

Parental Leave FAQ's

1. How do I get approval to use parental leave?

First you need to complete the [FMLA Eligibility Request Form](#) no more than 60 days from your anticipated leave start date. You will receive notification that you are eligible or ineligible for FMLA within 5 business days of your submission. If you are not eligible for FMLA, then you need to apply for use of parental leave through the exception process listed in the policy.

Once approved for FMLA bonding leave (or approved for an exception to use parental leave by Human Resources), you should communicate to your supervisor what dates you will be using parental leave and what dates you'll be utilizing other types of leave or short-term disability income protection.

If paid parental leave is taken while you are on approved FMLA leave for the birth, adoption, or foster care placement of the child, then the paid parental leave will run concurrently with FMLA leave.

2. What if I have previously exhausted my FMLA approved hours, for a different FMLA-qualifying reason, within the past 12 months?

You may apply for parental leave through the exception process.

3. How soon after I'm approved do I need to use my parental leave?

You may begin using your approved parental leave immediately following the birth, adoption, or foster care placement of the child, within the rolling 12-month period and no later than one year after the birth, adoption, or placement of the child. With approval through the FMLA process or from the Director of Human Resources (depending on your approval process), you may choose to use it intermittently/periodically or incrementally (in blocks) Henrico's parental leave policy is meant to allow flexibility for the employee. Please discuss any further questions with Human Resources.

Note: If you are approved for FMLA bonding leave, parental leave runs concurrently. You are approved to utilize FMLA Parental Leave if you have FMLA (**bonding**) hours available. You are not automatically approved to utilize parental leave if you do not have FMLA hours available or if you have previously exhausted your FMLA hours entitlement.

4. Do I need to tell my supervisor my plans right away?

If you are approved for FMLA bonding leave, you should notify your supervisor you will be using parental leave when you (and your supervisor) receive the FMLA designation letter.

If you are using parental leave after being approved through the exception application process, you and your supervisor will be notified of the approval and how you will be using parental leave. It is still your responsibility to communicate to your supervisor how and when you will be using parental leave, as it has been approved.

Eligible employees are strongly encouraged to plan in advance for when they expect to use paid parental leave and communicate their plans to their immediate supervisor so they can do the necessary planning for their department's work needs.

5. What leave code do I enter on my timecard for Parental Leave?

Your approval for FMLA bonding leave (FMLA Designation Notice email received from Human Resources) activates your ability to utilize "FMLA Parental Leave Taken" on the drop-down selection of your timecard entry. (If you are approved through the exception application process, you will select "Parental Leave Taken Non-FMLA" on the drop-down selection.)

6. Do I have to exhaust my own leave before using paid parental leave?

No, there is no requirement to exhaust other paid leave types before using parental leave. Paid parental leave cannot be used for pre-birth/placement leave periods.

7. Will I accrue leave while being out on parental leave?

You will continue to accrue leave if you are in a paid status for seven-eighths of the pay period. Please see [Eligibility for and Accrual of Leave of Absence](#) (Section 8.3 of Policies and Procedures) for more information.

8. Will I get paid for the County holidays while being out on parental leave?

Yes, you should record County holidays as you normally would on your timecard. If you are a non-exempt employee, you should enter “County Holiday Taken” on your timecard entry for that day. If you are an exempt employee, for County holiday(s) you should not record any hours on that day.

9. How do I use parental leave if I’m on short-term disability income protection?

For VRS Hybrid plan members who have been employed full-time with Henrico County for at least a year:

- If you are a hybrid employee and covered under the [Hybrid Disability Plan](#) (effective one-year of full-time employment), you can opt to use parental leave to supplement your short-term disability payable benefit to receive 100% of your income. You can also use it during the 7-calendar day waiting period once the baby is born, and/or once your short-term disability income protection ends and you are still out on FMLA for bonding (or approved to utilize parental leave through the exception process).

For employees who are enrolled in MetLife STIP:

- If you are using [MetLife](#) short-term disability income protection, you are unable to get paid by the County and receive payable short-term disability income benefits at the same time. You can utilize parental leave during your waiting period once the baby is born or once your short-term disability income protection ends and you are still out on FMLA for bonding (or approved to utilize parental leave through the exception process).

10. Both parents work for the County (General Government and/or Schools), do we need to share the 8 weeks of parental leave?

No, both parents get up to 8 weeks of parental leave.

11. I'm having twins, do I get 8 weeks for each baby?

No, an employee gets up to 8 weeks of parental leave per rolling 12-month period.

12. I just got full custody of my child; can I use parental leave?

No, parental leave can only be used for the birth of a child, the adoption of a child, or the placement of a child for foster care (*FMLA regulations include a formal foster care placement agreement with the Commonwealth of Virginia*).

13. My baby isn't yet a year old, but I have already returned to work. Can I utilize parental leave?

Maybe. The answer to this question depends on a couple of factors, including the length and type of leave already utilized by the parent and the amount of time remaining in the 12-month period following the birth, adoption, or foster care placement. However, in any scenario, the first step is to complete the [FMLA Eligibility Request Form](#). Because the answer to this question is fact specific, you may contact Human Resources at 501-4783 to further discuss.

Parental Leave is not retroactive and will only be available for use on or after September 1, 2023.

View the [Parental Leave Policy](#) (Section 8.18 of Policies and Procedures) here. For questions about Parental Leave, you may contact Bridget Cease at (804) 501-4783 or cea01@henrico.gov.

If you have questions about FMLA, contact HR Benefits, (804) 501-5231 or fmla@henrico.gov. You can view the [FMLA Leave Policy](#) (Section 8.19 of Policies and Procedures) here.

For other helpful information, please visit the Employee Portal page [Growing Your Family](#).