

**CITY OF CLEVELAND**  
**Human Resources Policies and Procedures**  
**Benefit Policies**

**PAID PARENTAL LEAVE POLICY**

**I. Introduction**

The purpose of this policy is to demonstrate a commitment to the health and wellbeing of our workforce. The Paid Parental Leave Policy entitles eligible employees to a *paid* leave of absence during the twelve (12) month period following the birth of a newborn, the placement of a newly adopted, or the appointment of legal guardianship of a child by a court of law. Eligible employees are also entitled to additional intermittent paid leave for certain appointments related to the pregnancy, birth, and adoption of a child.

**II. Effective Date**

The effective date of this policy is September 15, 2023.

**III. Eligible Employees**

- A. Except as otherwise provided below, all regular full-time annual rate City employees and all full-time hourly rate employees who have completed thirty (30) days of continuous employment with the City are eligible for Paid Parental Leave.
- B. For purposes of the thirty (30) days of continuous employment with the City requirement, "employment" means on the active payroll. Time spent on approved leave is to be counted for purposes of determining if an employee satisfies the thirty (30) day requirement.
- C. Hourly rate craft employees paid on the basis of building trades prevailing wages are not eligible.
- D. The eligibility of City employees in a bargaining unit is subject to the terms of the City's collective bargaining agreements and the requirements of Chapter 4117 of the Ohio Revised Code.

**IV. Compensation**

Eligible employees for Paid Parental Leave shall be paid at 100% of their base pay.

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**V. Length of Paid Parental Leave**

A. Eligible employees may use up to twelve (12) weeks of Paid Parental Leave.

1. Paid Parental Leave may be used for one of the following qualifying events during the twelve week period following:
  - a. Birth of a child;
  - b. Adoption of a child who is eighteen (18) years of age or younger or is over eighteen (18) years of age and is incapable of self-care due to a physical or mental disability; or
  - c. Appointment of legal guardianship of a child by a court of law who is eighteen (18) years of age or younger or is over eighteen (18) years of age and is incapable of self-care due to a physical or mental disability.

For all the qualified events stated in (a) through (c) above, the employee must either be the biological parent, adoptive parent, or legal guardian.

2. If the two parents are both City employees, each shall be entitled to twelve (12) weeks of Paid Parental Leave.
3. Multiple births or adoptions within twelve (12) months of each other shall be considered as one qualifying event for purposes of determining eligibility for Paid Parental Leave.
4. In the event that a newly born or newly placed child dies during the period of time that the employee is on Paid Parental Leave, the employee shall be entitled to the full extent of the Paid Parental Leave, and the Paid Parental Leave shall not terminate due to the death of the child. All other provisions of Paid Parental Leave shall apply.
5. To provide flexibility for employees to use Paid Parental Leave to meet their needs, Paid Parental Leave may be taken in separate increments of time due to a single qualifying

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event.

6. Eligible employees who experienced a qualifying event prior to September 15, 2023, may take Paid Parental Leave after the effective date of this policy until the expiration of the twelve (12) month period following the qualifying event.
- B. An employee who would otherwise be eligible for Paid Parental Leave and who experiences any of the following shall be entitled to three (3) weeks of Paid Parental Leave:
1. A pregnancy loss due to miscarriage or stillbirth. As used in this policy, "miscarriage" means a spontaneous interruption of a pregnancy of a fetus of less than 20 weeks gestation and "stillbirth" has the same meaning in RC 124.136 (A) (2).
  2. A pregnancy loss related to any condition or complication that impacts the viability of the fetus and results in medical intervention or where termination of the pregnancy is necessary to protect the employee's life or health.
- C. In addition to the twelve (12) weeks of Paid Parental Leave, every eligible employee shall be entitled to, as appropriate, up to twenty (20) hours of intermittent Paid Parental Appointment Leave to attend prenatal medical and related appointments up to the birth of a child(ren) and up to 20 hours of intermittent Paid Parental Appointment Leave to attend required meetings or interviews to obtain approval for an adoption of a child(ren), all subject to applicable leave of absence policies and procedures.

**VI. Coordination with other City Policies**

- A. If an employee is FMLA eligible, then Paid Parental Leave must be taken concurrently with FMLA Leave and be counted against FMLA Leave.
- B. Employee benefits will be maintained during Paid Parental Leave. Employees shall remain eligible for all employer-paid and employer-provided benefits and continue to accrue other benefits while on Paid Parental Leave.

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- C. Employees on Paid Parental Leave are ineligible to receive overtime pay, and no portion of Paid Parental Leave shall be included in calculating an employee's overtime pay.
- D. Employees on Paid Parental Leave are ineligible to receive holiday pay. A holiday occurring during the leave period shall be counted as one day of Paid Parental Leave and shall be paid as such.
- E. Bereavement leave under Section 171.31 of the Cleveland Codified Ordinances is not available to an employee who experiences a pregnancy loss or death of the child either for which such Paid Parental Leave was granted.
- F. Upon separation of the individual's employment, unused Paid Parental Leave is forfeited; under no circumstance will this benefit be paid out.

**VII. Procedures for Taking Paid Parental Leave**

- A. Paid Leave under Paragraphs A & B of Article V.
  - 1. The employee must submit the Request for Medical Leave/Paid Parental Leave Form (A-10-1) to his or her appointing authority or designee, at least 30 days' prior to the proposed date of the leave (or if the leave was not foreseeable, as soon as possible).
  - 2. The request will be submitted to the Department of Human Resources, along with all the required documentation.
  - 3. Required Documentation for Paid Parental Leave for Birth, Adoption, Legal Guardianship: A birth certificate, adoption certification, or a certified copy of the court order granting legal guardianship, must be provided to the Department of Human Resources within 30 days of the birth or placement, unless extended by his or her appointing authority or designee.

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4. For Paid Parental Leave for a Pregnancy Loss: The employee's medical provider must complete DOL Form WH-380-E Certification of Health Care Provider for Employee's Serious Health Condition. The employee must return the completed DOL Form WH-380-E within 20 calendar days of requesting the leave.
  5. If the documentation provided by the employee is insufficient or incomplete, the City will contact the employee in writing to request additional information. The employee will have seven (7) days to cure any deficiencies.
  6. The authorized representative of the City may contact the employee's health care provider for authentication and clarification so long as the employee has first been offered the opportunity to cure incomplete documentation.
- B. Paid Leave under Paragraph C of Article V (Up to 20 hours of intermittent leave).
1. In cases where the use of paid leave is foreseeable, the employee must submit the Request for Medical Leave/Paid Parental Leave Form (A-10-1), signed and dated in advance to the appointing authority or designee.
  2. In cases where use of paid leave is not foreseen, the employee must submit the Paid Parental Leave Appointment Request Form immediately upon the employee's return from leave.

Failure to timely comply and/or provide required documentation may result in forfeiture of leave and the employee will be responsible for reimbursing the City of Cleveland the value of benefits and/or monies received under this policy, and/or may result in the employee being disciplined for absent-without-leave or absent without leave resigned (Civil Service Rule 8.45).

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**This policy has been issued under the authority of:**



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**Signature**

Director of Human Resources

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**Title**

August 17, 2023

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**Date**