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|  | <b>COOK COUNTY BUREAU OF HUMAN RESOURCES</b> |                      |
| <b>POLICY TITLE: PARENTAL LEAVE POLICY</b>  |  |                      |
| <b>Effective: July 1, 2023</b>  | <b>Approved: June 30, 2023</b>               | <b>Page   1 of 4</b> |

**I. OVERVIEW**

Cook County (“County”) is committed to creating an inclusive environment for employees at every stage of their lives. As such, the County has established this Twelve (12) Week Paid Parental Leave (“12-Week Paid Parental Leave”) policy to support employees on their journey to parenthood. Individual journeys to parenthood are varied; this policy equitably honors the various pathways to parenthood and applies to eligible employees following the birth of an employee’s child (including gestational surrogacy) or the placement of a child with an employee in connection with adoption or foster care. 12-Week Paid Parental Leave enables eligible employees to receive their full base salary for up to twelve (12) weeks post-qualifying parental event.

**II. PURPOSE**

The purpose of this policy is to establish the terms and conditions under which employees are entitled to 12-Week Paid Parental Leave.

**III. INTENT**


This policy is intended to be interpreted consistent with and subject to applicable law. It supersedes all previous policies and/or memoranda that may have been issued from time to time on subjects covered in this policy, including the County’s previous Parental Leave policy. This policy is not intended to supersede or limit the County from enforcing programs or provisions in any applicable Collective Bargaining Agreement. Should any provision in this policy conflict with a specific provision in the Personnel Rules, the provision(s) in this policy shall take precedence.

**IV. SEVERABILITY**

If any section or provision of this document should be held invalid by operation of law, none of the remainder shall be affected.

**V. JURISDICTION**

The Bureau of Human Resources (“BHR”) is authorized to develop and issue policies for the effective management of Cook County employees, pursuant to Section 44-45 of the Cook County Code of Ordinances.

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**VI. AREAS AFFECTED**

This policy applies to all County employees, subject to collective bargaining, in Departments in the Offices under the President and/or covered by the Cook County Employment Plan.

**VII. NONDISCRIMINATION**

Cook County prohibits the discriminatory application, implementation, or enforcement of any provision of this policy on the basis of race, color, sex, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military discharge status, source of income, gender identity or housing status, or any other protected category established by law, statute, or ordinance. In addition, the utilization of Parental Leave shall not have a negative impact on employment status.


**VIII. ELIGIBILITY**

To be eligible for 12-Week Paid Parental Leave the employee must be deemed eligible for FMLA (Family Medical Leave Act) on the date the leave is requested. Eligibility for FMLA indicates an employee must have worked for the County for at least 12 months, and at least 1,250 hours during the Leave Year. Additionally, the employee must meet one of the following criteria to establish a qualifying parental event: 1) birth parent 2) non-birthing biological parent 3) intended parent of a gestational surrogacy 4) parent of adopted child or 5) foster parent placed with a foster child age 17 or younger.

Employees not eligible for 12-Week Paid Parental Leave should contact the BHR Leave Manager to determine their eligibility for other leaves of absence offered pursuant to the Cook County Personnel Rules or applicable statutes.

**IX. POLICY AND PROCEDURES**

Eligible employees approved for 12-Week Paid Parental Leave, will receive their full base salary on a biweekly basis for up to twelve (12) weeks, in accordance with regularly scheduled pay dates.

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12-Week Paid Parental Leave shall be granted in connection with a qualifying parental event and is available during the twelve (12) month period immediately following the birth or placement. The twelve (12) month period begins on the date of the birth or placement involved. If the birth or placement occurs after the employee’s regular work schedule, the leave shall begin on the next business day. A multiple childbirth/placement will not increase the length of 12-Week Paid Parental Leave.


Employees cannot use 12-Week Paid Parental Leave prior to the date of birth/placement and must use the benefit in a continuous block of time beginning on the day of birth, placement, or adoption. 12-Week Paid Parental Leave cannot be used intermittently. 12-Week Paid Parental Leave is available if an employee has a continuing parental role with the child whose birth or placement was the basis for the leave entitlement. The adoption of a spouse’s child is excluded from this policy unless the child is newly placed with both parents.

12-Week Paid Parental Leave is limited to one occurrence during a twelve (12) month period. Requests for extension beyond twelve (12) weeks of leave will not be approved. However, employees may contact the BHR Leave Manager to determine their eligibility for other leaves of absence offered pursuant to the Cook County Personnel Rules or applicable statutes.

**X. EMPLOYEE RESPONSIBILITY**

1. No later than thirty (30) calendar days before the anticipated delivery/placement date, or as soon as practicable within the twelve (12) month period immediately following the birth or placement, submit a 12-Week Paid Parental Leave request through the Cook County Time and Attendance System including a statement from the healthcare provider, attorney, or social worker of the anticipated delivery/placement date.
2. Notify the County’s BHR Leave Manager of the date of the birth or placement of the child by providing corresponding legal documentation.

**XI. REINSTATEMENT**

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An employee who is the birth parent, returning to work from Parental Leave shall be eligible for reinstatement as soon as the Personnel Services Division of BHR receives written notice from a qualified health care provider that deems the employee is able to resume all essential job duties.

The reinstatement rights of an employee returning from Parental Leave will be identical to those of an employee returning from an ordinary disability leave.

An employee returning to a safety sensitive position following a Parental Leave of at least 30 calendar days shall be subject to a drug and alcohol test, in accordance with the County’s Drug and Alcohol policy.

**XII. SEPARATION**

All rights to 12--Week Paid Parental Leave cease at the close of business on the effective date of an employee’s separation or layoff, and neither the employee nor the employee’s estate is entitled to any further compensation for 12-Week Paid Parental Leave beyond the effective date of the employee’s separation or layoff.

The County’s BHR Leave Manager (or designee) will monitor County practices to ensure compliance with, and answer questions concerning, the information presented in this policy.

Additional benefits may be available from the Cook County Pension Board.

**XIII. ENFORCEABILITY**

Any fraudulent attempt to obtain 12-Week Paid Parental Leave may subject the employee to discipline, up to and including discharge, in accordance with the personnel rules and/or applicable collective bargaining agreement.

**XIV. CONFIDENTIALITY**

Cook County maintains confidentiality of information, to the extent required by applicable law.