

LSU HEALTH CARE SERVICES DIVISION

POLICY NUMBER: 4572-23

CATEGORY: Human Resources

CONTENT: Parental Leave – Birth of child; Adoption; Fostering a child.
This policy will define qualifying events for usage; eligibility requirements; timeframes; and required documentation.

APPLICABILITY: This policy shall be applicable to all eligible classified and “regular” unclassified employees at the Health Care Services Division Administration (HCSDA) and Lallie Kemp Medical Center (LKMC).

For purpose of this policy, “regular” unclassified employees are defined as monthly unclassified employees and bi-weekly unclassified employees serving in a regular, leave earning, and benefits eligible appointment.

EFFECTIVE DATE: Issued: November 17, 2023

INQUIRIES TO: Human Resources Administration
Health Care Services Division
Post Office Box 91308
Baton Rouge, LA 70821-1308

Note: Approval signatures/titles are on the last page.

**LSU HEALTH CARE SERVICES DIVISION
PARENTAL LEAVE POLICY FOR CLASSIFIED AND UNCLASSIFIED EMPLOYEES**

I. POLICY STATEMENT

Effective January 1, 2024, it shall be the policy of the Health Care Services Division (HCSD) to provide 240 hours of paid parental leave to eligible employees for qualifying events as defined within this policy. Parental leave shall be provided without deduction to an eligible employee's annual, sick, or compensatory leave balances.

Provisions of this policy extend to both eligible classified and regular unclassified employees, unless otherwise noted. For purpose of this policy, "regular" unclassified employees are defined as monthly unclassified employees and bi-weekly unclassified employees serving in a regular, leave earning, and benefits eligible appointment.

Note: Any reference herein to Health Care Services Division (HCSD) also applies and pertains to Lallie Kemp Medical Center (LKMC).

II. IMPLEMENTATION

This policy and subsequent revisions to this policy shall become effective upon approval and signature of the HCSD Chief Executive Officer (CEO) or Designee.

III. ELIGIBILITY AND QUALIFYING EVENTS

A. Qualifying Events

1. Birth of a child
2. Placement of a child under the age of 18 with the employee for adoption
3. Placement of a child under the age of 18 with the employee for foster care

B. Eligible Employees

1. Employee shall occupy leave-earning position on the date of the qualifying event.
2. Employee shall be employed by the State of Louisiana for at least twelve (12) months preceding the date of the qualifying event and have actually worked at least 1250 hours in the twelve (12) months.
3. Parental leave only available to the legal parents, adoptive parents or foster parents of the child for whom parental leave is taken.
4. Parents must have an active and on-going role in parenting the child.
5. For purposes of this policy, a legal parent is defined as persons having a genetic relationship to the child or filiated to the child through legal presumption or assisted reproductive technology.

C. Qualifying Purposes

1. For a legal, adoptive or foster parent to bond with the child for whom parental leave is taken.
 - a. A need to bond with the child exists when there is a new relationship between the parent and child and the employee will spend time with child to create an on-going mutual attachment.
 - b. This rule is not intended to apply where a relationship resembling parent-child already exists and the primary change is the legal nature of the relationship. (Examples: foster parent to adoptive parent; some intra-family adoptions such as adoptions by step-parents.)

2. For adoptive or foster parents to attend post-placement court proceedings or mandatory meetings related to adoption or foster placement

IV. **TIMEFRAME/DURATION**

- A. Parental leave is available for use only during the 12 weeks (84 calendar days) immediately following the effective date of the qualifying event.
- B. Parental is available for use commencing on the first date of a qualifying event and for only as much of the parental leave period as the employee is engaged in a qualifying event.
- C. Parental leave may be used continuously or intermittently.
- D. Parental leave shall be provided without deduction to an eligible employee's annual, sick, or compensatory leave balances.

V. **COMPENSATION**

- A. Full-time employees shall be 100% compensated at the employee's base pay for a period not to exceed 240 hours during the available 12-week period.
- B. Part-time employees shall be compensated at 100% of the employee's base pay for a period not to exceed six (6) weeks based upon the employee's average number of hours worked in the six (6) months immediately preceding the commencement of the parental leave. (Part-time employees must be occupying a leave-earning position.)
Example: Employee works average of 25 hours per week during the 6-month look-back period. The employee shall be paid their base pay for 25 hours per week for 6 weeks.
- C. Employees are compensated for base pay only. Compensation does not include premium pay, shift diff, on-call and/or certification pay, etc.

VI. **LIMITATION**

- A. Parental leave shall not be donated to another employee.
- B. Unused parental leave shall not be reserved for use during a subsequent qualifying event, nor paid to the employee.
- C. Upon exhaustion of 240 hours of parental leave (or the appropriate allotment for part-time employees), additional leave may be requested in accordance with established policy/procedures.
- D. At least twelve (12) months shall elapse from the beginning of one parental leave period until an employee is eligible for another parental leave period. For a new parental leave period, there shall be a new qualifying event on or after the 12-month waiting period, and the eligibility requirement in Section III, shall be satisfied as of the date of the new qualifying event.
- E. Eligible employees using parental leave for occurrences also qualifying under the Family and Medical Leave Act (FMLA) shall use FMLA concurrently with parental leave.
- F. When both parents are employed in the state service, each is entitled to utilize a full 240 hour (or the appropriate allotment for part-time employees) parental leave period.
- G. Advanced notice of leave should be provided and leave approved prior to use, as practicable.
- H. Employees use of parental leave in accordance with Civil Service Rule 11.36 and this policy shall not have a negative impact upon the employment relationship.
- I. Employees violating the use of parental leave in accordance with this policy may be disciplined, up to and including dismissal/separation.

VII. **PROCEDURES**

- A. Employee must complete a request form prior to approval of parental leave. Refer to Attachment A.
- B. Acceptable Documentation
 - 1. Birth Certificate
 - 2. Insurance certificate confirming their relationship to the child
 - 3. Proof of attendance at court proceedings
 - 4. Proof of mandated meetings related to adoption or foster care placement
 - 5. Appointing Authority shall never require medical records or scientific evidence to prove paternity.

VIII. **EXCEPTION**

The HCSD CEO or designee may waive, suspend, change or otherwise deviate from any provision of this policy they deem necessary to meet the needs of the agency as long as it does not violate the intent of this policy; state and/or federal laws; Civil Service Rules and Regulations; LSU Policies/Memoranda; or any other governing body regulations.

REQUEST FOR PARENTAL LEAVE
(This form may also serve as a request for FMLA, where applicable.
However, completion of additional FMLA forms will be required.)

Section A: Employee Information (Please print)

Employee Name: _____ Home/Cell phone #: _____

Job Title/Work Unit: _____

Address: _____

Section B: I am requesting parental leave for: (Please check qualifying event)

_____ Birth of a child

_____ Placement of a child under the age of 18 with employee for adoption

_____ Placement of a child under the age of 18 with employee for foster care

Date qualifying event commenced: _____

Probable duration of qualifying event: _____

Will leave be taken intermittently? YES _____ NO _____

_____ I am also requesting FMLA for qualifying event.

Employee Signature/Date

Section C: Documentation Attached

_____ Birth Certificate

_____ Insurance certificate confirming relationship to the child

_____ Proof of attendance at court proceedings

_____ Proof of mandated meetings related to adoption or foster care placement

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HCSO Human Resources Director
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Currently Signed

Approver:
Townsend, Kathy
HCSO Human Resources Director



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Approver:
Wilbright, Wayne
Chief Medical Informatics Officer



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