



TITLE UPG Paid Parental Leave

Reason for Policy

The University of Virginia Physicians Group (UPG) is committed to providing a work environment that is supportive of employees' work and personal life obligations. In demonstration of this commitment, UPG has established Paid Parental Leave in recognition of the benefits to employees and their families for meaningful bonding time upon the birth or placement of a child through adoption, foster, or custodial care.

Definition of Terms in Policy

- **Adoption:** The act of legally and permanently assuming the responsibility of raising a child as one's own.
- **Child:** A newborn biological child or newly-placed adopted, foster, or custodial child under the age of eighteen (18).
- **Custodial Care:** A placement authorized by a judgement, decree, or other order of a court providing for the legal and physical custody of a child.
- **Parent:** A natural parent or a new adoptive parent who is legally recognized biological, adoptive, foster, or custodial parent.
- **Family Medical Leave Act (FMLA):** Provides employees up to twelve (12) work weeks of unpaid leave during a twelve (12) month period for family or medical leave; employer is required to reinstate employee to the same or an equivalent position following the leave period, in accordance with FMLA regulations, subject to certain limitations.
- **Foster Care:** The act of temporarily assuming the responsibility of daily care and supervision for a child removed from his or her birth family due to issues endangering the child's health and/or safety.
- **Full-Time Equivalent (FTE):** The ratio of the total number of hours of a full-time position as compared to the hours of a less than full-time position.
- **UPG Staff:** Salaried and wage/hourly non-licensed patient care providers. Includes administrative and professional staff in a non-patient care role, as well as employees who support UPG Providers with patient care services.
- **UPG Providers:** Contracted employees who are licensed patient care providers for whom UPG bills for patient care services. Includes physicians, advanced practice

providers, and others requiring a professional license and/or board certification to deliver patient care services.

Policy Statement

Effective January 1, 2019, Paid Parental Leave is provided to eligible UPG Staff and Providers following the birth, adoption, foster, or custodial care of a child under the age of eighteen (18). An individual who adopts a spouse's or partner's child(ren) may also be eligible for this benefit. Paid Parental Leave may be used pursuant to temporary arrangements made through local departments of social services with the intent of reuniting the child with his/her birth family, if possible. As is the case with all UPG policies, UPG has the exclusive right to interpret or modify this policy.

This policy describes the circumstances in which Paid Parental Leave may be taken, procedures for taking Paid Parental Leave, documentation requirements, coordination with other types of leave, reinstatement issues and other matters related to Paid Parental Leave.

1. Eligibility

- a. UPG Staff and Providers must meet the following criteria, all of which must be met as of the date that the child is born or placed through adoption, foster or custodial care:
 - i. Eligible for Family Medical Leave Act (FMLA) by being employed for twelve (12) consecutive months and having worked 1250 hours during the twelve (12) months immediately preceding the birth, adoption, or placement of a child.
 - ii. Employed as a benefits eligible position upon the birth, adoption or placement of a child under the age of eighteen (18);
 - iii. If the adoption, foster or custodial care involves a child who is incapable of self-care because of a mental or physical disability, the age limit may be waived;
 - iv. Paid Parental Leave will end immediately if the UPG Staff or Provider no longer meets the criteria for eligibility. For example, if the employee voluntarily or involuntarily transfers to an ineligible position or separates from UPG while on Paid Parental Leave, Paid Parental Leave will end immediately.
 - v. If both parents are employees of UPG and meet the eligibility criteria listed above, they are each eligible for the Paid Parental Leave benefit. *If one parent is employed by UPG and the other by the University of Virginia (UVA), each will receive their Paid Parental Leave benefits from their respective employer.*
 - vi. UPG Staff and Providers are the biological parent(s), adoptive, foster, or custodial caregiver(s).

