Baltimore County Public Schools
Department of Human Resources
Office of Employee Absence and Risk Management

Leave Requirements and Information Sheet

Type of Leave: Paternity

Summary: Baltimore County Public Schools (BCPS) provides eligible employees the use of up to six or eight weeks (dependent on type of delivery) of their accrued personal illness absence time immediately following the birth of a child by an immediate family member (as defined by the appropriate bargaining unit agreement). If employee is eligible for Family Medical Leave Act leave (FMLA), this leave runs concurrently with approved FMLA leave.

Eligibility: Regular (.1 full time equivalency or greater) employees of BCPS.

Approved By: Department of Human Resources

The application, and all required documentation noted below, should be sent to:

The Department of Human Resources
Office of Employee Absence and Risk Management
6901 Charles Street, B Building, Towson, MD 21204
Fax no. 410-337-0160
Email to: leaves@bcps.org

For additional information and questions, contact the Office of Leaves, 443-809-4133

General Information

- The Application for Leaves of Absence and Conversions and the Certification of Health Care Provider for Family Member’s Serious Health Condition Form must be submitted, and approval of the leave request obtained, before the leave begins.
- Up to six weeks or eight (depending on the type of birth) of leave time is available immediately following the birth of a child.
- Personal illness absence time may be used.
- The leave must be for the birth of a child by an immediate family member (as defined by the appropriate bargaining unit).
- Paternity leave runs concurrently with approved FMLA leave, if the employee is eligible for FMLA.
- See Family Medical Leave Act Leave Requirements and Information Sheet for additional leave time available.
OEARM will send notification of the leave request approval/denial, and any conditions that must be met, to the employee, and the principal or office head immediately following the review of the leave request and documentation.

Employees must notify OEARM via phone call, email or letter immediately if the plans for the leave do not materialize or change.

Gainful, permanent employment with another employer while on an approved leave of absence may serve as justification for termination of the leave.

No employee may engage in remunerative employment during his/her regularly scheduled BCPS work hours of any type, receive compensation for, or enter into any employment agreement, express or implied, while the employee is receiving personal or family illness leave. This prohibition includes afternoon or evening activities of the school system or any other school system.

**Intermittent Leave**

- Intermittent leave is not available for this type of leave.

**Required Documentation**

- Completed Application for Leaves of Absence and Conversions
- Certification of Health Care Provider for Family Member’s Serious Health Condition
- Required documentation must be received 30 days prior to the commencement of the requested leave (if leave is foreseeable). If an emergency situation arises, or circumstances prevent this, employees must contact the OEARM Office as soon as possible.
- For State Retirement System members only: Maryland State form 46, *Qualified Leave Of Absence Request or Notification of Military Service Entry*. This form is required to obtain state retirement service credit for the period of the approved leave and for the survivor benefit to remain in effect during this leave. For additional information and the form, employees may refer to the Maryland State Retirement Agency (MSRA) Web site.
- Leave processing may be delayed or denied if documentation is not received within the required timeframe.

**Effect on Position**

- The employee’s current position is maintained. For those employees eligible and approved for FMLA, there may be limited circumstances when a position is released. If the release is necessary, it will be consistent with FMLA guidelines and the employee will be notified.

**Effect on Salary Increment**

- There is no effect on salary increment.

**Effect on Payroll, Healthcare Benefits, and Retirement Plans**

- **Payroll**
  - Employees may use their accrued personal illness absence time (up to a maximum of six weeks or eight for c-section) immediately following the birth of a child.
Healthcare Benefits

- Healthcare coverage for the newborn child must be requested within 30 days. Accepted documentation to add the child includes: hospital discharge papers, hospital birth records, or an application for a social security card.
- During paid time, all current benefits will continue.
- BCPS-paid basic life insurance continues during the approved leave of absence period.
- For any unpaid time, the employee’s healthcare and flexible spending contributions will be delayed until employee is returned to paid status at which time missed contributions will be deducted. Employees can refer any questions to the Office of Benefits and Retirement at 443-809-8943.
- For any unpaid time, other salary deductions must be handled directly by the employee with the appropriate organization (e.g., First Financial Federal Credit Union, optional life insurance, etc.).

Retirement

- MSRA recognizes this leave as a qualified leave of absence for service credit purposes; therefore, the unpaid service time may be purchased. Upon completion of the leave, employees must contact the BCPS Office of Retirement at 443-809-8949 to initiate the process. There is no timeframe to initiate the purchase of the service credit if the employee returns to work. However, if the employee is terminating, the paperwork must be received by the Maryland State Retirement Agency no later than 60 days after expiration of the leave in order for the service to be purchased. BCPS requests the paperwork no later than 45 days after expiration of the leave in order to process in a timely manner.
- The Baltimore County Employees Retirement System (ERS) does not recognize this leave as a qualified leave of absence for credit purposes. Therefore, the unpaid service time cannot be purchased.

Return-to-Work/Extensions/Resignation Requirements

- Upon completion of a leave, all employees are to return to a position, request and be approved for an extension of leave (if available) or resign.
- At least fifteen (15) business days prior to their expected date of return to BCPS, employees are responsible for notifying the Office of Benefits and Retirement of their intent to return to work, request an extension or resign via email, letter or phone call.

Return to Work

- For any unpaid time, upon return to service with BCPS, employees are responsible for notifying the Office of Payroll (443-809-4240) to reestablish the payroll deduction plans as soon as possible, the Office of Employee Benefits and Retirement (443-809-8943) to reenroll in benefit plans (must be reenrolled within 30 days of return to work) and the BCPS Office of Retirement (443-809-8949) to purchase the service time.
- State eligible employees must complete Maryland State form 26, Request to Purchase Previous Service, and submit it while in active employment, or if terminating, within 45 days after the expiration of the leave in order for the
service to be purchased. This form must be submitted to the BCPS Office of Retirement.

- **Extension of Leave**
  - Extensions are not available for this type of leave; however additional time may be available under FMLA.

- **Resignation**
  - Employees who choose to resign from BCPS must complete the resignation and offboarding process, available on the Human Resources Intranet.
  - Employees must notify the Office of Leaves at 443-809-4133 or leaves@bcps.org if they resign from leave.
  - Employees may be eligible for health insurance coverage under COBRA, consistent with the timeframes noted in current law. The cost of this coverage is the monthly premium equivalent to the full cost plus an administrative charge of 2%.
  - MSRA-eligible employees who choose to resign must complete Maryland State form 26, *Request to Purchase Previous Service*. BCPS requests forms are submitted to the Retirement Office within 45 days of the expiration date of the leave in order for the service to be purchased and satisfy the state’s 60 day requirement (refer to the Retirement Section).

**Policy:** Board of Education Policy 4203, Absences and Leaves

**Rule:** Superintendent’s Rule 4203, Absences and Leaves

**Bargaining Unit Information**

n/a

For informational purposes only. For additional questions or concerns, employees must refer to Board Policies, Superintendent’s Rules and appropriate bargaining unit agreements.