

## **Parental Leave**

Parental Leave - Pursuant to Massachusetts General Laws Chapter 149, Section 105D, a full-time employee who has completed three (3) months of service in the City of Haverhill shall be entitled to eight weeks of unpaid parental leave for:

(i) the purpose of giving birth or

(ii) the placement of a child under the age of 18, or under the age of 23 if the child is mentally or physically disabled, for adoption with the employee who is adopting or intending to adopt the child; provided, however, that any two employees of the same employer shall only be entitled to eight (8) weeks of parental leave in the aggregate for the birth or adoption of the same child.

The employee shall give at least two weeks' notice to their department head and Human Resources Director of the anticipated date of departure and the employee's intention to return to work or the employee shall provide notice as soon as is practicable if the delay is for reasons beyond the employee's control.

a. An employee intending to take a leave of absence and who wishes to be eligible for parental leave shall notify the department head of the approximate date of leave commencement and whether or not the employee anticipates taking a child rearing leave at least four (4) weeks prior to the anticipated commencement of the leave. Employees are urged to give earlier notification thus providing the department with additional time to secure staffing levels and service to the public.

b. A pregnant employee may continue in their assigned position as long as their physical condition and ability to perform their assigned duties allow. The Human Resources Director may require medical evidence of the employee's ability to continue to work in the same manner that it may require when questioning the health of an employee in a nonmaternity related situation.

c. During disability periods due to pregnancy or childbirth, an employee, upon a timely request for sick leave, is eligible to use sick leave. An employee who is eligible for parental leave but has not given birth to the child, shall be eligible to use up to eight (8) of his/her accrued sick leave days to cover his/her absences from work for parental leave immediately following the birth/adoption of the employee's child. Such days must be consecutive work days during the 8-week parental leave period and must start with the date of birth/adoption of the child.

d. Upon completion of parental leave, the employee shall be restored to the position the employee held when the parental leave commenced or a substantially equivalent position.

Child Rearing Leave - Timely with the birth or adoption of a child or upon completion of a parental leave, an employee shall be entitled to a child rearing leave of up to two (2) years, provided the employee gives written notice at least eight (8) weeks in advance of the leave or adoption. Notwithstanding the prior sentence, timely with the birth or adoption of a child or upon completion of a parental leave, an employee shall be entitled to a child rearing leave for up to the remainder of the same year in which the parental leave commenced, provided the employee gives written notice at least eight (8) weeks in advance of the leave or adoption.

The law provides that if two employees of the same employer give birth to or adopt the same child, the two employees are entitled to an aggregate of 8 weeks of unpaid leave. Only one (1) parent shall be eligible for such leave from the City of Haverhill for the birth or adoption of a child.

a. The anticipated return date shall be included in the application for such leave. Employees on a child rearing leave must notify the Human Resources Director of their intent to return no later than 3 months preceding the anticipated return date. year of return. The employee's failure to notify the Human Resources Director of their intent to return on or before 3 months can result in forfeiture of the employee's assignment.

b. Leave taken pursuant to this Article must be consecutive and unpaid and the return to employment shall constitute a termination of child rearing leave.

c. The employee shall return to the step on the salary schedule which the employee held prior to the commencement of such leave.

Upon return from any leave under this Article, the employee shall be restored as soon as practicable to the position the employee held when the leave began, or to a substantially equivalent position.

Employees who have been employed for one complete year (12 months) and have worked a minimum of 1,250 hours over the past year, shall be entitled to a leave of absence without pay for up to 12 consecutive weeks:

- for the birth of the employee's son or daughter\* and to care for the newborn child; or
- for placement with the employee for adoption or foster care a son or daughter\* in accordance with the Family and Medical Leave Act and the city's policy. When both parents are employed by the same employer, the employees shall only be entitled to twelve (12) weeks of FMLA leave in the aggregate for the birth or adoption of the same child.

Parental leave can run concurrently with FMLA leave. Time spent on parental leave pursuant to this Agreement will be included in the computation of said twelve-week period.

\*Son or daughter means a biological, adopted or foster child, a step child, a legal ward or child of person standing in loco parentis, who is either under age 18 or age 18 or older and incapable of self-care because of a mental or physical disability at the time that the FMLA leave is to commence.