

Use of Paid Sick Leave to Bond with a Child

FAQs

1. Who may use accumulated paid sick leave to bond with a newborn, adopted or foster child?

Recent administrative rule changes allow a non-birthing parent, along with the birthing mother, to utilize up to six weeks of accumulated paid sick leave to bond with the parent's newborn, adopted or foster child.

2. Is retroactive use of the six weeks of paid sick leave to bond with a child allowed?

An employee may use up to six weeks of accumulated paid sick leave to bond with the child in the 12 months following his or her birth. If the child was born, adopted, or placed in the last 12 months and you are interested in using sick leave, please contact your human resource manager.

3. Is any parent eligible to use their sick time to bond with a child?

Yes, any parent may use up to six weeks of accumulated sick leave to bond with a child within 12 months following the birth, adoption or placement.

To be eligible for job protections provided by the Family Medical Leave Act (FMLA), the employee must have worked for the state for at least 12 months as of the date the FMLA leave is to start and have worked at least 1,250 hours for the employer during the 12-month period before the date FMLA leave is to start. The 12 months of service do not need to be consecutive but must be within the last seven years. Please contact your human resource manager for more information.

4. Does this change the amount of paid sick leave a birth-mother can use after the birth of a child?

No, the administrative rule change was to allow the non-birthing parent to utilize up to six weeks of accumulated paid sick leave within one year after the birth of a child. A birthing mother is already able to do so.

5. Does an employee have to take the time (up to six weeks) all at once?

Yes, the sick leave to bond with a newborn or newly placed child must be taken consecutively, unless otherwise approved in advance by the supervisor.

6. How far in advance must an employee notify his or her supervisor of the intent to utilize up to six weeks of accumulated paid sick time to bond with the child?

Generally, an employee should provide the State with a 30-day advance notice to use paid sick leave to bond with a newborn or a newly placed child.

In order to qualify for leave under the FMLA, the State's general FMLA notice requirement and FMLA paperwork is required to initiate the process. For FMLA eligible parents, the use of paid sick leave runs concurrently with FMLA leave. Please contact your human resource manager for more information.