

1 Sec. X. 33 V.S.A. § 3512a is added to read:

2 § 3512a. CHILD CARE FINANCIAL ASSISTANCE PROGRAM;

3 PARENTAL LEAVE BENEFIT

4 (a)(1) An eligible parent who is employed prior to the birth or adoption of a
5 child and who intends to return to employment either with the same employer
6 or a new employer after a parental leave may apply to the Division to receive a
7 Child Care Financial Assistance Program parental leave benefit for up to 12
8 weeks during which the eligible parent is caring for the child and unable to
9 work. Only one eligible parent in a two-parent household shall apply for and
10 receive the parental leave benefit established in this section.

11 (2)(A) The weekly benefit provided to an eligible parent shall be [TBD].

12 (B) The benefit amount shall be calculated in increments of one full
13 day, which shall be one-fifth of the eligible parent's weekly benefit amount.

14 (3) The benefit shall be paid by the Division to the eligible parent within
15 14 days after the Division approves the parent's application or within 14 days
16 after the parental leave begins, whichever is last occurring, and subsequent
17 payments shall be made biweekly.

18 (4) The parental leave for which the eligible parent may receive benefits
19 shall be a single, continuous period ending within one year after the date on
20 which the child was born or placed with the eligible parent for adoption.

21 (b)(1) The Division shall develop an application for the parental leave
22 benefit using a simple, plain-language format, which shall be available in both
23 electronic and paper formats.

1 (2) The Division shall develop and make available on the Division’s
2 website information and materials to educate the public regarding the
3 availability of the parental leave benefit and the requirements to obtain the
4 benefit.

5 (c)(1) To receive the parental leave benefit, an eligible parent shall submit:

6 (A) an application;

7 (B) a signed certification from the eligible parent’s employer that the
8 eligible parent is currently employed by the employer or was employed by the
9 employer within 30 days prior to the beginning of the parental leave; and

10 (C) a statement of intent to return to employment or seek new
11 employment following the parental leave.

12 (2) An eligible parent may submit an application with the signed
13 certification and statement of intent to the Division in anticipation of a birth or
14 the initial placement of a child for adoption or during the eligible parent’s
15 parental leave. The Division shall provide retroactive payments to an eligible
16 parent provided the completed application, signed certification, and statement
17 of intent are received not more than eight weeks after the leave began.

18 (d)(1) Benefits paid pursuant to this section may be used as wage
19 replacement for a leave taken pursuant to 21 V.S.A. § 472 or the federal
20 Family and Medical Leave Act, 29 U.S.C. §§ 2611–2654.

21 (2) The receipt of benefits paid pursuant to this section shall not extend
22 the leave provided pursuant to 21 V.S.A. § 472 or the federal Family and
23 Medical Leave Act.

1 (3) Nothing in this section shall be construed to alter the job protection
2 and employment-related rights provided pursuant to 21 V.S.A. § 472 or the
3 federal Family and Medical Leave Act, or to provide job protection or
4 employment-related rights that are in addition to the rights provided pursuant
5 to those laws.

6 (e) As used in this section:

7 (1) “Eligible parent” means an individual whose annual gross family
8 income is not more than 600 percent of the current federal poverty level and
9 who is either:

10 (A) the parent of a child born within the preceding 12 months; or

11 (B) an individual with whom the initial placement of a child 10 years
12 of age or younger for purposes of adoption has occurred within the preceding
13 12 months.

14 (2) “Parent” means an individual who:

15 (A) is a parent to a child, regardless of whether the relationship is a
16 biological, adoptive, or step relationship; or

17 (B) has day-to-day responsibilities to care for and financially support
18 a child.

19 (3) “Parental leave” means a leave of absence from employment by an
20 eligible parent following:

21 (A) the birth of the eligible parent’s child; or

22 (B) the initial placement of a child 10 years of age or younger with
23 the eligible parent for purposes of adoption.

1 Sec. XX. 21 V.S.A. § 472 is amended to read:

2 § 472. LEAVE

3 * * *

4 (b) During the leave, at the employee’s option, the employee may use
 5 accrued sick leave ~~or~~, vacation leave, or any other accrued paid leave, not to
 6 exceed six weeks. In lieu of using sick leave, vacation leave, or other accrued
 7 paid leave, an employee may use parental leave benefits provided pursuant to
 8 33 V.S.A. § 3512a. Utilization of accrued paid leave or parental leave benefits
 9 provided pursuant to 33 V.S.A. § 3512a shall not extend the leave provided
 10 herein by this section.

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