

**MEMORANDUM OF UNDERSTANDING #2023-05**

**BETWEEN THE CITY OF COLUMBUS**

**&**

**THE FRATERNAL ORDER OF POLICE, CAPITAL CITY LODGE #9**

**REGARDING PAID FAMILY LEAVE**

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Pursuant to Sections 2.4 and 38.4 of the Collective Bargaining Contract between the City of Columbus and the Fraternal Order of Police, Capital City Lodge #9, the City and Lodge agree the City shall provide a Paid Family Leave benefit to each full time member as outlined below:

**Paid Family Leave**

Effective November 12, 2023, each member, following being sworn in as a police officer in the Columbus Division of Police, shall be granted up to twelve (12) weeks of Paid Family Leave (PFL), on a gender neutral basis, at one hundred percent (100%) of the member's regular straight time wage per rolling twelve- (12) month period measured backward from the date leave begins. The City shall comply with the Family Medical Leave Act ("FMLA") and any current or future amendments to the Act.

**Member Eligibility**

Members are eligible for PFL on the first day of the first month following being sworn in as a police officer in the Columbus Division of Police. Members are entitled to twelve (12) weeks of PFL per rolling twelve- (12) month period. PFL does not accrue and cannot be carried over beyond the rolling twelve- (12) month period. PFL is limited to twelve (12) weeks of paid leave per rolling twelve- (12) month period regardless of the number of eligible uses that occur within that twelve- (12) month period. Members are not required to exhaust or utilize paid leave for reasons that qualify for and for which PFL is granted.

**Eligible Uses**

Paid Family Leave shall be allowed for members in the following situations:

- (A) Birth of a Child. Eligible uses include birth of a child, pregnancy complications (as defined and/or qualify as a serious health condition under the FMLA), a miscarriage, or a stillbirth. The member must be the birth parent, a biological parent, the spouse of a birth or biological parent, or the domestic partner of a birth or biological parent. The member may use any or all of the twelve (12) weeks of PFL within the twelve (12) months immediately following the date of the event giving rise to the eligible use. Any unused leave expires twelve (12) months after the date of the event giving rise to the eligible use.
  
- (B) Placement of a Child for Adoption or Foster Care. The member must be the adoptive parent or the spouse or domestic partner of the adoptive parent and must reside in the same household as the newly adopted or foster-care-placed child. The member becomes eligible to use PFL on the date of the child's permanent placement for

adoption or initial placement for foster care and may use any or all of the twelve (12) weeks of PFL within the rolling twelve- (12) months immediately following the placement. Any unused leave expires twelve (12) months after the child's placement.

- (C) Family Caregiving. The member is entitled to PFL to care for a Covered Family Member with a serious health condition. The definitions of spouse, parent, child, and serious health condition are consistent with FMLA's definitions of the same, except that for purposes of PFL for family caregiving "parent" also includes a parent-in-law and "spouse" includes domestic partners. In addition, PFL for family caregiving may also be used to care for siblings (defined as "biological, adopted, foster, step, and sibling-in-law"). Any unused leave expires twelve (12) months after the first day on which PFL is taken to care for the Covered Family Member's serious health condition.

### **Coordination with Other Leave**

- (A) FMLA. Members may be eligible for PFL even though they are not eligible for FMLA leave. For members who are on PFL at the time they become eligible for FMLA, their PFL will run concurrently beginning with their first day of FMLA eligibility. For members who are eligible for FMLA on the first day they use PFL, PFL will run concurrently with FMLA. Any PFL granted for reasons permissible and eligible as FMLA leave shall count toward the twelve (12) weeks per year limitation and will be run concurrently with FMLA.

### **Continuation of Benefits While on PFL**

While a member is on PFL, sick leave entitlement and vacation accruals, Pension Fund contributions and all employee benefits shall continue uninterrupted and the City shall maintain applicable insurance benefits for the member.

### **Procedures and Qualifications**

- (A) Members shall give their Department/Division Human Resources notice of the intent to use PFL as soon as practicable under the circumstances of each eligible use.
- (B) Members may use PFL in one continuous block of time, on scheduled intervals, or intermittently.
- (C) PFL may be used in increments of one tenth (1/10) of an hour.
- (D) The City may, in its sole discretion, require submission of supporting documentation for a member's request for PFL.
- (E) PFL may be used for multiple eligible reasons in any rolling twelve- (12) month period, provided however that the benefit will not exceed twelve (12) weeks of leave in any rolling twelve- (12) month period regardless of the number of eligible uses the member may experience during the same time period.

- (F) PFL hours are not eligible for cash payout, do not carry over from year to year, and are not eligible for leave donation. Use of PFL shall not affect the member's anniversary date for increases or seniority, nor will it constitute a break in service for computing service credits for Civil Service examinations.
- (G) Under Article 22, for purposes of overtime calculations, paid status shall not include PFL. However, under Article 26, PFL shall be considered paid status for holiday payment.
- (H) Upon the effective date of the Paid Family Leave benefit, the Paid Parental Leave MOU #2017-01 and Paid Caregiver Leave MOU #2017-02 (updated 2019) shall immediately terminate. Any member on leave for an eligible use of PFL shall upon the initial rollout of PFL, be entitled to use PFL to cover any remaining leave, provided the length of leave does not exceed twelve (12) total weeks, inclusive of any unpaid leave and paid PFL leave.
- (I) A member on PFL shall not work for another employer while on leave.

FOR THE CITY:

FOR THE UNION:

  
Jennifer E. Edwards, Chief Negotiator

  
Travis L. Parker, Chief Negotiator

10/27/23  
Date

10/27/23  
Date