

CITY OF HAMILTON, OHIO
ADMINISTRATIVE DIRECTIVE

No. 347
Effective Date: 02-21-2025
Approved By: Craig R. Bucheit,
City Manager

SUBJECT: Paid Parental Leave

REFERENCES: Administrative Directive #324 Family and Medical Leave;
Administrative Directive #306 Sick Leave

PURPOSE: To provide guidance to employees regarding paid leave that allows parents to bond with their new child, care for them, and adapt to their new roles.

Policy

The City of Hamilton is committed to supporting employees during significant life events such as the birth or adoption of a child. As part of this commitment, the City offers a paid maternity and paternity leave program to provide support and allow parents to bond with their newborn or newly adopted child. Eligible employees will receive two (2) weeks of employer-paid leave, in addition to Paid Time Off (PTO), sick leave, vacation leave, holiday leave, and compensatory time.

1. Eligibility

- a. Permanent full-time employees who have been employed with the City of Hamilton for at least twelve consecutive (12) months prior to the commencement of the leave are eligible.
- b. Both birth and adoptive parents are eligible. Note, foster parents are eligible for parental bonding under the Family and Medical Leave Act and Administrative Directive No. 324 but are not eligible for leave under this policy.
- c. Maternity leave is available to the birthing parent (2 weeks), and paternity leave is available to the non-birthing parent (2 weeks), including those adopting a child.

2. Leave Entitlement

- a. Employees are entitled to two (2) weeks, or 80 hours, of paid parental leave. Employees working 24-hour shifts are entitled to 96 hours of

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leave. If both parents are employed by the City of Hamilton, the leave may be required to be staggered after review by Human Resources (“HR”) and Appointing Authorities.

- b. One paid parental leave benefit is available per employee, per birth or adoption event. The number of children involved does not increase the length of paid maternity or paternity leave granted for the event.
- c. Paid Parental Leave must be taken consecutively and must begin at the birth or adoption of the child, or staggered if required, and will be compensated as described in Sec. 3. This leave entitlement does not limit an employee’s ability to take parental bonding leave within twelve (12) months of the birth or adoption of a child, pursuant to Administrative Directive No. 324, but if leave is delayed beyond the immediate birth or adoption Paid Maternity and Paternity Leave under this Administrative Directive No. 347 will not be available.
- d. This leave will be instituted as the initial paid leave taken upon the birth or adoption of the child and will run concurrent with the Family and Medical Leave Act (FMLA), if applicable.

3. Pay During Leave

- a. Eligible employees will receive 100% of their regular salary during the 2-week leave period.
- b. Regular benefits, including health, dental, and retirement contributions, will continue during the leave period. The employee will continue to pay their portion of the insurance benefit contribution.
- c. Employees on paid parental leave continue to accrue PTO, sick, and vacation leave. However, if the employee goes into unpaid leave status at any point during their leave, credit for sick leave will not be added to the employee’s accrual.

4. Procedure for Requesting Leave

- a. Employees must provide written notice of their intent to take paid parental leave at least thirty (30) days in advance of the expected start date. In cases where thirty (30) days’ notice is not possible, notice should be given as soon as practicable.
- b. FMLA and Paid Parental bonding leave request form must be completed and submitted to HR for approval. Requests for leave should be submitted to the Human Resources Department and include the expected date of birth or adoption and the intended start date of the leave.

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5. Return to Work

- a. Employees are expected to return to work on the first scheduled workday after the end of the two-week leave unless on continued leave certified under FMLA as authorized and administered by the City of Hamilton Human Resources Department. If additional time off is needed beyond the two-week Paid Parental Leave period, and the employee is not eligible for FMLA or short term or long term disability benefits, employees must use accrued leave.
- b. Employees will return to their same or equivalent position with the same pay and benefits, in accordance with the law.