2. Leave / Amount / Usage

- a. Qualified UPG Staff and Providers are eligible to receive up to eight (8) weeks (320 hours) of Paid Parental Leave. The amount of Paid Parental Leave, if eligibility satisfied, is prorated on the employee's FTE at the time of leave. Paid Parental Leave shall be used within six (6) months for UPG Staff, and within twelve (12) months if the employee is a UPG Provider, from the birth or placement of a child for any one or more of the following reasons:
 - i. Care or bonding with a newborn child during the period immediately following birth.
 - ii. To care for and bond with a child placed with the employee through adoption, foster care, or other legal custodial arrangement.
- b. When the adoption is in the legal process, the Paid Parental Leave may begin from the date upon which the child is placed with the eligible employee (granted custody) for the purpose of adoption.
- c. Eligible UPG Staff and Providers shall take Paid Parental Leave in one continuous eight (8) week period to be determined at the time of the eligible event, and may not be used on an intermittent basis.
- d. Paid Parental Leave shall be used once per child and only once in a rolling twelve (12) month period.
- e. One (1) Paid Parental Leave benefit is available per employee, per birth, adoption, or placement event. Multiple births, adoptions or foster placements that occur at the same time (for example, the birth, adoption or foster placement of twins) will not increase the length of Paid Parental Leave.
- f. Unused Paid Parental Leave is forfeited if not used within six (6) months for Staff or twelve (12) months for Providers from the date of the birth/placement. Paid Parental Leave cannot be banked for later use. In addition, unused Paid Parental Leave is not compensable if the UPG Staff or Provider no longer meets the criteria for eligibility, separates from employment, or transfers to an ineligible position.
- g. Each week of Paid Parental Leave is compensated at 100% of the employee's regular work schedule straight-time (excluding overtime, shift differential, on-call pay etc.). Employees who are providers (e.g., physicians) shall receive 100% of base pay, but shall not receive any incentive pay. Paid Parental Leave will be paid on UPG's regularly scheduled pay dates.
- h. Employees who are eligible for short-term disability benefits in the case of a birth of a child may supplement their short-term disability benefits with Paid Time Off (PTO). Paid Parental Leave cannot be used to supplement short-term disability benefits or run concurrent with Short-term disability.

- i. Paid Parental Leave shall expire at the conclusion of the foster or custodial care placement or within six (6) months for Staff, and twelve (12) months for Providers, whichever comes first.

3. Coordination with Other Available Leave Benefits

a. Coordination with FMLA

- i. UPG Staff and Providers using Paid Parental Leave are afforded the remaining job protection under FMLA for an absence up to a total of twelve (12) weeks (480 hours).
- ii. Paid Parental Leave is available to UPG Staff and Providers on the date of the birth, adoption, or placement of a child regardless of the start of the FMLA period.
- iii. The basis for Paid Parental Leave is limited to the birth, adoption, foster or custodial care of a child under the age of eighteen (18), as defined in the FMLA
- iv. If the amount of FMLA leave available is less than the amount of Paid Parental Leave to be taken, Paid Parental Leave will still be granted as specified in this policy without regard to the existence of the individual's available FMLA leave.

b. Coordination with Short-Term Disability Insurance

- i. Paid Parental Leave will operate exclusively and independently of Short-Term Disability Insurance.

c. Coordination of Paid Parental Leave with Other UPG Leaves.

- i. Leave Accruals – PTO will accrue during Paid Parental Leave for hours paid, up to forty (40) hours per week.
- ii. Paid Parental Leave shall not be counted against an employee's annual leave accruals.
- iii. Holidays – UPG Staff and Providers who are on Paid Parental Leave the day prior to and the day after a holiday will not also receive Holiday pay for those days. In addition, Paid Parental Leave will not be extended for paid holidays.

