

Parental Leave

Introduction

An employee is eligible for parental leave to take time off from work due to 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 FMLA leave.

Policy

The Comptroller's office will provide an employee who is not eligible for Family and Medical Leave up to 12 weeks of unpaid parental leave immediately following the birth of the employee's child or the date of the adoption or foster care placement of a child under three years of age.

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

The employee cannot use parental leave after the end of the 12-week period immediately following the birth of the employee's child or the date of adoption or foster placement. Parental leave may be used intermittently during this time only if approved in advance by the employee's management.

Substitution of Paid Leave

The employee must first use all available and applicable accrued sick leave and annual leave while taking parental leave prior to going into a leave without pay status (LWOP).

The use of sick leave is restricted to those circumstances that would otherwise qualify for use of sick leave.

FMLA Leave

An employee's FMLA leave entitlement when he or she meets the eligibility requirements will be determined by the Comptroller's office without regard to the employee's use of parental leave.

Authority Texas Government Code §661.913