

## BP – 2.37

# PAID PARENTAL LEAVE

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### **PAID PARENTAL LEAVE**

Paid Parental Leave (PPL) is designed to promote families' physical and mental health and increase employee retention and morale. Craven Community College (the "College") provides this leave, consistent with North Carolina state law and North Carolina Community College System policies, to all eligible employees. The President of the College is authorized to implement College Procedures for this purpose.

### **Definitions**

- Child. The newborn biological child or a newly-placed adopted, foster or otherwise legally placed child under the age of 18, whose parent is an eligible employee under this policy.
- Parent.
  - The mother or father of a child through birth or legal adoption; or
  - An individual who cares for a child through foster or other legal placement under the direction of a government authority.
- Public safety concern. A significant impairment to the College's ability to conduct its operations in a manner that protects the health and safety of its students, faculty, and other staff. The extension of PPL to an eligible employee may constitute a public safety concern if the College is unable to secure mission-essential supplemental or alternate staffing during the requested PPL timeframe.
- Qualifying event. When an employee becomes a parent to a child.

### **Eligible Employees**

Employees who become parents via childbirth, adoption, foster care, or other legal placement are eligible for PPL if the employee is in a permanent, time-limited, or probationary position. Temporary employees are not eligible for PPL.

At the time of the qualifying event, the employee must meet each of the following conditions:

- For the immediate 12 preceding months, the employee has been employed without a break in service, as defined by 25 NCAC 01D.0114, by the State of North Carolina in a permanent, time-limited, or probationary appointment.
  - Periods of worker's compensation or short-term disability preceding the qualifying event do not make the employee ineligible for PPL

- Periods of leave without pay, as defined in 25 NCAC 01E.1100, shall not constitute a break in service.
- The employee has been in pay status with the State of North Carolina for at least 1,040 hours during the previous 12-month period becoming eligible for Family and Medical Leave.
  - Exhaustion of Family and Medical Leave does not affect eligibility for PPL

## **Leave Amounts**

### **Full-time Regular Employees**

Full-time employees eligible for PPL may take, in their discretion, up to the following amounts of leave:

- Eight weeks of PPL after a parent gives birth to a child.
- Four weeks of PPL after any other qualifying event.
  - Each week of PPL shall result in compensation at 100% of the eligible employee's regular, straight-time weekly pay excluding shift differential, premium pay, or overtime.

### **Part Time Regular Employees**

Part-time employees (in pay status for at least 1,040 hours during the previous 12-month period) shall receive PPL if the employee meets all other requirements for eligibility.

Part-time employees eligible for PPL may take, in their discretion, a prorated leave amount of:

- Four weeks of paid leave after a parent gives birth to a Child.
- Two weeks of paid leave after any other qualifying event.
  - Each week of PPL shall result in compensation at 100% of the eligible employee's regular, straight-time weekly pay excluding shift differential, premium pay, or overtime.

## **Use of Other Leave**

The PPL provided shall not be counted against or deducted from the employee's sick, vacation, or other accrued leave. PPL can be in addition to any other leave authorized by law or policy or run concurrently. Whether an employee has exhausted Family and Medical Leave does not affect eligibility for PPL.

Employees using PPL may also use Family and Medical Leave Act leave (FML) for a total absence up to a total of twelve (12) weeks. Employees may use other forms of accrued leave or take leave without pay to cover the additional absence. If an employee becomes eligible for FML while on PPL, the employee may apply for and use FML, and PPL shall run concurrently with FML.

## **Requesting Use of Paid Parental Leave**

Eligible employees may take PPL in one continuous period or may take intermittent use of PPL. Requests for intermittent use of PPL are subject to the College's approval.

Absent unusual circumstances, the employee shall be required to comply with the College's leave request procedures. Employees may withdraw their request for PPL at any time.

The College shall not deny, delay, or require intermittent use of PPL to employees who gave birth and

seek to use PPL in one continuous period. For all other employees, the College may delay providing PPL or may provide PPL intermittently if the College determines that providing the leave will cause a public safety concern. For example, the extension of PPL to an eligible employee who did not give birth may constitute a Public Safety Concern if:

- Providing the PPL would result in agency staffing levels below what is required by federal or state law to maintain operational safety; or
- Providing the PPL may impact the health or safety of faculty, staff, or students, or other individuals the College is required by law to protect; and
- The College has been unable to secure supplemental staffing after requesting or diligently exploring alternative staffing options.

If the College determines that it must delay PPL, or make PPL intermittent, because of a public safety concern, the College shall provide PPL as soon as practical following the Qualifying Event.

If both Parents are eligible employees, each may receive PPL. Both Parents may take their leave simultaneously or at different times, pending no Public Safety Concern.

### **Leave Usage**

PPL may be used only once for a Qualifying Event within a 12-month period. Multiple births, adoptions, or other legal placements (e.g., the birth of twins or adoption of siblings) does not increase the total amount of PPL granted for that event.

Unused PPL is forfeited 12 months from the date of the Qualifying Event.

PPL shall not accrue or be donated to another employee.

Employees shall not be paid for PPL upon separation from the College. PPL shall not be used for calculating an employee's retirement benefits, and shall not accrue or be donated as voluntary shared leave.

Leave usage must be recorded in the same required increments as all other leave.

If the employee requires leave before the actual birth or adoption due to medical reasons or to fulfill legal adoption obligations, other available leave balances shall be utilized in accordance with the College's leave policies. PPL shall not be used prior to the Qualifying Event.

### **Use of Leave for Adoptions or Foster Care Placements**

Following a Qualifying Event, if a child is given up for adoption or placed in foster care, the birth parent shall continue to be eligible for the PPL.

When a prospective adoptive parent or foster parent expects an adoption or placement, but it does not occur, the employee(s) does not qualify for PPL. If the employee requires leave for bereavement, other available leave balances shall be utilized in accordance with the College's leave policies.

### **Miscarriage, and Stillbirth, and Death After Child Birth**

When a fetus dies before 12 twelve weeks of the pregnancy is complete, it is not a Qualifying Event for PPL.

When a fetus dies during or after the thirteenth completed week of pregnancy, but before childbirth:

- If the birth parent meets eligibility requirements, the birth parent may receive PPL (e.g., eight weeks for a full-time eligible state employee).

When a child dies after childbirth, each parent of the child who meets eligibility requirements shall receive the full PPL. PPL will not be ended at the time of the child's death.

In any of the foregoing situations, if the employee requires leave for bereavement or recovery, other available leave balances or leaves of absence shall be utilized in accordance with the College's leave policies.