

Memo to: All UH-Downtown/PS Holders

UH-Downtown/PS 02.A.27

Issue No. 3

From: William Flores, President

Effective date: 03/25/2015

Page 1 of 4

Subject: Parental Leave Policy

1. PURPOSE

This policy describes the parental leave benefits that the University of Houston-Downtown (UHD) provides to eligible employees in accordance with the General Provision of the [State General Appropriations Act](#) and [UH System Administrative Memorandum \(SAM\) 02.D.08, Parental Leave](#).

2. DEFINITIONS

- 2.1 Child: For the purposes of parental leave: a biological, adopted, or foster child under three years of age.
- 2.2 Eligible employee: For the purposes of parental leave, any employee who:
- Has worked for the State of Texas for less than 12 months; and/or
 - Has fewer than 1,250 hours actually worked for the State of Texas in the 12-month period immediately preceding the leave.
- 2.3 Year: Twelve months forward from the first date parental leave begins.
- 2.4 Other appropriate, applicable definitions may be found in the [Family and Medical Leave Policy, PS 02.A.11](#), and [UH System Administrative Memorandum 02.D.06, Family Medical Leave](#).

3. POLICY

- 3.1 University of Houston-Downtown employees who have not met the employee eligibility requirements for Family and Medical Leave Act are entitled to parental leave for the following qualifying conditions:
- a. The birth of a child to the employee or spouse and care of the newborn.
 - b. 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.

Leave taken for these events must be reported as parental leave.

- 3.2 The eligible employee is entitled to a maximum of twelve 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 the University's Family and Medical Leave policy.

- 3.3 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 ([UH System Administrative Memorandum 02.D.01, Vacation and 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 (1.5) taken may be counted against the employee's 12-week parental leave entitlements.
- 3.4 Employees with fewer than six months of continuous employment with the State of Texas are not eligible to take vacation under this policy.
- 3.5 A leave of absence extends the probationary period of employment by the amount of leave taken.
- 3.6 Parental leave may start no earlier than the date of birth of a natural child or adoption or foster care placement of the child.
- 3.7 Except under the conditions outlined in section 4.10 of [UH System Administrative Memorandum 02.D.06, Family and Medical Leave](#), employees returning from approved parental leave within the provisions of this policy shall be restored to their original or equivalent positions with equivalent pay, benefits, and other terms and conditions of employment.
 - a. An employee offered an equivalent position who chooses to decline the position waives any rights to reinstatement.
 - b. An employee who believes that a position offered is not an equivalent position is entitled to file a grievance under [PS 02.B.01, Staff Grievance Policy](#).
- 3.8 Other provisions relating to leave for birth, adoption, foster care of a child under Family and Medical Leave apply also to parental leave. Those provisions may be found in [PS 02.A.11, Family and Medical Leave](#).

4. PROCEDURES

4.1 Applying for Parental Leave:

- a. Requests for parental leave must be submitted on the [Family and Medical Leave and Parental Leave Request](#) along with proper documentation

- b. The employee is responsible for submitting both required forms to the Benefits Unit of Employment Services and Operations (ESO) at least thirty (30) calendar days in advance of the leave, where possible.
- c. Full information must be provided as outlined in [UH System Administrative Memorandum 02.D.06, Family and Medical Leave](#) and [Family and Medical Leave, Policy, PS 02.A.11](#). To request leave based on the adoption or placement of a child, a copy of the legal orders of adoption or placement is required.

4.2 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 ESO's Benefits Unit 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 such concerns as the needs of the department, the essential function(s) of the job, and the type and extent of existing restrictions.

4.3 General Procedural Requirements:

- a. ESO must be contacted within thirty (30) days of the birth/adoption/placement to add the new baby/child to the employee's insurance if coverage is desired or the employee may contact [Employee's Retirement System of Texas \(ERS\)](#) directly.
- b. All insurance coverage, employee reporting requirements, and record keeping are the same as those for Family and Medical Leave.
- c. Sick Leave Pool hours may be available in those cases where severe illness or prolonged complications due to pregnancy or childbirth arise with respect to either the mother or the child

5. EXHIBITS

There are no exhibits associated with this policy.

6. REVIEW PROCESS

Responsible Party (Reviewer): Vice President for Employment Services and Operations

Review: Every three years on or before April 1st.

Signed original on file in Employment Services and Operations.

7. POLICY HISTORY

Issue #1: 09/15/03

Issue #2 04/05/11

8. REFERENCES

[PS 02.A.11](#)

[PS 02.B.01](#)

[State General Appropriations Act](#)

[Family and Medical Leave and Parental Leave Request](#)

[UH SAM 02.D.01, Vacation and Sick Leave](#)

[UH SAM 02.D.06, Family and Medical Leave](#)

[UH System Administrative Memorandum \(SAM\) 02.D.08, Parental Leave.](#)

[Texas Statute 661.913: State Parental Leave Act](#)