

**1. Title**

Parental Leave

**2. Policy**

Sec. 1 Purpose. This policy provides for the administration of parental leave.

Sec. 2 Eligibility.

2.1 Employees appointed 20 hours per week or more and for four and one-half months or more and who are not in a position that requires student status as a condition of employment are eligible for parental leave.

2.2 An employee who has been employed for less than 12 months by the State or who has worked less than 1,250 hours during the 12-month period immediately preceding the beginning of leave and who meets other criteria outlined in this policy is eligible to take a parental leave of absence not to exceed 12 weeks during the 12-month period immediately following the commencement of leave.

2.3 Employees who are not eligible for Family and Medical Leave may use parental leave for the birth of a natural child of the employee or the adoption by or foster care placement with the employee of a child younger than three years of age. Parental leave is limited to and begins on the date of the birth of a natural child or on the date of the adoption or foster care placement of a child younger than three years of age.

Sec. 3 Procedures.

3.1 The employee should contact the Office of Employee Services (OES) to request parental leave as far in advance of the need as possible.

3.2 OES will provide the application form and the Certification of Health Care Provider form to the employee.

3.3 On receipt of the completed forms from the employee, OES will notify the employee of eligibility and documentation information.

3.4 An eligible employee is entitled to take up to 12 weeks of leave during the 12-month period immediately following the date of the birth of a natural child of the employee or the date of the

adoption or foster care placement of a child younger than three years of age.

- 3.5 Any leave taken that is related to the parental leave condition is considered parental leave and will count against the employee's parental leave entitlement. If an employee takes leave intermittently, rather than for one continuous period of time, only the amount of leave actually taken for the parental leave condition will count against the entitlement.
- 3.6 Employees must first use all accumulated and applicable paid vacation and sick leave while taking parental leave prior to going on approved leave without pay. The use of sick leave is restricted to circumstances that would otherwise qualify for sick leave. An employee who is the father of a child may use sick leave for the birth of his child in conjunction with parental leave only if the child is ill due to childbirth or to care for his spouse while she is recovering from labor and delivery.

Employees may use accumulated State compensatory time or Fair Labor Standards Act (FLSA) overtime during a parental leave of absence but are not required to do so. State compensatory time, FLSA overtime, and holidays used by an employee during a parental leave of absence are not counted against the employee's 12-week entitlement.

- 3.7 If an employee is placed on leave without pay for one or more full calendar months, the employee must contact OES to make arrangements for the payment of insurance premiums while on leave.
- 3.8 The employee must record the time away from work as the applicable leave type (e.g., sick, vacation) and enter "Parental Leave" in the notes section of the Electronic Time System weekly timesheet.

**3. Definitions**

None

**4. Relevant Federal and State Statutes**

[Texas Government Code Section 661.913](#)

**5. Relevant System Policies, Procedures, and Forms**

[INT135, Sick Leave](#)

[INT122, Family and Medical Leave](#)

[INT126, Leave Without Pay](#)

Certification of Health Care Provider form:

<http://www.utsystem.edu/secure/ohr/forms/CertEmployeeSeriousHealthCondition.pdf>

**6. Who Should Know**

All employees of U. T. System Administration

**7. System Administration Office(s) Responsible for Policy**

Office of Employee Services

**8. Dates Approved or Amended**

February 1, 2001

Amended August 13, 2009

Amended August 23, 2011

**9. Contact Information**

Questions or comments about this policy should be directed to:

- [bor@utsystem.edu](mailto:bor@utsystem.edu)