

# Asheville-Buncombe Technical Community College

# (A-B Tech) Procedure

## Procedure 507: Paid Parental Leave

In order to assist and support employees in balancing work and family obligations, Asheville-Buncombe Technical Community College will provide (8) eight weeks of fully paid leave to eligible full-time employees and (4) four weeks of fully paid leave to eligible part-time regular employees upon the birth of their child or the adoption, foster placement, or other legal placement of a child under the age of eighteen (18). This policy will be in effect for births or adoptive, foster, or other legal placements occurring on or after January 1, 2020.

Paid Parental Leave may be taken upon the birth of a child to an eligible employee, or the adoption, foster care placement, or other legal placement of a child with an eligible employee under the following guidelines:

* Employee must meet eligibility requirements set forth by the Family and Medical Leave Act (FMLA).
* Paid Parental Leave shall be used within twelve (12) months of the qualifying event and may be used intermittently.
* Employee will be compensated 100% of the employees’ regular pay.
* If two individuals are both employed by the College, Paid Parental Leave may be taken simultaneously or at different times by each eligible employee.
* Paid Parental Leave shall run concurrently with Family and Medical Leave, when applicable.
* Paid Parental Leave shall not be counted against or deducted from the eligible employee’s accrued sick or vacation leave, if applicable.
* When a child is given up for adoption or placed in foster care, the employee will continue to be eligible for Paid Parental Leave.
* When a prospective adoptive or foster parent expects adoption or placement, but it does not occur, it does not produce Paid Parental Leave.
* Paid Parental Leave may be used only once for a qualifying event within a rolling twelve-month period.
* An employee shall be eligible for Paid Parental Leave even if the employee has exhausted Family and Medical Leave as long as other eligibility requirements are met.
* Unused Paid Parental Leave is not compensable if the employee separates from employment or moves to an ineligible position.
* If leave is needed prior to the qualifying event, other leave shall be utilized in accordance with the College’s leave policy. Paid Parental Leave shall not be used prior to the qualifying event.
* When requesting time off for this purpose, employees should submit the Request for Leave form to the supervisor at least 30 days in advance or as soon as possible if the need was not foreseeable.
* The employee must follow Requesting and Reporting Absence Procedure 507 while on Paid Parental Leave.
* The employee must also contact the Benefits Team to schedule a meeting to discuss Family and Medical Leave.
* Human Resources may request proof of the qualifying event.

## Miscarriage and Stillbirth

* When a fetus dies during the first twelve weeks of pregnancy, it is not a Qualifying Event for Paid Parental Leave.
* When a fetus dies during or after the thirteenth week of pregnancy, but before childbirth, and meets the other eligibility requirements for Paid Parental Leave, the birth parent may receive Paid Parental Leave.
* When a child dies after childbirth, each parent of the child who meets the eligibility requirements shall receive the full Paid Parental Leave.

## Confidentiality

All records and documents relating to medical certifications, recertification or medical histories of an employee or an employee's family members will be maintained in a separate medical/benefits file that is separate from the employee's personnel file. This information will be treated as confidential medical records in accordance with the Americans with Disabilities Act (ADA), and the Genetic Information Non Discrimination Act (GINA).

Definitions:

Employee categories are defined in Policy 503.05, Employment Categories and Classifications.

**Eligible Employee** – Full-time regular and part-time regular employees who have been continuously employed by the College for the immediate twelve (12) preceding months and are eligible for Family and Medical Leave (FMLA) .

**Paid Parental Leave -** Up to eight (8) weeks for full-time regular or four (4) weeks for part-time regular of 100% paid leave to be provided to an eligible employee for a Qualifying Event as outlined in this procedure to care for the employee’s child after birth, adoption, foster care placement, or other legal placement of a child with an eligible employee.

**Qualifying Event -** The birth of a child or children to an eligible employee, or the adoption, foster care placement, or other legal placement of a child with an eligible employee. Note: Other legal placement does not include parental custody cases or legal assignments such as a Guardian ad Litem (GAL).

## References:

Employment Categories and Classifications, Policy 503.05

Requesting and Reporting Absence, Procedure 507

Family and Medical Leave, Procedure 507

Maternity/Paternity Leave, Procedure 507

Americans with Disabilities Act, as amended.

Owner: Executive Director, Human Resources and Organizational Development

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