6. Job Protection

- a. Paid Parental Leave is a benefit of employment and its use shall not have a negative impact on the employee's evaluation, promotion or employment status.
- b. Consistent with the law, employees returning from Paid Parental Leave will be returned to their former position or an equivalent one with equivalent status and pay. If the same position or an equivalent one with equivalent status and pay is not available as a result of a reduction in force or other reason, the employee will be treated in the same manner as though they were not on leave at the time of the workforce reduction.

7. Non-Retaliation

- a. The City of Hamilton prohibits retaliation against employees who request or take parental leave in accordance with this policy. Any retaliation will be subject to disciplinary action.

8. Coordination with Other Policies

- a. This policy works in conjunction with the Family and Medical Leave Act (FMLA) and other applicable state and federal leave laws. The Paid Parental Leave may run concurrently with FMLA or other leave entitlements, depending on eligibility.

9. Additional Information

- a. **Maternity Leave:** This Administrative Directive establishes two (2) weeks of paid parental leave. If the employee is eligible to receive leave under FMLA, the two weeks of paid parental leave established by this directive will run concurrent with the employee's allotted FMLA leave. FMLA allows for up to 12 weeks of unpaid leave within a rolling

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12-month period for eligible employees (See Administrative Directive No. 324). The employee's accrued leave may be used to supplement the paid maternity leave benefit so that the employee is able to maintain income for their entire leave allotted under FMLA following childbirth, for the purpose of recovery from childbirth and parental bonding.

- i. The additional paid leave benefits available to the employee is dependent upon the amount of time that employee has accrued during their tenure with the City of Hamilton. Note that employees may have different types of paid leave depending on their start date or bargaining unit.
 - ii. Paid time off used for the purpose of Maternity Leave must be used by type in the following order:
 - a. Two Weeks Paid Maternity Leave (as laid out in this directive);
 - b. Sick Time (if applicable);
 - c. PTO / Vacation / Floating Holiday / Birthday;
 - d. Compensatory Time.
 - iii. Once all paid leave is exhausted, the employee is entitled to continue the remainder of their allotted FMLA leave in unpaid status consistent with Administrative Directive No. 324.
 - iv. Please note, the City of Hamilton does not administer any short or long-term disability benefit. As such, the City does not set or control policy or requirements related to payments under such benefits.
- b. **Paternity Leave for Non-Birthing Parent, including those Adopting a Child:** This Administrative Directive establishes two (2) weeks of paid parental leave. Aside from the two weeks of leave established by this Administrative Directive, additional leave could be applicable to the non-birthing parent as established by prior directives or collective bargaining agreements, including unpaid leave under the FMLA. If the employee is eligible to receive leave under FMLA, the two (2) weeks of paid paternity leave established by this Directive will run concurrent with the employee's allotted FMLA leave. FMLA allows for up to 12 weeks of unpaid leave within a rolling 12-month period for eligible employees (See Administrative Directive No. 324). The employee's accrued leave may be used to supplement the paid paternity leave benefit so that the employee is able to maintain income for their entire leave allotted under FMLA following the childbirth or adoption, for

parental bonding and medical care of the employee's spouse or child as applicable.

- i. Schedule A employees may refer to Administrative Directive No. 306 regarding emergency illness in the family.
- ii. Paid time off used for the purpose of Paternity Leave must be used by type in the following order:
 - a. Two Weeks Paid Paternity Leave (as laid out in this directive);
 - b. Sick Time (if applicable);
 - c. PTO / Vacation / Floating Holiday / Birthday;
 - d. Compensatory Time.
- iii. Once all paid leave is exhausted, the employee is entitled to continue the remainder of their allotted FMLA leave in unpaid status consistent with Administrative Directive No.324.
- iv. Please note, the City of Hamilton does not administer any short or long-term disability benefit. As such, the City does not set or control policy or requirements related to payments under such benefits.

10. Contact Information

- a. For questions or to submit a leave request, please contact the Human Resources Department at 513-785-7351.