



TEXAS SOUTHERN UNIVERSITY
MANUAL OF ADMINISTRATIVE POLICIES AND PROCEDURES

SECTION: Human Resources
AREA: Benefits

Policy 02.03.03

SUBJECT: Parental Leave Policy

I. PURPOSE AND SCOPE

This policy has been established to comply with the Parental Leave provisions of the State General Appropriations Act. The policy prescribes the leave benefits available to all faculty and staff employees who meet the eligibility requirements defined in section III of the policy.

II. POLICY STATEMENT

The State of Texas extends the leave benefits of the Federal Family and Medical Leave Act for the following qualifying events to employees who have worked for a period of less than 12 months for the State of Texas and fewer than 1,250 hours for Texas Southern University. These employees are not, therefore, eligible for family and medical leave in accordance with the provisions of MAPP 02.03.02. Leave taken for the following events must be reported as parental leave:

- The birth of a child to the employee and the care of the newborn.
- The placement of a child under three years of age with an employee in connection with the adoption or state-approved foster care of the child.

The eligible employee is entitled to a maximum of 12 weeks of approved parental leave in a year, as defined in this policy. The employee may take a shorter leave. Employees who meet the eligibility requirements of family and medical leave are entitled to benefits under MAPP 02.03.02, based on length and hours of employment.

III. DEFINITIONS

- A. Child: For the purposes of parental leave, a biological, adopted, or foster child under three years of age.
- B. Eligible employee: Any employee who:

- Has worked for the State of Texas for a period of time less than 12 months; and
 - Has fewer than 1,250 hours actually worked for the Texas Southern University in the 12 months immediately preceding the qualifying leave.
- C. Year: Twelve months measured forward from the first date parental leave begins. Other applicable definitions may be found in MAPP 02.03.02 – Family Medical Leave.

IV. PROVISIONS

- A. An eligible employee must use all applicable accrued paid leave (including sick leave and vacation) while taking parental leave. The use of accrued sick leave is, however, restricted to those circumstances that would otherwise qualify the employee for sick leave usage under state law and university rules and regulations governing the use of sick leave. The employee may choose to use accrued compensatory time, instead of unpaid parental leave, but may not be required to do so. Any FLSA compensatory time taken may not be counted against the employee's 12-week parental leave entitlement.
- B. Employees with less than six months of continuous employment with the State of Texas are not eligible to take vacation.
- C. A leave of absence extends the probationary period of employment.
- D. Parental leave may start no earlier than the date of birth of a natural child or adoption or foster care placement of the child.
- E. Except under the conditions outlined in MAPP policy 02.03.02, employees returning from approved parental leave must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.
1. An employee offered an equivalent position who chooses to decline the position waives any rights to reinstatement.
 2. An employee who believes that a position offered is not an equivalent position is entitled to file a grievance under the University's Complaint and Grievance Policy, MAPP 02.05.01.
- F. Other provisions relating to leave for birth, adoption, or foster care of a child under family and medical leave may apply also to parental leave. Those provisions may be found in MAPP 02.03.02.

V. APPLYING FOR PARENTAL LEAVE

- A. All requests for parental leave must be submitted on the Request for Family and Medical Leave form prescribed by the Human Resources Department and accompanied by the written statement certified by the health care provider. The required forms are available from the Benefits unit of the Human Resources Department and on the HR Website. "Request for Parental Leave" should be noted at the top of the application form.
- B. The employee is responsible for submitting both required forms to the Benefits Specialist in the Department of Human Resources at least thirty (30) calendar days in advance of the leave, where possible.
- C. Full information must be provided as outlined in MAPP 02.03.02.
- D. To request leave based on the adoption or placement of a child, a copy of the legal orders of adoption or placement is required.

VI. INSURANCE PREMIUM BILLING

- A. When parental leave is without pay, provisions related to the procedures to be followed for insurance premium billing under family and medical leave (section VII of MAPP 02.03.02) are the same for parental leave, except that the timesheet shall indicate "Parental Leave" in the "Remarks" section.
- B. The Benefits section of the Human Resources Department must be contacted within thirty (30) days of the birth/adoption/placement to include the new baby/child in the employee's insurance coverage.

VII. EMPLOYEE REPORTING REQUIREMENTS

The employee requirements for reporting parental leave are the same as those outlined in section VIII of MAPP 02.03.02 for family and medical leave.

VIII. EMPLOYEE REQUIREMENT FOR RETURN TO WORK

- A. Upon return to work, an employee who has been on approved leave for more than three days based on the employee's serious health condition (i.e. childbirth) will be required to present to the Benefits Specialist and the supervisor a doctor's release certifying fitness to return to work. This requirement does not apply to the father or adoptive /foster parent taking parental leave.
- B. A request to return to duty with restrictions will be considered on a case-by-case basis, based on the needs of the department and the essential functions of the job.

IX. RECORD KEEPING

Record keeping requirements for parental leave are the same as those for family and medical leave as outlined in section X of MAPP 02.03.02, except that leave should be designated as parental leave on all payroll documents.

X. REVIEW AND RESPONSIBILITIES:

Responsible Party: Vice President of Human Resources/ CHRO

Review: Every 3 years, on or before August 31

XI. APPROVAL

Edward C. Ness
Vice President for Administration and Finance

John M. Rudley
President

Effective Date March 2016