Washington County School District
121 West Tabernacle Street
Saint George, Utah 84770
435-673-3553

District Policy 1331

Paid Parental and Postpartum Leave

Washington County School District - Personnel - Approved 4-14-2025

1. Purpose

The purpose of this policy is to provide paid time off for new parents to recover and bond with their new child as per Utah Code Ann. § 53G-11-209.

2. Policy

2.1. The paid parental and postpartum leave policy will run concurrently with the Family and Medical Leave Act (FMLA) found in WCSD FMLA, ADA, and District Sick Leave, Policy 1332, as applicable. This policy will be in effect for births, adoptions or placements of foster care, and legal guardianship of a child, occurring on or after July 1, 2025.

2.2. This policy allows up to three (3) weeks of paid parental leave for either the father or the mother who is the employee of the district following the birth of the employee's child or the placement of a child with an employee with adoption, foster care, or legal guardianship. Paid parental leave must be used within six (6) months of becoming a parent by birth, adoption, foster care, or legal guardianship. Non-contracted breaks are not paid for parental leave.

2.3. Mothers who give birth may also use up to an additional three (3) weeks for postpartum recovery. Postpartum recovery leave begins on the date the employee gives birth and is used preceding paid parental leave. Non-contracted breaks are not paid for postpartum leave.

2.4. The school district has the right to interpret this policy. No action may be brought in any court to enforce or contest any provision, term, or condition of this policy unless the person contesting the act or omission has exhausted the administrative remedy provided in the WCSD Grievance Procedure, Policy 1720, except the grievance shall be filed at step one of the formal procedures.

3. Procedure

3.1. Definitions:

3.1.1. District means Washington County School District.

3.1.2. Child means an individual who is younger than 18 years old.

3.1.3. Paid leave hours mean leave hours the district provides to an employee who accrues paid leave benefits in accordance with WCSD Employee Leave Policy 1330 and WCSD FMLA, ADA, and District Sick Leave, Policy 1332, including personal time, sick time, vacation, or any other type of leave an employee may take while still receiving compensation and is not limited to parental leave or postpartum recovery leave.

3.1.4. Parental leave means the leave hours the district provides to a parental leave eligible employee. Parental leave eligible employee means a district employee who accrues paid leave benefits and is a birth parent as per Utah Code Ann. § 78B-6-103, legally adopting a minor child, unless the individual is the spouse of the pre-existing parent, the intended parent of a child born under a validated gestational agreement in accordance with Utah Code Title 78B, Chapter 15, Part 8 Gestational Agreement (surrogacy), is appointed legal guardian of a minor child or incapacitated adult, or is the foster parent of the child.

3.1.5. Postpartum recovery leave means leave hours the district provides to a postpartum recovery leave eligible employee to recover from childbirth that occurs at 20 weeks or greater gestation.

3.1.6. Postpartum recovery leave eligible employee means an employee who accrues paid leave benefits in accordance with WCSD Employee Leave Policy 1330 and WCSD FMLA, ADA, and District Sick Leave, Policy 1332, including personal time, sick time, vacation, or any other type of leave an employee may take while still receiving compensation and is not limited to parental leave or postpartum recovery leave and gives birth to a child.

3.1.7. Qualified employee means a parental or postpartum recovery leave eligible employee.

3.2. Eligibility requirements:

3.2.1. Benefit eligible employees who qualify for paid leave benefits including personal time, sick time, vacation, or any other type of leave an employee may take while still receiving compensation and working 30 hours or more per week per contract year, or .5 FTE certified employees.

3.3. Affect leave balances:

3.3.1. Paid parental and postpartum recovery leave will not be charged against any other accrued leave including sick, personal, and vacation hours for qualified employees.

3.3.2. Each week of paid parental and postpartum leave is compensated at 100 percent of the employee’s contracted regular; straight-time pay.

3.3.3. The amount of parental and postpartum leave does not increase if the eligible employee gives birth, adopts, fosters, or has legal guardianship over more than one child and can only be used once in every rolling 12-month period.

3.3.4. For all other benefits, a qualified employee on paid parental and postpartum recovery leave receives the same rights and benefits as employees on leave such as paid sick time, paid personal days, or paid vacation.

3.4. Request for paid parental and/or postpartum recovery leave:

3.4.1. Employees shall provide advance written notice to the Human Resources Director or designee of their request for paid parental leave that INCLUDES a date of when the leave is requested to begin at least 30 days in advance when the need for leave is foreseeable, or as soon as possible in emergencies.

3.5. Consecutive and concurrent leave provisions:

3.5.1. Postpartum recovery leave begins on the date the employee gives birth and is used preceding paid parental leave. Paid parental leave follows postpartum recovery for the qualified employee who gives birth.

3.5.2. Paid parental leave for the father or the mother who is the employee of the district begins following the birth of the employee's child or the placement of a child with an employee with adoption, foster care, or legal guardianship.

3.5.3. Employees must take paid parental leave in one continuous period of leave and must use all paid parental leave during the six (6) month time frame indicated above. Any unused paid parental leave will be forfeited at the end of six (6) month time frame. If the health care provider certifies a serious health condition of the child or if the employer and employee mutually agree, the parental leave can be used intermittently.

3.5.4. If a non-contracted day occurs while the employee is on paid parental and postpartum leave, such day will be compensated; however, non-contracted days will not extend the total paid parental leave entitlement.

3.5.5. If the qualified employee needs additional time off, they can request FMLA (unpaid leave) which runs concurrently with all other leave types, including sick, personal, vacation, and short-term disability leave. The total of all leave may not exceed 12 weeks, with paid parental leave limited to a maximum amount of three (3) weeks and postpartum recovery leave limited to a maximum amount of three (3) weeks in a rolling 12-month rolling period. Upon exhaustion of accrued sick, vacation, and personal time, any remaining leave will be unpaid leave. Please refer to WCSD FMLA, ADA, and District Sick Leave Policy 1332 for further guidance on the FMLA.

3.5.6. An employee who takes paid parental and postpartum leave that does not qualify for FMLA leave will be afforded the same level of job protection for the period that the employee is on paid parental and postpartum leave as if the employee was on FMLA qualifying leave.

3.6. Considerations for a qualified employee's return to work:

3.6.1. Based on requests made, the Pregnant Workers Fairness Act (PWFA) and other federal and state mandates may allow for other reasonable accommodations for pregnancy, childbirth, or related medical conditions, and WCSD Nursing Mother Leave Policy 1334 which allows for daily break periods to express milk for up to one year after the birth of a child.

3.6.2. Upon termination of the individual’s employment at the District, he or she will not be paid for any unused paid parental or postpartum leave for which he or she was eligible.