

PERSONNEL POLICY 91-2

SUBJECT: Maternity/Paternity Leave

PURPOSE: To establish a policy for the request for and granting of maternity/paternity leave.

APPLICABILITY: All City of Clarksville Departments

REFERENCES: Sec. 1-1322, Maternity Leave, Clarksville City Code, Sec. 1-1324, Leave of Absence; and Sec. 4-21-408, Leave For Adoption, Pregnancy, Childbirth & Nursing an infant.

POLICY STANDARDS:

Any regular, full-time employee who has been employed for 12 consecutive months may be absent from employment for a period not to exceed four (4) months (120 calendar days) for adoption, pregnancy, childbirth and nursing an infant. This period is referred to as “maternity leave”.

IMPLEMENTATION:

An employee may be granted maternity leave for up to one hundred twenty (120) calendar days by utilizing any combination of annual leave, sick leave or unpaid maternity leave. Application for maternity leave must be in writing and must be accompanied by appropriate documentation to support the request. The application will indicate the amount of maternity leave desired and what number of days are to be covered by sick leave, annual leave or unpaid maternity leave. The application will be sent to the Department Head for approval.

An employee who gives at least three (3) months (90 calendar days) advance notice of the anticipated date of departure for maternity leave, the length of maternity leave and the type of leave to be utilized, and their intention to return to full-time employment after maternity leave shall be restored to their previous or similar position with the same status, pay, length of service credit and seniority whenever applicable, as of the date of their leave.

An employee who is prevented from giving three (3) months advance notice because of a medical emergency which necessitates that maternity leave begin earlier than originally anticipated shall not forfeit their rights and benefits solely because of their failure to give three (3) months advance notice. Employees who are unable to give the full advance notice because they learned of the adoption less than three months before their leave do not forfeit their rights.

While the employee is on maternity leave and is utilizing either accumulated sick leave or annual leave to cover the absence, the employee will continue to be entitled to all normal employee benefits including accumulation of sick leave and annual leave. Once the employee begins to utilize leave of absence without pay there will be no accumulation of annual leave or sick leave.

Between 90 and 120 days of maternity leave, the employee must notify the Department Head of their intention to return to full-time employment and the anticipated date of return. If the employee then fails to return to work within 5 days after the anticipated date of return, the position will be considered to have been abandoned and the Department Head may fill that position with another employee.

If it is learned that the employee has utilized the period of maternity leave to actively pursue other employment opportunities or if it is learned that the employee has worked part-time or full-time for another employer during the maternity leave, the City shall not be required to reinstate the employee at the end of their maternity leave.

OFFICIAL DOCUMENT
APPROVED BY CITY COUNCIL JUNE 6, 1991
EFFECTIVE DATE: JULY 1, 991
REVISED: FEBRUARY 7, 2008

William McNutt, HR Director