are essential to cultivating an atmosphere where employees can thrive professionally without sacrificing essential family obligations.

Definitions

- **Parental Leave** – can be taken connected with the birth of an employee's child or the placement of a foster child or an adopted child within an employee's home.
- **Eligible Employee** – an employee who is employed by the Company and is classified as a full-time or part-time regular employee, as defined by **[The Company]**.

Eligibility

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

1. The employee must be employed by the Company and be classified as a full-time or part-time regular employee, as defined by **[The Company]**; and
2. The employee must also meet one of the following criteria:
 - Have given birth to a child; or
 - Be a spouse or committed partner of a woman who has given birth to a child; or
 - Be the intended parent to a child born via gestational carrier; or
 - Have become a foster parent of a foster child who is 17 years or younger; or

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- Have adopted a child who is 17 years old or younger. This provision does not apply to the adoption of a stepchild by a stepparent.

Leave Provisions

Full-Time Employees

Full-Time Eligible Employees may take up to _____ weeks of Paid Parental Leave for a birth, foster child placement, or adoption. All _____ of these weeks shall be compensated at 100 percent of the employee's regular salary.

Part-Time Employees

Part-Time Eligible Employees may take up to _____ weeks of Paid Parental Leave for a birth, foster child placement, or adoption. All _____ of these weeks shall be compensated at 100 percent of the employee's regular salary. A Part-Time Eligible Employee's compensation will be pro-rated, based on an average of the hours worked in the 3 months prior to Parental Leave.

Family and Medical Leave Act (FMLA):

Parental Leave will run concurrently with FMLA leave and the requirements and provisions of the FMLA will apply, if the Eligible Employee meets the eligibility requirements of the FMLA.

Because an employee's entitlement to and rights under this Paid Parental Leave Policy and FMLA leave differ, please refer to **[the Company's]** Family and Medical Leave Policy for further guidance on the FMLA.

Short Term Disability Policy:

If an employee is also eligible for **[the Company's]** short-term disability policy, those benefits shall run concurrently with Paid Parental Leave taken under this Paid Parental Leave Policy. Short-term disability benefits will offset, and are not in addition to, the paid leave provided by this Paid Parental Leave Policy.

If the short-term disability policy provides less than 100 percent compensation, **[the Company]** will supplement the employee's pay to total 100 percent compensation.

All Paid Parental Leave described in this Paid Parental Leave Policy must be taken within the first 52 weeks following the birth, foster child placement, or adoption of a child.

Additional leave beyond the _____ weeks provided under this policy would be considered under the **[name of policy]** policy and must be approved by the **[management employee]**. Please see the **[name of policy]** policy for additional details.

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Only _____ weeks of Paid Parental Leave will be permitted for any employee in a rolling 12-month period. Multiple births, foster child placements, or adoptions occurring within the same 12-month period will not increase the length of Paid Parental Leave.

Upon termination of employment, an employee shall not be eligible for payment for any unused Paid Parental Leave.

[The Company] will maintain all benefits for employees during an employee's Paid Parental Leave just as if the employee was taking any other Company-provided paid leave such as for paid vacation or paid sick leave.

When an employee is ready to return from Paid Parental Leave, **[the Company]** will make every effort to reinstate that employee to his or her former position or one nearly identical to it with equivalent pay, benefits, and other employer terms and conditions. The employee is entitled to reinstatement, however, only if that employee would have continued to be employed had Paid Parental Leave not been taken.

[The Company] may take disciplinary action, up to and including termination, against an employee who uses Paid Parental Leave for purposes other than those described in this Paid Parental Leave Policy.

Notice

1. An Eligible Employee shall initially notify his or her supervisor of the need for Paid Parental Leave and include the estimated timing and duration of such leave at least 60 calendar days in advance of the need for Paid Parental Leave, where practical.
2. If the need for Paid Parental Leave is not foreseeable, an Eligible Employee must give notice of the need to his or her supervisor as soon as practical.

As is the case with all Company Policies, **[the Company]** reserves the right to modify this Paid Parental Leave Policy.