

Section 26. Paid Parental Leave

Employees who have completed ~~their initial probationary period (or successfully completed six months of their probationary period for Police and Fire) one year of service with the Town of Apex and who qualify for Family Medical Leave~~ are eligible for Paid Parental Leave. Paid parental leave is in addition to an employee's accrued vacation or sick leave. Qualifying events for parental leave include the following:

- Birth of a child of the employee;
- The legal placement of a child with the employee for adoption, foster care or guardianship; or
- The placement of a child with the employee for whom the employee permanently assumes and discharges parental responsibilities (in loco parentis).

An employee may receive paid parental leave for one qualifying event within a rolling twelve month period. The amount of paid parental leave for any one person shall not exceed eight weeks in a twelve month period.

If both parents are employed by the Town and have one qualifying event, each parent is eligible for the eight weeks of paid parental leave. Each parent can use their allocated eight weeks of paid parental leave, ~~either consecutively or intermittently.~~

~~Paid parental leave will run concurrently with FMLA and may be used consecutively or intermittently in one week increments.~~ Employees shall provide advance notice to their supervisor of paid parental leave dates. The total amount of paid parental leave shall not exceed 320 hours for employees who work a 40-hour week schedule and is pro-rated for employees who work more or less than 40 hours per week.

An employee out of work and receiving paid parental leave may not work a secondary job during the same hours an employee would normally be at work, or work any off duty assignments during the parental leave period.

All Town-provided benefits will continue to be paid by the Town during the time the employee is out of work on Parental Leave. Sick and vacation leave will continue to accrue while the employee is in a paid parental leave status.

An employee who wishes to use parental leave shall follow the Town's procedures for requesting ~~FMLA and request~~ paid parental leave ~~at the same time.~~ ~~FMLA leave and~~ Paid parental leave ~~are~~ **is** approved through the HR Department, and no individual supervisor may deny an employee's request for ~~FMLA or~~ paid parental leave. ~~An e~~ **Employees may will** be required to submit supporting documentation to satisfy eligibility requirements for paid parental leave ~~and FMLA.~~

An employee must **return to work after the duration of any approved parental/FMLA leave. An employee who does not return and at least provide and work the 2 week notice requirement will be required to pay the Town back for any paid parental leave received and their last day physically worked will be considered their last day of employment.** ~~remain actively employed by the Town for a minimum of 6 months after returning from paid parental leave will be required to reimburse the Town for one half the paid parental leave received. If an employee returns to work after parental leave, and is actively employed for greater than 6 months but less than 12 months, the employee will be required to reimburse the Town for one quarter the paid parental leave received. The value of the paid parental leave received will be deducted from the employee's final paycheck, including any annual leave or compensatory time paid out in compliance with the Fair Labor Standards Act. The Town Manager or their designee may waive the payback provision if medical complications, a special needs birth, or other documented family hardship impacts the employee's ability to return to work.~~

Section 27. Paid Caregiver Leave

Employees who have completed **their initial probationary period (or successfully completed six months of their probationary period for Police and Fire)** ~~one year of service~~ with the Town of Apex ~~and who qualify for Family Medical Leave~~ are eligible for up to three (3) weeks of Paid Caregiver Leave. Paid Caregiver leave is in addition to an employee's accrued vacation or sick leave. Qualifying events for Caregiver leave include the following:

- To care for an immediate family member with a serious health condition. "Immediate family member" shall be defined as spouses, children (regardless of age), parents, siblings, grandparents, grandchildren (regardless of whether such family members are related by blood, adoption or marriage) and guardians. ~~"Serious health conditions" include conditions covered under the Family Medical Leave Act. Family Medical Leave certification documenting the need to provide care will be required.~~

An employee may receive paid Caregiver leave for all qualifying events within a rolling twelve month period. The amount of paid Caregiver leave for any one person shall not exceed three weeks in a twelve month period.

