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PAID PARENTAL LEAVE POLICY

1. PURPOSE
   1.1. To establish the requirements for administration and utilization of Paid Parental Leave (PPL) at Clemson University ("University"), in accordance with Section 8-11-150 (A) and Section 8-11-155 of the South Carolina Code of Laws.

2. SCOPE
   2.1. Employees occupying any percentage of a full-time equivalent (FTE) position are eligible for PPL and must adhere to this policy and subsequent procedures.
   2.2. Employees in temporary, temporary grant, time-limited, research grant and all other non-FTE positions are not eligible for PPL.

3. POLICY STATEMENT
   3.1. General Information
       3.1.1. Paid Parental Leave (PPL) provides two or six weeks of paid leave for the birth, adoption, or foster care placement of a child.
       3.1.2. Eligible employees are entitled to PPL for a qualifying event (birth, adoption, or foster care placement of a child) occurring on or after October 1, 2022.
       3.1.3. There is no service eligibility requirement to be eligible for PPL. Eligibility determinations are made as of the date of the qualifying event. If an employee does not meet all eligibility requirements as of the date of the birth, adoption, or foster care they are not eligible for PPL even if they later meet the eligibility requirements.
       3.1.4. Employees do not have to exhaust all other forms of leave before being eligible to use PPL.
   3.2. Pay while on PPL and accrual of other leave types
       3.2.1. PPL provides paid leave at one hundred percent of the eligible employee's base pay.
       3.2.2. The hours of PPL are calculated based on the employee’s average workday. PPL for part-time employees is calculated in the same way other types of leave (sick, annual, etc.) are calculated.
3.2.3. PPL does not include any additional pay such as, overtime, supplements, bonuses, temporary salary adjustments, shift differential pay, on-call pay, call back pay, or market or geographical pay.

3.2.4. The hours of PPL are calculated based on the employee’s average workday.

3.2.5. Eligible employees will accrue annual and sick leave at the normal rate and receive holiday pay while on PPL, if applicable.

3.2.6. Legal University observed holidays are not counted against PPL.

3.3. **PPL Usage Guidelines**

3.3.1. An eligible employee is only permitted to receive PPL no more than one time for any twelve-month period, even if more than one qualifying event occurs.

3.3.1.1. An eligible employee may, however, be able to use PPL for two qualifying events that occur within the same twelve-month period so long as the start date of the second period of PPL is at least twelve months from the end date of the first period of PPL.

3.3.2. PPL may not be used before the qualifying event.

3.3.3. No more than two parents are permitted to utilize PPL for a single child.

3.3.4. If both parents are SC state employees, PPL may be taken concurrently, consecutively, or at a different time other than the eligible state employee.

3.3.5. Any PPL remaining at the end of the twelve-month period following the qualifying event or at separation of employment is forfeited and the employee is not paid out for the leave.

3.3.6. PPL may not be donated to the University’s Employee Leave Pool or to another employee.

3.3.7. The entitlement to PPL expires at the end of the twelve-month period, which begins on the date of the qualifying event. Unused PPL cannot be carried forward for subsequent use.

3.4. **Leave Amounts:**

3.4.1. The amount of leave available depends on the qualifying event and the employee’s relationship to the child.

3.4.1.1. **Adoption:**

3.4.1.1.1. Employees who are primarily responsible for furnishing the care and nurture of their child initially placed for legal adoption and under the age of 18 on or after October 1, 2022, are entitled to six weeks of PPL.

3.4.1.1.2. Only one eligible SC state employee may be designated the parent primarily responsible for furnishing the care and nurture of their child.

3.4.1.1.3. Employees who are not primarily responsible for furnishing the care and nurture of their child initially placed for legal adoption under the age of 18 on or after October 1, 2022, are entitled to two weeks of PPL.
3.4.1.1.4. An employee’s PPL taken for an adoption must be taken consecutively. Therefore, once leave commences, the employee must continue leave until the leave is exhausted or they choose to return to work. Any PPL remaining when the employee returns to work is forfeited.

3.4.1.2. Birth:
   3.4.1.2.1. Employees who give birth to a child on or after October 1, 2022, are entitled to six weeks of PPL.
   3.4.1.2.2. Employees whose co-parent gives birth to a child are entitled to two weeks of PPL.
   3.4.1.2.3. An eligible employee utilizing PPL for birth must take leave time consecutively. Once leave commences, the employee must continue leave until the leave is exhausted or they choose to return to work. Any PPL remaining when the employee returns to work is forfeited.

3.4.1.3. Foster Care:
   3.4.1.3.1. Employees who foster a child under the age of 18 in state custody are entitled to receive two weeks of PPL.
   3.4.1.3.2. Employees utilizing PPL for foster care placement are permitted to take leave consecutively or, upon request and approval, in two, one-week increments.
   3.4.1.3.3. The employee is not permitted to take leave in increments smaller than one week.

3.5. Family Medical Leave Act (FMLA) and PPL
   3.5.1. PPL must run concurrently with leave taken in accordance with the FMLA and any other unpaid leave to which the employee may be entitled as determined by the Office of Human Resources.
   3.5.2. An eligible employee is permitted to receive PPL even if the employee has exhausted their FMLA leave or is not eligible for FMLA coverage at the time of the qualifying event.
   3.5.3. If an employee becomes eligible for FMLA leave while on PPL, the employee must use FMLA leave, and the PPL runs concurrently with the FMLA leave.

3.6. Requesting PPL
   3.6.1. Employees must submit the PPL Request Form at least 30 days prior to the qualifying event.
      3.6.1.1. If an employee requires leave before the birth, adoption, or foster care placement due to medical reasons or to fulfill legal obligations, other available leave balances shall be utilized per the leave policy. PPL may not be used before the qualifying event.
      3.6.1.2. If a 30-day notice is not possible, the employee is required to provide notice as soon as possible.
3.6.1.3. Employees must provide required documentation within 30 days of the qualifying event.

3.6.1.4. If documentation is not received within 30 days of the event, the employee will be required to substitute all other paid leave available.

3.6.1.4.1. If sufficient leave is not available, the employee will be placed on Leave without Pay for the period they were absent from work.

3.6.1.5. The request for PPL and paperwork related to FMLA leave require some of the same information, but the PPL request and FMLA paperwork are separate documents. Employee must submit the required documentation to support a PPL request.

4. DEFINITIONS

4.1. Child: a newborn biological child or foster of a child in state custody and under the age of 18 or a child initially legally placed for adoption and under the age of 18. No child can have more than two parents eligible for paid parental leave.

4.2. Eligible Employee: An employee occupying any percentage of a full-time equivalent (FTE) position as of the date of the qualifying event. Employees in temporary, temporary grant, time-limited, research grant and all other non-FTE positions are not eligible for PPL.

4.3. Parent/Co-Parent: the biological, adoptive, or foster parent of a child.

4.4. Qualifying Event: the birth of a newborn biological child to an eligible employee or after a co-parent’s birth of a newborn child or fostering a child in state custody or the initial legal placement of a child by adoption. To qualify for PPL, the adoption, birth, or foster care placement must occur on or after October 1, 2022.

5. ADDITIONAL RESOURCES

5.1. Paid Parental Leave Request Form
5.2. FMLA Policy (in progress)
5.3. FMLA Packet (in progress)
5.4. Annual Leave Policy
5.5. Sick Leave Policy

6. RESPONSIBLE DEPARTMENT/DIVISION

Office of Human Resources, 864-656-2000

7. PUBLISHED LOCATION: Office of Human Resources Policies and Procedures

8. APPROVAL & REVISION HISTORY

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8.2. Last Date of Revision: September 26, 2022
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