

# TOWN OF LUNENBURG

## PARENTAL LEAVE POLICY

### A. INTRODUCTION

In accordance with Massachusetts General Laws Chapter 149 Section 105D, full-time employees<sup>1</sup> of the Town who meet the eligibility requirements as provided below, will be entitled to Parental Leave for the birth, adoption or placement of a child.

### B. EMPLOYEE ELIGIBILITY

To be eligible for Parental Leave, employees must have been employed full-time by the Town for at least three (3) consecutive months.

### C. LEAVE ENTITLEMENT

An eligible employee will be granted an unpaid leave of absence of up to eight (8) weeks for the birth of a child or placement of a child under the age of 18, (or under the age of 23 if the child is mentally or physically disabled) where the employee adopts or intends to adopt the child.

If two employees who work for the Town apply for such leave for the birth or adoption of the same child, they shall only be entitled to a combined total of eight (8) weeks of parental leave.

### D. FAMILY AND MEDICAL LEAVE (FMLA)

An eligible employee may take Parental Leave under this policy, even if he/she is not eligible for FMLA leave or has exhausted her/his entitlement to FMLA leave. If however, an employee is also eligible for FMLA leave, leave taken under this policy will run concurrently with an employee's Family and Medical Leave.

### E. USE OF PAID LEAVE

Although Parental Leave is unpaid, an employee may voluntarily elect to use paid leave (vacation, and personal leave, and paid sick leave in instances where the provisions of sick leave apply). Any such use of paid leave will be in accordance with the Town's leave policies.<sup>2</sup>

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<sup>1</sup> For purposes of this policy, an employee who is scheduled to work at least 37.5 hours per week is deemed to be a "full-time" employee unless otherwise defined by an applicable collective bargaining agreement.

<sup>2</sup> In accordance with the Massachusetts Parental Leave Act, employees cannot be required to use accrued paid vacation leave, personal leave, or accrued sick leave with all or part of the employee's parental leave, even if the employer requires employees who take leave for other types of reasons to use such paid leave benefits.

F. MAINTENANCE OF HEALTH BENEFITS

The Town will maintain group health insurance coverage for an employee while on Parental Leave whenever such insurance was provided before the leave was taken as long as the employee is able to pay his/her required share of the cost on a monthly basis. The employee will be responsible for making arrangements with the Town to pay his or her share of health insurance premiums while on leave. Continued coverage is subject to timely premium payments. Employees who elect to use paid leave will receive the Town's normal monthly premium contribution will on Parental Leave.

G. BENEFIT CONTINUATION

The use of Parental Leave will not affect the employee's rights to receive vacation time, sick leave, bonuses, advancement, seniority, length of service credit, benefits, plans or programs and other benefits for which the employee was eligible as of the date of the leave or any other advantages or rights of employment incidental to the employment position; provided, however that the period of time of any unpaid Parental Leave, is not included in the computation of further benefit accruals, rights and advantages.

H. NOTICE REQUIRMENTS

Employees are required to provide at least two (2) weeks' notice to the employer of the employee's anticipated date of departure and the employee's intended day of return, provided, however, an employee may provide notice "as soon as practicable" if the delay in providing notice is "for reasons beyond the individual's control."

I. JOB RESTORATION

Upon return from Parental Leave, the employee will be restored to his or her same position or to an equivalent position with equivalent pay and other employment terms and conditions, unless other employees of equal length of service, status and in similar positions have been laid off due to a legitimate reduction in work force. An employee's use of Parental Leave will not result in the loss of an employment benefit that the employee earned or was entitled to before using Parental Leave.

J. LEAVE OF ABSENCE BEYOND EIGHT (8) WEEKS

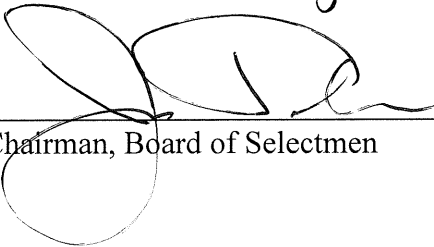
If an employee on Parental Leave is not subject to FMLA he/she may request additional unpaid leave for parenting by petitioning the Appointing Authority. The employee shall be eligible for the rights under Section I above, unless the Appointing Authority notifies the employee in writing prior to the parental leave and again prior to the extension of that leave, that taking longer than eight (8) weeks of parental leave may result in a denial of reinstatement or loss of other rights and benefits.

K. PROCEDURES

The Town Manager may establish procedures to implement and carry out this policy, consistent with the policy.

L. ADOPTION BY BOARD OF SELECTMEN

This policy was adopted by the Board of Selectmen on July 18, 2017.

  
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Chairman, Board of Selectmen