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SENATE BILL DRS45339-LR-77A (03/15)

Short Title: State Employees/Paid Parental Leave.

(Public)

Sponsors: Senators Chaudhuri, Britt, and Krawiec (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT ENACTING THE STATE EMPLOYEES' PAID PARENTAL LEAVE ACT.
3 The General Assembly of North Carolina enacts:

4 **SECTION 1.** This act shall be known and may be cited as the "State Employees'
5 Paid Parental Leave Act."

6 **SECTION 2.** Article 2 of Chapter 126 of the General Statutes is amended by
7 adding a new section to read:

8 **"§ 126-8.6. Paid parental leave for birth and adoption; program requirements; reporting.**

9 (a) Paid Parental Leave. – The State Human Resources Commission, in cooperation
10 with the State Board of Community Colleges and the State Board of Education, shall adopt
11 rules and policies to allow any employee at a State agency to share leave voluntarily with
12 another employee of a State agency, community college, or public school for the purpose of
13 providing paid parental leave. No more than six weeks of parental leave may be accrued
14 through the donations authorized by this section. For the purposes of this section, "parental
15 leave" means leave for the birth of a biological child or the placement of an adoptive child in
16 the requesting employee's home.

17 (b) Donee Eligibility. – An employee must be in a full-time, permanent position in
18 order to receive paid parental leave under this section and must have been continuously
19 employed with the State for at least 12 months immediately preceding the request for paid
20 parental leave. Further, the employee must certify, in good faith, an intent to return to State
21 employment for at least one year following the paid leave period.

22 (c) Donor Eligibility. – An employee donating leave is not required to be employed by
23 the same State agency, department, institution, university, local school administrative unit, or
24 community college as the employee who is receiving the paid parental leave.

25 (d) Other Requirements. – The paid parental leave authorized under this section:

26 (1) Is available only within the first 12 weeks after the birth or adoption of a
27 child.

28 (2) Is available without exhaustion of the employee's sick and vacation leave.

29 (3) Is in addition to, and not in lieu of, shared leave under G.S. 126-8.3, or other
30 leave authorized by federal or State law.

31 (4) May not be used for retirement purposes. (Employees who donate sick leave
32 shall be notified in writing of the State retirement credit consequences of
33 donating sick leave.)

34 (e) Reporting. – The State Human Resources Commission, the State Board of
35 Education, and the State Board of Community Colleges and all State agencies, departments,
36 and institutions shall report annually to the Office of State Human Resources on the paid



1 parental leave program. The report shall include the total number of days or hours of vacation
2 leave and sick leave donated, and used, and the total cost parental leave program for the prior
3 fiscal year."

4 **SECTION 3.** Article 2 of Chapter 115C of the General Statutes is amended by
5 adding a new section to read:

6 **"§ 115C-12.3. Paid parental leave program.**

7 (a) The State Board of Education, in cooperation with the State Board of Community
8 Colleges and the State Human Resources Commission, shall adopt rules and policies to allow
9 any employee at a public school to share leave voluntarily with an employee of a State agency,
10 community college, or public school; for the purpose of providing paid parental leave. No more
11 than six weeks of parental leave may be accrued through the donations authorized by this
12 section. For the purposes of this section, "parental leave" means leave for the birth of a
13 biological child or the placement of an adoptive child in the requesting employee's home.

14 (b) The State Board of Education shall adopt rules and policies for the parental leave
15 program that are consistent with the provisions of G.S. 126-8.6."

16 **SECTION 4.** Article 2 of Chapter 115D of the General Statutes is amended by
17 adding a new section to read:

18 **"§ 115D-25.5. Paid parental leave program.**

19 (a) The State Board of Community Colleges, in cooperation with the State Board of
20 Education and the State Human Resources Commission, shall adopt rules and policies to allow
21 any employee at a community college to share leave voluntarily with an employee of a State
22 agency, community college, or public school for the purpose of providing paid parental leave.
23 No more than six weeks of parental leave may be accrued through the donations authorized by
24 this section. For the purposes of this section, "parental leave" means leave for the birth of a
25 biological child or the placement of an adoptive child in the requesting employee's home.

26 (b) The State Board of Community Colleges shall adopt rules and policies for the
27 parental leave program that are consistent with the provisions of G.S. 126-8.6."

28 **SECTION 5.** This act is effective when it becomes law.