



**PARENTAL LEAVE ACT
Notice of Eligibility, Rights and Responsibilities**

Date:

To:

Department:

PART A – Notice of Eligibility

You notified us (or we became aware) of your need to take leave due to the following on:

- the birth of a child
- placement of a child under 3 years of age for adoption or foster care

You are not eligible and your leave will not be designated as FMLA leave because:

- You have not completed 12 months of state service.
- You have not worked the required 1,250 hours during the previous 12 months.

This notice is to inform you that:

You are eligible for parental leave (PLA) – See Part B, C & D for Rights, Responsibilities and Leave Information

- 1) Parental leave applies to the birth of a child or the adoption or foster care placement of a child under 3 years of age
- 2) Parental leave will expire 12 weeks after the date of birth, or 12 weeks after the first day an adopted/foster child is formally placed into your home, and
- 3) Parental leave may be used on an intermittent or reduced hour basis, provided you and your department agree to the proposed work schedule

Estimated delivery due date:

Date child is expected to be placed into home for adoption/foster care:

You must return a medical certification form, physician’s statement or other documentation within 15 calendar days of your receipt of this notice (additional time may be required in some circumstances).

Below are your leave balances as of:

_____ hours of sick leave	_____ hours of vacation
_____ hours of administrative leave	_____ hours of FLSA compensatory
_____ hours of state compensatory	_____ hours of floating state holiday

PART B – Rights under PLA Leave

- You have a right for up to 12 weeks of PLA coverage per fiscal year (9/1 – 8/31).
- Your health benefits will be maintained while covered under PLA under the same conditions as if you continued to work.
- You must be reinstated to the same or an equivalent job with the same pay, benefits, and terms and conditions of employment on your return from PLA-protected leave. (If your leave extends beyond the end of your PLA entitlement, you do not have return rights under PLA.)
- If you do not provide the required documentation, you will not be able to use sick leave or have the protections of the PLA.

PART C – Responsibilities for Taking PLA Leave

For birth of a child:

- You must return a medical certification form, physician's statement or other acceptable documentation **within 15 calendar days from your receipt of this notice** in order for us to determine whether your absence qualifies as PLA leave. Failure to provide sufficient documentation in a timely manner may delay or prevent your receipt of PLA benefits. Employers must allow employees at least 15 calendar days from receipt of this notice to provide documentation.
- You must attach your position description to the certification form (if PLA leave is for your own condition) to allow your physician to accurately assess your return-to-work status.
- While on leave for your medical condition, you will be required to report periodically (two-week intervals are recommended) to your department with updates of your status and intention to return to work.
- If the circumstances of your leave change and you are able to return to work earlier than the date indicated by your physician, you will be required to notify us at least two work days prior to your return.
- You will be required to present a fitness-for-duty certificate prior to returning to work. If such certification is not received or is unclear, your return to work may be delayed.

For placement of a child for adoption or foster care:

- You are required to provide proof of the placement of an adopted or foster child in your home.
- You will not be required to present a fitness-for-duty certificate prior to returning to work.

PART D – Leave

Mothers:

- Your paid/unpaid leave runs concurrently with parental leave; all rules and regulations regarding paid and unpaid leave will apply to your absences.
- All available paid leave must be used before you are placed in a leave without pay status.
- You will use your available paid leave for doctor appointments, prenatal visits, and medical recovery after childbirth.
- PLA leave starts at the date of birth or the first day an adopted/foster child is formally placed in your home.

Fathers:

- Your paid/unpaid leave runs concurrently with parental leave.
- All available paid leave must be used before you are placed in a leave without pay status.
- You will use your available paid leave for doctor appointments, prenatal visits, and care for the mother after childbirth.
- PLA leave starts at the date of birth or the first day an adopted/foster child is formally placed in your home.
- Use of sick leave in excess of three continuous working days must be supported by appropriate medical documentation.

Normal documentation requirements, as outlined in System Regulation 31.03.01, Vacation, and 31.03.02, Sick Leave, must be followed for paid leave. A Medical Certification Form must be submitted within 15 calendar days of any unpaid portion of PLA leave. *If you cannot furnish the appropriate documentation within the time required, please let us know immediately.*

Insurance:

Please contact AgriLife Benefits at 979-845-2423 if you have questions regarding your insurance premiums. If you normally pay a portion of the premiums for your health and/or optional group insurances, your payments will continue through regular payroll deductions while you are covered under PLA. While on unpaid leave, you will be billed for your portion and the states portion of the premiums. You have a minimum 15-day grace period in which to make your premium payments. If payment is not made timely, your group health coverage for dependents and optional coverage may be cancelled, provided we notify you in writing at least 15 days before the date that your coverage(s) will lapse. If you do not return to work following PLA leave for a reason other than: 1) the continuation, recurrence, or onset of a serious health condition which would entitle you to PLA leave; or 2) other circumstances beyond your control, you may be required to reimburse us for our share of health insurance premiums paid on your behalf during PLA leave.

Please review the System regulation on FMLA at <http://tamus.edu/offices/policy/policies/pdf/31-03-05.pdf> and the Department of Labor web site at <http://www.dol.gov/dol/topic/benefits-leave/fmla.htm> which is another excellent resource.

Sincerely,

Enclosures

cc: