



PAID FAMILY LEAVE

Presented by

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BUNCOMBE COUNTY



ADDITIONAL INFORMATION REQUESTED

What are others doing:

- ❖ Nine states/districts have legislation in place for Family Care
 - ❖ RI, CA, NJ, NY, WA, MA, CT, RI and the DC
 - ❖ All benefits are running through state funded programs
 - ❖ Employees are paying for this benefit either through a tax deduction or insurance premiums
 - ❖ Eight states offer a weekly reduced benefit 60%-95%. One offers a weekly benefit of 100%.



DECISION NEEDED

- ❖ **Type of leave:**
 - ❖ Parental
 - ❖ Family care
- ❖ **Benefit duration**
- ❖ **Rate of Compensation**
- ❖ **Same benefit for married employees**



RECOMMENDATION

- ❖ Offer both Parental & Family Care Leave
- ❖ Benefit duration:
 - ❖ 8-weeks for parental care
 - ❖ 6-weeks for family care
- ❖ Compensation
 - ❖ 100% of pay
- ❖ Federal FMLA regulation - Combined leave provision
 - ❖ Approve same benefit to married couples



PERSONNEL ORDINANCE

RECOMMENDED POLICY CHANGES



FAMILY MEDICAL LEAVE ACT (FMLA) POLICY

m. Paid Parental and Family Leave

- i. Eligibility: To be eligible for Paid Parental and Family Care Leave, the employee must be a qualified employee under the Family Medical Leave Act (FMLA) and on approved FMLA Leave for one of the following reasons:
 1. To bond with a newborn child within one year of birth; or to bond with a child following adoption or foster care placement within one year of adoption or placement. Part-time and Temporary employees are not eligible for Paid Family Leave.
 2. To care for a spouse, child or parent with a serious health condition (described below).

ii. Paid Leave Benefit:

1. Compensation. Paid Parental and Family Leave will provide salary continuation of:
 - a. 100% for Parental Leave.
 - b. 100% for Family Care Leave.
2. Duration.
 - a. Up to eight (8) weeks for Parental Leave.
 - b. Up to six (6) weeks for Family Care Leave.
 - i. Employees may use this time in a single continuous block or intermittently. Paid Parental and Family Leave runs concurrent with FMLA Leave.
 - ii. The amount of paid Parental and Family leave for any one person shall not exceed the employees approved FMLA period.
 1. If the employee has used unpaid Family Medical Leave, they will only be eligible to use the remaining balance of their leave to apply to this paid benefit.
3. Considerations:
 - a. All leave must be completed within twelve (12) months of the qualifying event.
 - b. If the employee is using consecutive days of this approved leave, they may not use vacation, sick leave, or holiday pay.
 - c. If the employee is utilizing their paid Parental and Family Leave intermittently, they may use their accrued but unused leave in accordance with the Personnel Ordinance.
 - d. Employees may not receive Temporary Disability Income (TDI) while receiving Paid Family Leave. An employee may receive Paid Parental and Family Leave prior to obtaining TDI or after TDI ends.
 - e. If an employee receives Paid Parental and Family Leave, they will not be available to sell back vacation time for 12-months from the end of the approved leave.
 - f. Employees receiving Paid Parental and Family Leave may not work off duty employment.



REMOVAL OF THE FMLA COMBINED LEAVE PROVISION

b. Amount of Leave

An eligible employee can take up to 12 weeks for the FMLA circumstances (a) through (e) above under this policy during any 12-month period. The County will measure the 12-month period as a rolling 12-month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, the County will compute the amount of leave the employee has taken under this policy in the last 12 months and subtract it from the 12 weeks of available leave, and the balance remaining is the amount the employee is entitled to take at that time. The FMLA Combined Leave Provision does not apply for married couples working for the County.



Questions?



DEFINITION

❖ Policy Definition:

- ❖ Serious Health Condition – A condition that requires inpatient care at a hospital, hospice or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care or a condition that requires continuing care by a licensed health care provider.

