

§ 126-8.6. Paid parental leave.

- (a) Definitions. – The following definitions apply in this section:
- (1) Child. – A newborn biological child or a newly placed adopted, foster, or otherwise legally placed child under the age of 18 whose parent is a State employee eligible for leave under subsection (b) of this section.
 - (2) Parent. – Includes a parent by adoption, foster care, or another legal placement.
 - (3) Qualifying event. – When a State employee becomes a parent to a child.
- (b) Paid Parental Leave. – The State Human Resources Commission shall adopt rules and policies to provide that a permanent, probationary, or time-limited full-time State employee may take the following paid parental leave:
- (1) Up to eight weeks of paid leave after giving birth to a child; or
 - (2) Up to four weeks of paid leave after any other qualifying event.
- (c) Part-Time Employees. – The State Human Resources Commission shall adopt rules and policies to provide that a permanent, probationary, or time-limited part-time State employee may take a prorated amount of paid leave after giving birth, not to exceed eight weeks, or paid leave after any other qualifying event, not to exceed four weeks, in addition to any other leave available to the employee.
- (c1) The State Human Resources Commission shall adopt rules and policies providing for a period of minimum service before an employee becomes eligible for parental leave, the maximum number of uses of paid parental leave within a 12-month period, and how much leave is to be provided in the event of miscarriage or the death of a child during birth. The rules shall provide that the period of minimum service may be met by aggregating employment at any of the following:
- (1) State agencies, departments, and institutions, including The University of North Carolina.
 - (2) Public school units that provide paid parental leave in accordance with this section.
 - (3) Community colleges located in this State.
- (d) Requirements. – The paid parental leave authorized by this section:
- (1) Is available without exhaustion of the employee's sick and vacation leave and is awarded in addition to shared leave under G.S. 126-8.3, or other leave authorized by State or federal law.
 - (2) Has no cash value upon termination from employment.
 - (3) May not be used for calculating an employee's retirement benefits.
- (e) The provisions of this section shall apply to employees of State agencies, departments, and institutions, including The University of North Carolina; to public school employees; and to community college employees. The appropriate governing board, officer, or entity shall adopt rules and policies to award paid parental leave to employees that are substantially equivalent to those adopted by the State Human Resources Commission. (2023-14, s. 5.1(a); 2023-65, s. 13A.1(a); 2023-134, s. 7.83(a).)