



*Commonwealth of Virginia*  
*Office of the Governor*

## *Executive Order*

### **NUMBER TWELVE (2018)**

#### **PARENTAL LEAVE FOR COMMONWEALTH EMPLOYEES**

##### **Importance of the Initiative**

The Commonwealth of Virginia is the best place to work, live, and raise a family because of its commitment to providing opportunities for success in both the workplace and at home. The creation of this leave policy will not only provide benefits for children and parents, but also strengthen the Commonwealth's ability to recruit and retain a talented workforce.

Research shows paid time-off provides benefits for both children and parents. Access to parental leave has a positive impact on children's health and development and decreases infant mortality rates. For parents, paid time-off increases the likelihood they will return to the labor force and benefits health and well-being.

The Commonwealth's employees are dedicated public servants. They work hard to keep Virginia strong. The creation of this leave policy will provide them with the support they need in the workplace and at home. The paid parental leave policy is in addition to other leave benefits available to Commonwealth employees, such as Virginia Sickness and Disability Program leave (VSDP), sick leave, annual leave, and leave under the federal Family Medical Leave Act (29 U.S.C. §§ 2601-2654).

##### **Parental Leave for Employees of the Commonwealth**

By virtue of the authority vested in me as Governor under Article V of the Constitution of Virginia and under the laws of the Commonwealth, I hereby authorize the creation of Paid Parental Leave for employees of executive branch agencies (Agencies) in the Commonwealth under the following parameters:

1. A classified or at-will employee who has been employed by the Commonwealth for a minimum of twelve (12) consecutive months is eligible for parental leave (Eligible Employee).

2. Following the birth, adoption, or foster placement of a child younger than 18 years of age:
  - An Eligible Employee will receive eight (8) weeks (320 hours) of parental leave; and
  - If both parents are Eligible Employees, each shall receive parental leave, which may be taken concurrently, consecutively, or at different times.
3. Parental leave shall be taken within six (6) months following the birth, adoption, or foster placement of the child.
4. Parental leave shall only be taken once in a 12-month period and only once per child.
5. Parental leave shall be provided at 100% of the Eligible Employee's regular salary.
6. Parental leave shall not be counted against an Eligible Employee's annual or sick leave.
7. Legal holidays listed in § 2.2-3300 of the *Code of Virginia* shall not be counted against parental leave.
8. Parental leave shall run concurrently with leave provided under the Family and Medical Leave Act, if the employee is eligible.
9. Parental leave may run concurrently or sequentially with VSDP, if the employee is eligible for VSDP.

The Department of Human Resource Management (DHRM or Department) shall establish policy and guidance documents to support implementation of this Executive Order.

### **Exceptions for Classified and At-Will Employees**

Requests for exceptions to this policy must be directed to the Eligible Employee's Human Resource Manager. If the Human Resource Manager at the Agency level approves the exception, then a request must be made to DHRM for final approval. DHRM will then notify the Human Resource Manager of its decision. The Human Resource Manager will subsequently inform the Eligible Employee of the final decision reached by DHRM and will process the leave request accordingly.

### **Agency Reporting**

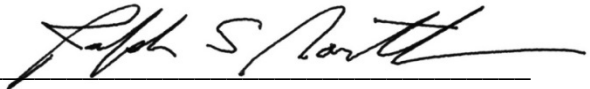
On July 1, 2019, and every July 1 thereafter, the Human Resource Manager for each Agency shall submit to DHRM a report regarding the usage of parental leave by Agency employees for the preceding fiscal year. The report shall be in a form and contain such data as prescribed by the Department.

**Effective Date of the Executive Order**

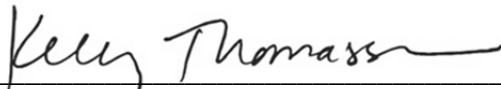
This Executive Order shall be effective upon signing and shall remain in full force and effect unless amended or rescinded by further executive order.

Given under my hand and under the Seal of the Commonwealth of Virginia this 25<sup>th</sup> Day of June, 2018.



  
Ralph S. Northam, Governor

Attest:

  
Kelly Thomasson, Secretary of the Commonwealth