



Loudoun County Government Administrative Policies and Procedures

Title: Paid Family Leave	Effective Date: 9/1/2021
Number: HR-48	Date Last Reviewed/Revised:
	Date of Next Review: 09/01/2026

I. Purpose:

The purpose of these procedures is to outline requirements and processes related to the County’s administration of Paid Family Leave (“PFL”) as set forth in Chapter 6, Section 6.12(J) of the Human Resources Handbook, which takes effect on September 1, 2021.

II. Background:

Paid Family Leave is paid leave that enables an employee to take leave from work for any qualifying reason that would be covered under the Family and Medical Leave Act (“FMLA”) of 1993 and as set forth in Chapter 6, Section 6.12(F)(1) of the Human Resources Handbook:

- For the employee’s own serious health condition;
- For the birth of the employee’s child, and to care for the newborn child;
- For the placement of a child with the employee for adoption or foster care;
- To care for the employee’s spouse, child, or parent (but not in-law) who has a serious health condition; or
- Any qualifying exigency for an employee’s family member referenced above being on covered active duty, including but not limited to foreign deployment, in the armed forces; or
- To care for an injured service member of an employee as defined above or designated as next of kin.

Loudoun County Government provides a maximum of six work weeks of PFL to eligible employees for qualifying absences within a 12-month period as defined by the FMLA and the County’s associated policies. Employees must have completed their probationary period, be eligible for leave benefits, and be approved for FMLA in order to be eligible for PFL, and PFL runs concurrently with FMLA leave. PFL is administered by a third-party administrator in coordination with the Department of Human Resources.

III. Related Policies and Laws:

Human Resources Handbook Sections 6.12(F) (Family and Medical Leave) and 6.12(J) (Paid Family Leave); Administrative Policies and Procedures HR-02 (Americans with Disabilities Act (ADA) Procedures), HR-18 (Family and Medical Leave), and HR-44 (Workers' Compensation); Family and Medical Leave Act of 1993 (29 U.S.C. §§ 2601 et. seq.; 29 CFR §§ 825 et. seq.).

IV. Use of Leave

- A. In no event will an employee receive more than 6 weeks of PFL in a rolling 12-month period, regardless of whether there is more than one qualifying absence, or more than one birth, adoption or foster care placement event occurs within that 12-month time period.
- B. PFL shall run concurrently with FMLA and in no case will the total amount of leave—whether paid or unpaid—granted to the employee under the FMLA exceed 12 weeks during the 12-month FMLA period.
- C. Approved PFL for parental bonding may be taken at any time during the 12-month period, subject to intermittent leave restrictions identified in Administrative Policies and Procedures HR-18 (Family and Medical Leave), immediately following the birth, adoption or placement of a child with the employee, and may not be used or extended beyond this 12-month time period.
- D. The amount of PFL provided upon approval will be based on the number of regularly scheduled hours authorized for the employee's position.
- E. Unused PFL will not carry over to another 12-month period and will not be paid to an employee upon separation of employment.
- F. Interaction with other leave types:
 - 1. Once an employee has elected to use PFL, the leave must be exhausted prior to requesting leave without pay.
 - 2. Eligible employees must exhaust PFL prior to applying for and/or using Donated Leave.
 - 3. Employees who are out of work due to a compensable work-related injury are not eligible to use PFL for the work-related injury unless/until the employee has exhausted the injury leave benefit (Chapter 6, Section 6.12(G) of the HR Handbook).

V. Leave Request Procedure

The administration of PFL for eligible County employees is provided by the County's FMLA third-party administrator that specializes in reviewing, approving, processing, and tracking leave requests.

- A. The employee must initiate the leave request at least thirty calendar days in advance when he/she knows about the need for the leave in advance and it is possible and practical to do so.
 - 1. If thirty calendar days advance notice is not possible because the situation has changed or the employee does not know exactly when leave will be required, the employee must provide notice of the need for leave as soon as possible and

practical.

2. Failure to provide appropriate notification may result in the delay or denial of a PFL request.
- B. The employee must first initiate a FMLA request through the procedure outlined in Administrative Policies and Procedures HR-18. Requesting FMLA does not automatically initiate a request for PFL.
1. If the FMLA request is initiated by telephone, the employee may request PFL at the same time of the FMLA request.
 2. If the FMLA request is initiated through the third-party administrator's website, the employee will need to call or e-mail the third-party administrator to request PFL after the FMLA leave request number is generated.
 3. A determination of the PFL request will not be made until a decision is rendered on the employee's FMLA claim. To expedite the process, employees are encouraged to submit the required *Medical Certification Form* as soon as possible.
- C. When a PFL request is approved by the third-party administrator, the Department of Human Resources/Benefits and the employee's department HR Liaison will be notified. The Department of Human Resources/Benefits will notify Payroll regarding the approval and the PFL will be added to the employee's leave balance.
1. Employees will need to use the "Paid Family Leave" element in Oracle or Orion to complete their timecard for the appropriate amount of leave used in the pay period.
 2. An audit will be completed each pay period by the Department of Human Resources/Benefits to ensure that PFL is accurately reported by eligible employees with approved FMLA leave.
 3. To apply PFL to past pay periods (but not prior to September 1, 2021), the department Payroll Liaison will submit a timecard correction for the applicable dates.
 4. Unused PFL after 12 months will be deleted from the employee's leave balance.

Responsible Department/Division: Department of Human Resources/Benefits

This policy remains in effect until revised or rescinded.