

BILL NO. 1044

ORDINANCE NO. 1594-27

AN ORDINANCE OF THE CITY OF PARK HILLS, MISSOURI ADOPTING POLICY AND PROCEDURES RELATED MATERNITY AND PATERNITY LEAVE FOR CITY EMPLOYEES

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Park Hills, Missouri as follows:

Section 1. The maternity and paternity leave policy attached hereto and incorporated herein is hereby approved and adopted.

Section 2. Codification.

It is the intention of the City Council of the City of Park Hills, St. Francois County, Missouri, and it is hereby provided, that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of the City of Park Hills, Missouri; that the sections of this ordinance may be renumbered or re-lettered to accomplish such intention; and the words "ordinance" may be changed to "section," "article" or other appropriate designation.

Section 3. Effective Date.

This ordinance shall be in full force and effect upon its passage.

DULY READ TWO TIMES AND PASSED THIS 13 DAY OF August, 2024.

Stacey Easter
Presiding Officer

ATTEST:

Brandy Mauler
City Clerk

APPROVED THIS 13 DAY OF August, 2024.

Stacey Easter
Mayor

ATTEST:

Brandy Mauler
City Clerk



CITY OF PARK HILLS, MISSOURI
MATERNITY AND PARENTAL LEAVE POLICY

I. BACKGROUND:

A. This Maternity and Parental Leave Policy (the "Policy") is made effective as of the following date: 08/13/2024

B. This Policy outlines the terms, conditions, procedures, and expectations regarding parental leave for employees of the City of Park Hills, Missouri.

C. The purpose of this Policy is to outline the provisions for parents who are expecting a child and require time to care for and bond with their newborn.

D. The City of Park Hills recognizes the importance of supporting employees through significant life events and is committed to fostering a work environment that values the well-being and needs of all team members.

E. This Policy is designed to provide flexibility and support to expecting parents while ensuring a smooth transition back to work.

F. This Employer will offer at least the minimum benefits mandated by law and this policy is merely complementary to the existing legal guidelines.

By signing this document, an employee agrees to the following terms:

II. DEFINITION OF TERMS.

1. Family and Medical Leave Act (FMLA): The FMLA is a federal law that entitles eligible employees of covered employers with at least 50 employees to take unpaid, job-protected leave for specified family and medical reasons, including the birth of a child.

2. Maternity Leave: Leave provided specifically to birthing parents that primarily focuses on their health and wellbeing and bonding with their new child.

3. Parental Leave: More inclusive leave that includes fathers and other parents who do not give birth to their children. It is similar to maternity leave in that it emphasizes bonding as well as shared parenting and caregiving duties.

4. Parent: As defined in Missouri Statute Section 453.015 and to include a birth parent or parents of a child, including the putative father of the child, as well as the husband

of a birth mother at the time the child was conceived. The putative father shall have no legal relationship unless he has acknowledged the child as his own by affirmatively asserting his paternity.

5. Domestic Partner: As defined in 5 CFR § 875.101; Domestic partnership means:

1. A committed relationship between two adults, of the opposite sex or same sex, in which the partners:
 - i. Are each other's sole domestic partner and intend to remain so indefinitely;
 - ii. Maintain a common residence, and intend to continue to do so (or would maintain a common residence but for an assignment abroad or other employment-related, financial, or similar obstacle);
 - iii. Are at least 18 years of age and mentally competent to consent to a contract;
 - iv. Share responsibility for a significant measure of each other's financial obligations;
 - v. Are not married or joined in a civil union to anyone else;
 - vi. Are not a domestic partner of anyone else;
 - vii. Are not related in a way that would prohibit legal marriage in the U.S. jurisdiction in which the domestic partnership was formed;
 - viii. Provide documentation demonstrating fulfillment of the requirements of paragraphs (1)(i) through (vii) of this definition; and
 - ix. Certify that they understand that willful falsification of the documentation described in paragraph (1)(viii) of this definition may lead to disciplinary action and the recovery of the cost of benefits received related to such falsification and may constitute a criminal violation.
2. You or your domestic partner must notify the City if at any time between the time of application benefits, any of the conditions listed in paragraphs (1)(i) through (vii) of this definition are no longer met, in which case a domestic partnership is deemed terminated. Such notification must be made as soon as possible.

III. ELIGIBILITY.

4. This Policy applies to all employees who work for the Employer and meet the requirements described herein.
5. This Policy only applies to full time employees and does not apply to the following employees: Part Time employees, seasonal employees, student employees.
6. Covered employees must have worked for the Employer for at least one year and be expecting a child through pregnancy.
7. The City Administrator will act as the authorized manager responsible for implementing and applying this policy in the workplace.

IV. MATERNITY AND PARENTAL LEAVE.

8. Employees that are giving birth to a child are entitled to four weeks of maternity leave. This period includes both pre-delivery and post-delivery recovery time, if applicable.

9. If the employee is a non-birthing parent and either married to or in a Domestic Relationship with the birthing parent, they are entitled to four weeks of paid parental leave.

10. Employees taking maternity leave may divide the leave into two segments with a maximum of one week taken before the expected delivery and the remaining time taken after. All paternity leave shall be taken the date of delivery and immediately thereafter.

11. The maternity or paternity leave under this policy shall be paid. Employees will be paid 100% of their regular salary per pay period during the maternity or parental leave period.

12. Employees are required to provide written notice of their intention to take maternity or parental leave at least four weeks in advance of their leave. This notice should include the expected start date of the leave. Additionally, employees may be required to provide appropriate documentation, such as a medical certificate confirming the pregnancy, and/or expected due date.

13. During the leave period, employees are protected from any form of discrimination or retaliation. Upon return to work, employees will be reinstated to their previous position or an equivalent role with the same pay, benefits, and terms of employment.

14. During the maternity or parental leave period, employees will continue to receive all applicable benefits, such as healthcare and dental benefits, as if they were actively working. Employees can opt to continue contributing to any applicable benefit plans.

V. LEAVE PROCEDURES.

15. To encourage a smooth transition back to work, employees can request to participate in periodic check-ins with their team and supervisor, as applicable, during their leave. These check-ins will be at the discretion of the City Administrator and, if approved, informal and can be conducted via email, phone calls, or virtual meetings.

16. Before the end of a leave period, employees should inform their supervisor of their intended return to work date. Transitioning back to work may require some flexibility and employees will receive a supportive environment during this process.

VI. COMPLIANCE WITH LAW.

17. The Employer is committed to complying with relevant and applicable state and federal laws and regulations concerning FMLA leave, pregnancy-disability leave, and maternity/parental leave. The leave discussed herein will run concurrent to any other FMLA leave, pregnancy-disability leave, and maternity/parental leave.

VII. ACKNOWLEDGMENT.

18. By signing this, employees acknowledge and confirm that they have read and understood this Policy and agree to comply with all provisions herein.

19. Employees acknowledge and understand that this Policy is a guide and does not create contractual obligations upon the Parties. Any existing employment contracts shall be prevailing.

VIII. GOVERNING LAW.

20. This Policy shall be governed by the laws of the State of Missouri . Both Parties consent to jurisdiction under the state of Missouri. The Parties agree that this choice of law, venue, and jurisdiction provision is not permissive, but rather mandatory in nature.

IX. EXECUTION:

IN WITNESS WHEREOF, the undersigned Employee acknowledges their receipt and understanding of this Policy:

Employee Signature

Employee Name

Date