



OFFICE OF ADMINISTRATION ADMINISTRATIVE POLICY

POLICY TITLE: Parental Leave	AUTHORIZED BY: Sarah H. Steelman Commissioner
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ISSUED: April, 2017	REVISED:

I. General Statement

The Office of Administration has adopted this Parental Leave Policy as outlined in Executive Order 17-09. This policy will provide up to 6 weeks of paid parental leave for Office of Administration employees.

The purpose of this policy is to give parents additional time and flexibility to bond with their newest member of the family.

This policy should be interpreted and applied in conjunction with Policy B-11 concerning sick leave and B-35 concerning family and medical leave. In the event that this policy conflicts with State statutes or Code of State Regulations, applicable statutes and codes will control.

Questions regarding application, implementation and interpretation of this policy should be referred to the Office of Administration, Human Resources Service Center (HRSC).

II. Definitions

For the purpose of parental leave, the following words and terms, unless the context clearly requires otherwise, shall have the following meanings:

- A. Adoption: the placement of the child(ren) in the temporary legal custody of the employee(s)/parents for the purpose of adoption or in the case of foster parents who have been caring for the child(ren), the time of filing of the adoption petition or at the time of placement in temporary legal custody for the purpose of adoption.
- B. FMLA Leave: Leave that qualifies under the Family and Medical Leave Act of 1993, as amended by the National Defense Authorization Act of 2010 and as outlined in OA Policy B-35.
- C. Parent: the biological, legal or adoptive parent of a child born or adopted on, or after, March 13, 2017.
- D. Parental Leave: Paid leave to an eligible employee, for the purpose of nurturing and bonding with the employee's child born or adopted on, or after, March 13, 2017 as further described throughout this policy. A full-time employee will be compensated at the rate of 100 percent of the employee's regular salary rate and absence is not charged to the employee's accrued leave balances, compensatory time or to state



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holiday compensation. Part-time employees will be paid based upon the average weekly hours worked within the last twelve months in the employee's current appointment. If the employee has not worked for the Office of Administration, in the employee's current appointment, for 12 months, the average weekly hours worked for the Office of Administration during the period in the current appointment will be used.

- E. Primary caregiver: An employee who has primary responsibility for the personal care and attention of the employee's child following the birth or adoption of such child.
- F. Secondary caregiver: An employee who supports the primary caregiving responsibility and has secondary responsibility for the personal care and attention of the employee's child following the birth or adoption of such child.

III. Eligibility

- A. Effective March 13, 2017, every employee, whether in a full-time, hourly, per diem or statutory position, is eligible for parental leave following the birth or adoption of the employee's child.
- B. An employee must be designated, for purposes of this policy, as a primary or secondary caregiver following the birth or adoption of the employee's child.
- C. Parental leave may not be taken in advance of the birth or formal placement for adoption of the employee's child.
- D. Placement of a foster child with an employee is not a qualifying adoption for paid parental leave under this policy.
- E. In certain circumstances related to adoptions, administrative leave with pay may be approved on a case-by-case basis.

IV. Guidelines

- A. An employee who is the primary caregiver may receive up to 6 weeks of parental leave.
- B. An employee who is the secondary caregiver may receive up to 3 weeks of parental leave.



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- C. Parental leave must be taken within the 12 weeks following the birth or adoption of the employee's child.
- D. If both parents are state employees, each parent may receive parental leave, which may be taken concurrently, consecutively, or at different times; however both parents may not be simultaneously designated as the primary caregiver.
- E. Parental leave will be taken concurrently with FMLA leave if the employee is eligible.
- F. An employee on parental leave will continue to accrue sick leave and annual leave at the employee's normal accrual rate.
- G. Parental leave may not be donated or carried over to future years.
- H. Upon termination of employment, the employee shall not be eligible for payment for any unused parental leave. The Office of Administration is not obligated to continue an employee's employment specifically to ensure the employee receives the maximum amount of parental leave allowed to a parent designated as a primary or secondary caregiver.
- I. Any situation not addressed by this policy will be considered on a case-by-case basis.
- J. The Office of Administration reserves the right to request documentation or information from an employee related to proof of parental status or other aspects of this policy. Employees requesting parental leave under this policy are expected to provide requested documentation or information.

V. Employee Responsibilities

- A. An employee is responsible for providing his/her supervisor and the HRSC with written advance notification of the request for parental leave when such need is foreseeable and notice is practicable. When such notification is not foreseeable, an employee is responsible for providing notice as soon as practicable.
- B. An employee is responsible for providing documentation or information requested by the Office of Administration for the purpose of implementing this policy.

VI. Supervisor/Manager Responsibilities



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- A. A supervisor or manager is responsible for notifying the HRSC when an employee under his/her supervision has requested parental leave or when the supervisor becomes aware of a qualifying event.

VII. HRSC Responsibilities

- A. The HRSC will review requests for parental leave and provide direction to the employee and supervisor regarding the proper documentation.
- B. The HRSC may communicate and share information regarding the use of parental leave with other state agencies that are covered by, or have chosen to follow, Executive Order 17-09 when both parents are employed by the State of Missouri and one of the employees is an employee of the Office of Administration.
- C. The HRSC will consider requests for review of unique or case-by-case situations in coordination with the Commissioner of Administration and may issue a written response to the employee.