

TRS Policy

Parental Leave

Purpose

To provide time off for an employee for the birth of a child or the adoption or foster care placement of a child under the age of three, if the employee is not eligible for leave under the Family Medical Leave Act (FMLA).

Core Value

This policy ties to TRS' commitment to its core values, including collaboration, diversity, and respect.

Reference

Texas Government Code §661.909.

Applies To

All eligible TRS employees

Definitions

Parental Leave: A type of leave available to employees who do not qualify for leave under the FMLA for the birth, adoption, or foster placement of a child..

General Statement

Employees who are not eligible for leave under the FMLA are entitled to take up to 12 weeks of accrued paid or unpaid leave during a 12-month period for:

- The birth of the employee's child and care of the infant; or
- The adoption or foster care placement of a child under the age of three.

Parental leave begins on the date of birth of the employee's child, on the date of the adoption, or foster care placement of a child younger than three years of age.

Employees on parental leave under this policy are not eligible for statutory parental leave pay. Please refer to the FMLA Policy for more information on the statutory parental leave pay (Texas Government Code §661.9125).

Eligibility

To be eligible for parental leave, the employee must have:

- Worked for the state for *less* than 12-months; or
- Worked *fewer* than 1,250 hours during the 12-month period preceding the leave.

Requirement to Exhaust Paid Leave

Employees must use all available and applicable, accrued sick and vacation leave while taking parental leave prior to going into a leave without pay (LWOP) status. However, the use of sick leave is limited to those situations that clearly fall within the definition of sick leave.

Health Insurance Premiums

If an employee is in LWOP status for a whole month during the 12-weeks of parental leave, the employee must pay the total monthly health insurance premium, including the portion normally paid by the state.

Process for Requesting Parental Leave

Employees must notify their supervisor or the workplace accommodations coordinator of their intent to take parental leave. The employee submits supporting documentation to the coordinator. The workplace accommodations coordinator reviews the supporting documentation and approves or denies the request. The employee is notified in writing of the parental leave designation.

Documentation

To support a request for parental leave, employees may be required to provide the workplace accommodations coordinator with a copy of the birth certificate or a copy of the foster care or adoption papers.

Family Medical Leave Eligibility

An employee's use of parental leave under this policy will not impact an employee's eligibility for FMLA leave at a later date.


Violations

A violation of this policy may result in corrective action.

Cross Reference/Related Documents

- Leave Policy

- Sick Leave Pool and Extended Sick Leave Policy
- Family and Medical Leave Act Policy
- Family Leave Pool Policy

Policy Type: Enterprise-Level	First Issued: September 1, 1972
Contact: Shunne Powell, Michelle Gray	Last Review: September 2023
Department Sponsor(s): Chief Operational Excellence Officer Shunne Powell	Next Review Due Date: February 27, 2029
Reviewing Department(s): OE, L&C	Version Number: Version 10 (February 2024)
Review Cycle: Every 5 years	Version Approved Date: 3/4/2024
Intranet Location: TRS Documents folder on the TRS public internet site	DocuSigned by:  Andrew Roth <small>704CC82DC3C746B</small>

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