~~Paid Caregiver leave will run concurrently with FMLA and may be used consecutively or intermittently in one week increments.~~ Employees shall provide advance notice to their supervisor of paid Caregiver leave dates. The total amount of paid Caregiver leave shall not exceed 120 hours for employees who work a 40-hour week schedule and is pro-rated for employees who work more or less than 40 hours per week. An employee out of work and receiving paid Caregiver leave may not work a secondary job during the same hours an employee would normally be at work, or work any off duty assignments during the Caregiver leave period.

All Town-provided benefits will continue to be paid by the Town during the time the employee is out of work on Caregiver Leave. Sick and vacation leave will continue to accrue while the employee is in a paid Caregiver leave status.

An employee who wishes to use Caregiver leave shall follow the Town's procedures for requesting ~~FMLA and request~~ Paid Caregiver leave ~~at the same time. FMLA leave and Paid Caregiver leave~~ ~~are~~ ~~is~~ approved through the HR Department, and no individual supervisor may deny an employee's request for ~~FMLA or~~ Paid Caregiver leave. ~~An e~~Employees ~~may~~ will be required to submit supporting documentation to satisfy eligibility requirements for Paid Caregiver leave ~~and FMLA.~~

An employee must return to work after the duration of any approved Caregiver/~~FMLA~~ leave. ~~An employee who does not return and at least provide and work the 2 week notice requirement will be required to pay the Town back for any paid caregiver leave received and their last day physically worked will be considered their last day of employment. An employee who does not remain actively employed by the Town for a minimum of 6 months after returning from paid Caregiver leave will be required to reimburse the Town for one half the paid Caregiver leave received. If an employee returns to work after Caregiver leave, and is actively employed for greater than 6 months but less than 12 months, the employee will be required to reimburse the Town for one quarter the paid Caregiver leave received. The value of the paid Caregiver leave received will be deducted from the employee's final paycheck, including any annual leave or compensatory time paid out in compliance with the Fair Labor Standards Act.~~

Section 10. Tuition Assistance Program

It is the policy of the Town of Apex to provide ~~educational~~ **tuition** assistance to employees who desire to further their education through a degree program in a career field that would benefit the Town and increase their ability and knowledge to pursue promotional opportunities. The amount of educational assistance provided per employee will be determined annually based on the approved budget and maintained in the Human Resources Department. Employees are expected to pursue coursework outside regular work hours, on their own time.

Employees interested in pursuing a degree from an accredited university or college shall submit an ~~Educational Assistance~~ **Tuition Reimbursement** Application form ~~annually~~ for Town approval. Priority will be given to employees in a degree program for which approval has been given in the prior budget year (assuming the employee continues to meet all policy requirements). Town of Apex will reimburse the costs of registration, fees, tuition, student and lab fees, upon completion of the course and certification by the institution that final grades meet the standards of the Town of a "C" or better up to the maximum allowed for the fiscal year. For classes that are considered "Pass/Fail," a "Pass" for the course will be considered as satisfactory completion. The first and/or last day of the course must be within the fiscal year for which reimbursement is requested. Employees receiving additional reimbursements for coursework from sources outside the Town may not receive total reimbursements in excess of 100 percent

of the total tuition cost. Requests for tuition assistance shall be submitted to the Human Resources ~~Department Office~~ prior to course registration and are subject to review and approval by Human Resources.

All full-time regular employees who have successfully completed the Town's probationary period are eligible to receive this benefit. Eligible employees must be employed continuously for the entire academic session in order to qualify for reimbursement. ~~Employees are expected to continue Town employment for one year from the date of the education reimbursement. Employees separating from Town employment prior to one year from reimbursement must repay the Town the total amount of the reimbursement(s) received for the year calculated by counting backwards one year from the last day of work. Tuition reimbursement monies owed to the Town may be deducted from any compensation received upon the employee's separation from employment.~~ **Employees who have been approved for tuition assistance but separate from the Town prior to the ending of the course and/or receiving reimbursement will not be eligible for reimbursement.**

Human Resources will notify employees of the ~~application period~~ **process** for participation in the ~~Educational Assistance~~ Tuition Reimbursement Program and will provide the forms for both application and reimbursement.