

OPERATING PROCEDURE NO. 20-64
PARENTAL LEAVE

Effective Date: August 1, 2017, approved by Stanley Brezenoff, Interim President and CEO

Responsible Department: Human Resources



Sub-Department(s): None

Regulatory Requirement(s): None

Required Date of Review: August 1, 2019

I. **PURPOSE:**

To set forth the NYC Health + Hospitals (herein referred to as the "System") policy related to paid Parental Leave (PPL).

II. **SCOPE OF ELIGIBILITY:**

This policy and procedure applies to active managerial employees who occupy Group 11 titles in the System. For the purpose of implementing this policy, the effective date of PPL is for a qualifying event occurring on or after August 1, 2017 for eligible active Group 11 employees. Eligible employees may use PPL thirty (30) calendar days after appointment, provided that the qualifying event occurs on or after the date they started working.

III. **DEFINITIONS:**

1. **Paid Parental Leave:** A leave for the birth of a child to an eligible employee or the placement of a child with an eligible employee for adoption, or foster care ("qualifying event"). Eligible employees are entitled to PPL for one qualifying event per child.
2. **Qualifying event:** One child is identified as a qualifying event. In the case of multiple births, all children are treated as one qualifying event. In the case of multiple children being adopted or placed under foster care, all children being adopted or placed in foster care on the same day are treated as one qualifying event. In the case of multiple qualifying events for the same child by the same employee, the eligible employee will be entitled to only one instance of PPL. For example, if the qualifying event is the placement of a child with an eligible employee for foster care, the eligible employee uses PPL during that qualifying

event, and such placement subsequently becomes an adoption of that same child by the same employee, the adoption will not be considered a qualifying event, and the eligible employee will not be entitled to additional PPL for the adoption.

3. **Child(ren):** A biological, adopted or foster child of the eligible employee. For the purposes of PPL, a child must be under the age of 18.
4. **Parent:** The person identified on the child(ren)'s birth certificate, adoption certificate or certified copy of a foreign adoption order that has been registered in New York State or certified copies of initial and continuing family court orders of foster care placement.
5. **Active:** A Group 11 employee on active payroll, as well as those on a paid or unpaid leave of absence which was approved by HRSS Leave Administration or the EEO Office as a reasonable accommodation.

IV. POLICY:

1. Group 11 staff who are in active status shall, in addition to all other leave benefits currently available, receive up to thirty (30) work days PPL once per rolling twelve month period at 100% of regular base salary.
2. The start date of an eligible employee's use of PPL is at her/his option, as long as no more than thirty (30) work days are used and the period of usage extends no longer than sixty (60) workdays after the first day of usage. This leave can be used intermittently, but must not extend beyond sixty (60) work days after the first usage. In no event may PPL be used later than 120 workdays after the qualifying event.
3. Eligible employees may only use PPL once per rolling twelve month period, which is the twelve month period measured backward from the date the employee begins using PPL. PPL shall not begin before August 1, 2017.
4. If the child of a qualifying event is parented by, adopted by, or placed in foster care with two eligible employees, each such eligible employee is entitled to PPL.
5. An eligible employee who seeks to use PPL must agree in writing to return to work for at least six (6) months at the end of the period of PPL or any period of approved paid or unpaid child care or other leave that continues after the PPL unless waived by the Vice President of Human Resources. Any payments made for PPL to an employee who does not return to work for a duration of six months must be returned to and are recoverable by the system.
6. For part-time eligible employees, the thirty (30) work days will be pro-rated based on their regular schedule.
7. Under no circumstances may the employee begin using PPL or the supervisor approve PPL without approval from HRSS Leave Administration.
8. If the PPL is interrupted or ceased as a result of the child(ren) no longer being under the care of the eligible employee, the eligible employee must immediately notify HRSS Leave Administration and end his/her PPL.
9. An employee may use PPL without using accrued sick or annual leave. As with other paid leave, an employee will accrue annual and sick leave

during the PPL period in accordance with the applicable leave regulations. The employee however, will not be credited with the annual and sick leave time accrued until the employee returns from PPL or such other approved leave that may continue after PPL.

10. All PPL shall run concurrently with leave provided pursuant to the Family and Medical Leave Act ("FMLA" (if the employee is eligible for FMLA leave)).

V. PROCEDURE:

1. Employee's Responsibilities:

- a. When the PPL is foreseeable, an employee must notify his/her supervisor of his/her intent to use PPL at least 30 (thirty) calendar days in advance before usage begins. This requirement may be waived at the discretion of the Vice President of Human Resources.
- b. Employee timely submits the PPL Request form to the HRSS Leave Administration Service with supporting documentation which includes:
 - i. Copy of the Child's birth certificate listing the eligible employee as a parent; or
 - ii. (If Applicable): a certified copy of adoption certificate or certified copy of a foreign adoption order that has been registered in New York State and lists the eligible employee as the parent,, or
 - iii. (If Applicable): Certified copy of initial and continuing family court orders of foster care placement listing the eligible employee as a foster parent;
 - iv. In addition to the foregoing, if the employee is the non-biological parent and/or is not the adoptive/foster parent, proof of relationship to the biological/adoptive/foster parent must be provided, i.e. Marriage certificate and/or domestic partnership certification.
 - v. All documentation must be provided 15 calendar days of the request for PPL, where practicable.
 - vi. If the PPL is interrupted or ceased as a result of the child(ren) no longer being under the care of the eligible employee, the eligible employee must immediately notify HRSS Leave Administration.
- c. Employee signs an acknowledgement seeking to use PPL consistent with all the terms of this policy.
- d. Upon return to duty, employee complies with Operating Procedure 20-19 Occupational Health Service.

2. HRSS Leave Administration's Responsibilities:

- a. Upon receipt of request and supporting documentation, HRSS Leave Administration reviews and determines eligibility within five business days.
- b. Communicates the status of the review to the eligible employee upon receipt, review and completion.

- c. Forwards copy of the approved PPL letter to the employee, supervisor, Director of Human Resources, and Payroll Department. Denied requests will be communicated to the employee and the supervisor.
- d. Updates PeopleSoft to reflect the paid leave status.
- e. Informs the supervisor how to properly code the employee's timesheet while the employee is on PPL.
- f. Monitors level of participation, updates PeopleSoft when the employee returns to duty from paid leave to active or other status change; and notifies the Director of Human Resources, and the supervisor.

3. **Supervisor's Responsibility:**

Responsible for properly coding the employee's timesheet to reflect the approved period of time as per HRSS Leave Administration.

4. **Payroll's Responsibility:**

Ensures credits for earned leave accruals are not posted to the approved employees' records until they return from leave.