4. Certification of Eligibility for Paid Parental Leave

- a. Documentation of the birth, adoption or placement is required prior to approval of Paid Parental Leave. Official documents that will be considered, but not limited to the following:

- i. Report of Birth
 - ii. Birth Certificate
 - iii. Order of Parentage
 - iv. Adoption Order
 - v. Certified DNA test results
 - vi. Custody Order
 - vii. Foster Care Placement Agreement.
- b. Documents provided should show the date of birth, adoption or date of placement, if adoption or placement was other than the date of birth.
 - c. Upon the receipt of the request for Paid Parental Leave and documentation of the birth, adoption or placement, by the UPG Benefits Specialist, the UPG Staff and Providers must be notified of his/her eligibility as soon as administratively possible.

5. Reinstatement

- a. Except as provided in the following paragraph, the UPG Staff or Provider will be reinstated to the same position which he or she held when the Paid Parental Leave began, or to an equivalent position with equal pay, benefits, and other terms and conditions of employment, provided the UPG Staff or Provider can perform the essential functions of the position.
- b. UPG's obligation to restore the UPG Staff or Provider to the same or an equivalent position ceases if and when:
 - i. The employment relationship would have terminated if the UPG Staff or Provider had not taken Paid Parental Leave.
 - ii. The UPG Staff or Provider informs UPG of his or her intent not to return to work at the expiration of the Paid Parental Leave.
 - iii. The UPG Staff or Provider fails to return to work at the expiration of the Paid Parental Leave.
- c. If Paid Parental Leave is due to the birth of a child, the birth mother must obtain a return to work statement from her health care provider and present it to the UPG Human Resources Benefits Specialist upon returning to work. The statement must specify whether the UPG Staff or Provider is able to work and any physical or other restrictions on the employee's ability to work. Reinstatement may be delayed until the UPG Staff or Provider submits this statement.

6. Employee Responsibilities

- a. Eligible UPG Staff must submit a written notification for Paid Parental Leave to his or her supervisor with notice of the request for leave at least thirty (30) days prior to the

proposed/anticipated date of the leave (or if the leave was not foreseeable, as soon as possible).

- b. Eligible UPG Providers must submit a written notification for Paid Parental Leave to his or her Regional Manager. This notification will be reviewed with the Provider and Manager along with the Minimum Coverage Requirements Policy to ensure workforce adjustments are accounted and planned for. The notice of the request for leave should occur at least thirty (30) days prior to the proposed/anticipated date of the leave (or if the leave was not foreseeable, as soon as possible).
- c. Eligible School of Medicine Advanced Practice Providers must submit a written notification for Paid Parental Leave to his or her Department/Division Administrator with notice of the request for leave at least thirty (30) days prior to the proposed/anticipated date of the leave (or if the leave was not foreseeable, as soon as possible).
- d. All UPG Staff and Providers must complete the necessary leave request in Workday (or applicable human resources information (HRIS) in effect at that time) for the Benefits Specialist to review and approve.
- e. The UPG Staff and Provider must comply with all leave request procedures, absent unusual circumstances. Failure to do so may be grounds for delaying an employee's request for Paid Parental Leave.

7. Confidentiality

- a. All medical information relating to Paid Parental Leave, whether verbal or written, including FMLA medical documentation, shall be kept confidential to the maximum extent possible. All medical documents including, but not limited to medical statements and FMLA medical certifications must be maintained within UPG Human Resources in confidential, secure files separate from personnel files.

CROSS REFERENCED POLICIES

- i. Family and Medical Leave Act
- ii. Administrative Employees on Military Active Duty and/or Reserve Forces
- iii. Holidays and Holiday Compensation
- iv. Separation of Employment
- v. Short-Term Disability
- vi. UPG Clinical Practice Group Minimum Coverage Requirements

FORMS:

In Draft

SCOPE

This policy provides paid time off for eligible employees to care for a newly born infant, adopted or foster child and sets forth the process and procedures for the use of the Paid Parental Leave benefit.

ADMINISTRATION

This policy is administered by UPG Human Resources and Development and will be reviewed on a periodic basis.

DISTRIBUTION

To all UPG Staff and Providers paid on a biweekly basis.