

**RESOLUTION APPROVING A TECHNICAL AMENDMENT TO ARTICLE III,
SECTION 44 (m) OF THE CITY OF WINSTON-SALEM PERSONNEL
RESOLUTION RELATED TO PAID PARENTAL LEAVE**

WHEREAS, on June 19, 2017, the Winston-Salem City Council approved an amendment to the City of Winston-Salem Personnel Resolution approving a paid parental leave policy; and

WHEREAS, this policy provides up to six (6) weeks of paid parental leave to employees following the birth of an employee's child or the placement of a child with an employee in connection with adoption, foster care or legal guardianship; and

WHEREAS, the policy was crafted in accordance with the provisions of the Family Medical Leave Act; and

WHEREAS, the policy is hereby amended in accordance with the City's interpretation of the Family Medical Leave Act to allow six (6) weeks of paid parental leave in a rolling 12-month period for each parent in situations where both parents and/or legal guardians are City employees.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Winston-Salem City Council that the following amendments to the Personnel Resolution are approved:

Section 1: Article III. Benefits, Sec. 44 (m) Paid Parental Leave is hereby amended as follows:

(m) *Paid parental leave.*

The City of Winston-Salem will provide up to six (6) weeks of paid parental leave to employees following the birth of an employee's child or the placement of a child with an employee in connection with adoption, foster care or legal guardianship. The purpose of paid parental leave is to enable the employee to care for and bond with a newborn or a newly adopted or newly placed child. Six (6) weeks of paid leave is provided in addition to accrued vacation and sick leave. The paid parental leave will run concurrently with FMLA leave. Vacation and sick leave will continue to accrue during the period of paid parental leave. However, the employee may not use accrued sick, vacation, or holiday pay concurrently with paid parental leave. This policy is effective for births, adoptions, placements of foster children, and legal guardianships on or after July 1, 2017.

Eligible employees must meet the following criteria: have been employed with the City for at least 12 months; and have worked at least 1,250 hours during the 12 consecutive months immediately preceding the qualifying event. A qualifying event is the birth of a child of the employee; the legal placement of a child under the age of 18 with the employee for adoption, foster care or guardianship; or the placement of a child under the age of 18 with the employee who permanently assumes or discharges parental responsibilities (in loco parentis). Additionally, eligible employees must work in a regular, full-time or benefitted part-time position. Temporary and seasonal employees are not eligible for this benefit.

Eligible employees will receive a maximum of six (6) weeks of paid parental leave per birth, adoption or placement of a child/children. The fact that a multiple birth, adoption or placement occurs (e.g. the birth of twins or adoption of siblings) does not increase the six-week total amount of paid parental leave granted for that event. Additionally, in no case will an employee receive more than six (6) weeks of paid parental leave in a rolling, 12-month period, regardless of whether more than one birth, adoption or foster care placement event occurs within that 12-month timeframe. If both parents and/or legal guardians are City employees who meet the aforementioned eligibility criteria, ~~the combined maximum paid parental leave each employee is allowed is a combined~~ six (6) weeks of paid parental leave during the rolling 12-month period. Each week of paid parental leave is compensated at 100% of the employee's regular, straight-time weekly pay or equivalent weekly salary. Paid parental leave will be paid on the City's customary biweekly pay schedule. Employees must take paid parental leave in one continuous period of leave for the employee's entire work schedule. Intermittent paid parental leave is not permitted. Approved paid parental leave may be taken at any time during the six-month period immediately following the qualifying event and may not be used or extended beyond this six-month timeframe. Any unused paid parental leave will be forfeited at the end of the six-month timeframe. Upon termination of employment with the City, the employee will not be paid for any unused paid parental leave for which the employee was eligible.

BE IT FURTHER RESOLVED that this resolution shall become effective July 1, 2017.