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## **MATERNITY AND PARENTAL LEAVE POLICY**

\_\_\_\_\_

*State of Alabama*

### **BACKGROUND:**

A. This Maternity and Parental Leave Policy (the "Policy") is made effective as of the following date: \_\_\_\_\_.

B. This Policy outlines the terms, conditions, procedures, and expectations regarding parental leave for employees of \_\_\_\_\_.

C. The purpose of this Policy is to outline the provisions for parents who are expecting a child and/or require time to care for and bond with their newborn.

D. \_\_\_\_\_ recognizes the importance of supporting employees through significant life events and is committed to fostering a work environment that values the well-being and needs of all team members.

E. This Policy is designed to provide flexibility and support to expecting parents while ensuring a smooth transition back to work.

F. This Employer will offer at least the minimum benefits mandated by law and this policy is merely complementary to the existing legal guidelines.

*By signing this document, an employee agrees to the following terms:*

### ***I. DEFINITION OF TERMS.***

1. Family and Medical Leave Act (FMLA): The FMLA is a federal law that entitles eligible

employees of covered employers with at least 50 employees to take unpaid, job-protected leave for specified family and medical reasons, including the birth, adoption, or surrogacy of a child.

2. Maternity Leave: Leave provided specifically to birthing parents that primarily focuses on their health and wellbeing and bonding with their new child.

3. Parental Leave: More inclusive leave that includes fathers, adoptive parents, non-biological parents, and other parents who do not give birth to their children. It is similar to maternity leave in that it emphasizes bonding as well as shared parenting and caregiving duties.

4. Surrogacy: A medical process wherein a third-party individual carries and gives birth to a child for an individual or couple. Most commonly, the baby being carried is not biologically related to the surrogate who is carrying the baby.

## **II. ELIGIBILITY.**

5. This Policy applies to all employees who work for the Employer and meet the requirements described herein.

6. This policy does not apply to the following employees:

\_\_\_\_\_

7. Covered employees must have worked for the Employer for at least \_\_\_\_\_ and be expecting a child through pregnancy, adoption, or surrogacy.

8. This Policy also applies to individuals who are legally recognized as the primary caregiver in cases of adoption or surrogacy.

9. The following individual will act as the authorized manager responsible for implementing and applying this policy in the workplace: \_\_\_\_\_.

## **III. PREGNANCY-DISABILITY LEAVE.**

10. Employees who are considered disabled due to pregnancy, childbirth, or a related medical condition may request a paid leave of absence. Such leave will be granted for the period of disability, not to exceed four months. Time off may be requested for prenatal care, severe morning sickness, doctor-ordered bed rest, childbirth, and

childbirth recovery.

11. Leave provided for pregnancy disability is treated separately from other leave types required by the state family and medical leave law. Pursuant to the federal FMLA for all eligible employees, the first 12 workweeks of a pregnancy disability leave will be treated concurrently as a leave.

12. Employees who wish to take a pregnancy disability leave must notify the benefits administrator named above of the effective leave date and the estimated duration of the leave. Notice should be given as previously indicated. The employee must also provide a medical certification of disability to the Employer. A delay or denial of leave may result in failure to provide the required medical certification to the Employer in a timely manner. The employee is required to provide a medical certification that they are able to resume their specific job duties prior to returning to work. Appropriate certification and leave forms may be obtained from the Employer.

13. Employees who return to work immediately following the expiration of an approved pregnancy disability leave will generally be re-employed in their former position or a comparable job, as required by law.

14. Under certain conditions, employees who are experiencing or affected by pregnancy may also be eligible to transfer to a less strenuous or hazardous position or duties. Under the advice of the employee's healthcare provider, reasonable accommodations may be requested to assist employees in performing their job duties. Lactation accommodation is also available, upon request. Please contact the benefits administrator named above for more information on pregnancy disability leave or transfer and its effect on the terms, conditions or benefits of employment.

#### ***IV. MATERNITY AND PARENTAL LEAVE.***

15. Employees are giving birth to a child are entitled to \_\_\_\_\_ of maternity leave. This period includes both pre-delivery and post-delivery recovery time, if applicable. If the employee is a non-birthing parent, the same \_\_\_\_\_ period applies as parental leave.

16. Employees taking maternity or parental leave may divide the leave into two segments with a maximum of \_\_\_\_\_ taken before the expected delivery or adoption and the remaining time taken after.

17. Employees will receive \_\_\_\_\_ paid maternity or parental leave. Employees will be paid 100% of their regular salary per pay period during the maternity or parental

leave period.

18. Employees are required to provide written notice of their intention to take maternity or parental leave at least \_\_\_\_\_ in advance of their leave. This notice should include the expected start date of the leave. Additionally, employees may be required to provide appropriate documentation, such as a medical certificate confirming the pregnancy, expected due date, or adoption/surrogacy arrangements.

19. During the leave period, employees are protected from any form of discrimination or retaliation. Upon return to work, employees will be reinstated to their previous position or an equivalent role with the same pay, benefits, and terms of employment.

20. During the maternity or parental leave period, employees will continue to receive all applicable benefits, such as healthcare and dental benefits, as if they were actively working. Employees can opt to continue contributing to any applicable benefit plans.

#### ***V. LEAVE PROCEDURES.***

21. To encourage a smooth transition back to work, employees are encouraged to participate in periodic check-ins with their team and supervisor, as applicable, during their leave. These check-ins will be informal and can be conducted via email, phone calls, or virtual meetings.

22. Before the end of a leave period, employees should inform their supervisor of their intended return to work date. Transitioning back to work may require some flexibility and employees will receive a supportive environment during this process.

23. Employees taking leave shall use the following additional procedures:

\_\_\_\_\_

#### ***VI. COMPLIANCE WITH LAW.***

24. The Employer is committed to complying with relevant and applicable state and federal laws and regulations concerning FMLA leave, pregnancy-disability leave, and maternity/parental leave. As these laws may vary by location, employees are encouraged to contact HR for information specific to this region.

25. This Policy is subject to the Employer's standard terms and conditions and may be subject to legal requirements in the applicable jurisdiction. For any questions or

clarifications regarding this policy, employees are encouraged to contact HR and/or their supervisor, as applicable.

**VII.**

**VIII. ACKNOWLEDGMENT.**

26. By signing this, employees acknowledge and confirm that they have read and understood this Policy and agree to comply with all provisions herein.

27. Employees acknowledge and understand that this Policy is a guide and does not create contractual obligations upon the Parties. Any existing employment contracts shall be prevailing.

**IX. GOVERNING LAW.**

28. This Policy shall be governed by the laws of the State of Alabama. Both Parties consent to jurisdiction under the state and federal courts within the state of Alabama. The Parties agree that this choice of law, venue, and jurisdiction provision is not permissive, but rather mandatory in nature.

**EXECUTION:**

*IN WITNESS WHEREOF, the undersigned Employee acknowledges their receipt and understanding of this Policy:*

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Employee Name

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Date