

CITY OF CHICAGO PAID PARENTAL LEAVE POLICY

Effective Date: January 1, 2023

Policy Statement

This policy defines when City of Chicago employees may take a specified period of paid leave following the birth, adoption, or foster of a child or children. This leave will be administered in conjunction with the [Family and Medical Leave Act of 1993 \(“FMLA”\)](#).

Overview

An employee must be eligible for an approved FMLA leave in order to take paid parental leave. An employee is eligible for FMLA leave if they have been employed with the City for at least twelve (12) months before taking leave and worked at least 1,250 hours during the 12-month period immediately preceding the leave.

Eligible employees may receive up to a total of twelve (12) work weeks of paid parental leave for either the birth of the employee’s biological child or children (to include the employee’s biological children born using gestational surrogacy), or for the adoption or foster of a child or children by the employee. Any paid parental leave is to be taken within the first year following either the child or children’s date of birth, or the initial date of placement in the employee’s home in the case of adoption or foster care. Paid parental leave may only be taken once per birth or placement event and must be used before a biological child turns one (1) year old or prior to the one (1) year anniversary of initial placement in the case of adoption or foster care. Any unused paid parental leave will be forfeited at the end of such a rolling year period.

Eligible employees who are acting as gestational surrogates may receive up to eight (8) work weeks of paid leave for their own recovery from routine childbirth. If postpartum complications arise that require additional leave beyond the routine recovery period, the employee may receive up to a maximum total of twelve (12) work weeks of paid leave. Sufficient medical certification must be provided to the employee’s department HR Liaison in order to approve the additional leave time. Such paid leave may only be taken once per birth event and must be taken within one (1) year following the event. Any unused paid leave will be forfeited at the end of such a rolling year period.

Paid parental leave may be requested on a continuous, intermittent, or reduced schedule basis. Intermittent and reduced schedule parental leave must be mutually agreed upon by the employee and their department head, or their designee, prior to the start of the leave. If the employee and their department head, or their designee, cannot mutually agree to an intermittent or reduced schedule, the employee has the right to take the leave on a continuous basis.

Utilizing paid parental leave will not have a negative impact on employment status. Additional paid options following the exhaustion of paid parental leave include the use of available accrued

vacation time, compensatory time (as applicable), and/or personal days in accordance with the department's normal established work rules. Employees may also request an unpaid Personal Business Leave under the Personnel Rules, the approval of which is at department discretion. If an employee is eligible for FMLA in the next calendar year and wishes to request additional leave for parental bonding, such leave will be processed pursuant to the City's [FMLA policy](#).

Any fraudulent attempts to obtain paid parental leave may result in discipline, up to and including discharge.

Procedures

I. Requesting Paid Parental Leave

- a. To request paid parental leave, eligible employees must submit both a completed Request for Leave of Absence Form and an Application for Family And Medical Leave to the department's HR Liaison at least thirty (30) days prior to the start date of the leave. To the extent 30 days' notice is not possible, the employee must submit these forms to the department's HR Liaison as soon as possible.
 - i. If an unforeseen medical condition or complication requires an employee to stop working prior to the originally anticipated start date of the leave, the employee must provide as much advance notice as reasonably possible to their department's HR Liaison by submitting doctor verification of the need to start the leave early. Paid Parental Leave will begin as of the employee's confirmed date of delivery, but FMLA (unpaid leave) may apply to medically necessary prenatal bed rest.
- b. Gestational surrogates requesting paid leave must also submit:
 - i. A medical certification confirming the pregnancy, the employee's status as a gestational surrogate, and indicating the estimated date of delivery (to be confirmed by the employee upon delivery of the child or children).
- c. Biological parents requesting paid leave must also submit either:
 - i. A medical certification confirming the pregnancy and indicating the estimated date of delivery (to be confirmed by the employee upon delivery of the child or children); OR
 - ii. A birth certificate within sixty (60) days of taking the leave.
- d. Employees requesting paid adoption leave must also submit either:
 - i. A certification from an adoption agency confirming that the employee has been matched by the agency with a child or children and the initial date of placement in the employee's home; OR,

- ii. A birth certificate within sixty (60) days of taking the leave confirming that the employee is the adoptive parent.
- e. Employees requesting paid foster leave must also submit:
 - i. A certification from a state or private foster agency confirming that the employee has been matched by the agency with a child or children and the initial date of placement in the employee's home.

II. During Leave

- a. If an employee needs to request an extension of their leave of absence, the employee must complete an additional Request for Leave of Absence Form and provide a copy to their HR Liaison at least two (2) business days prior to the expiration of the originally requested leave. To the extent 2 business days' notice is not possible, the employee should submit the request as soon as possible. If applicable, the employee should also provide a statement from their health care provider stating the reason for and the projected length of the extension.

III. Return From Leave

- a. The first regularly scheduled workday after the expiration date of the requested leave is the scheduled return date for the employee. The employee must return to work on that date unless they have requested and been granted an extension of their leave. Failure to report to work on the scheduled return date may cause the resignation of the employee to be effectuated.
- b. Should an employee wish to return to work prior to the expiration of the leave they must notify their department's HR section within at least two (2) business days prior to their intended early return date.
 - i. For routine recovery from childbirth, the employee does not need to provide a return-to-work certification unless they have restrictions or if complications arise that keep the employee from returning to work at the expiration of their leave.
 - ii. If restrictions are present, the employee must notify their HR Liaison and provide completed Reasonable Accommodation forms to either their department's Disability Liaison or the City's Disability officer (phone: (312) 744-4969 | email: disabilityaccommodations@cityofchicago.org).
 - iii. If complications are present that keep the employee from returning to work, the employee must provide a new Request for Leave of Absence Form and medical certification to their HR Liaison at least two (2) business days prior to the expiration of the originally requested leave. To the extent 2 business days' notice is not possible, the employee

should submit the request as soon as possible. The medical certification should state the reason for and the projected length of the extension due to medical necessity.