

Burgos, Alexander N

Subject: FW: NC OAH Submission for Adoption of Temporary Rule 25 NCAC 01E .1903 Eligibility for Paid Parental Leave
Attachments: 25 NCAC 01E .1903 Eligibility for Paid Parental Leave formatting change.docx

From: Mazza, Denise H <denise.mazza@nc.gov>
Sent: Monday, December 11, 2023 3:55 PM
To: Peaslee, William W <bill.peaslee@oah.nc.gov>
Cc: Thomas, Blake <Blake.Thomas@nc.gov>
Subject: RE: NC OAH Submission for Adoption of Temporary Rule 25 NCAC 01E .1903 Eligibility for Paid Parental Leave

Mr. Peaslee,

Thank you for your email and telephone call. Attached is the proposed Rule properly formatted at lines 16-17 and 22-24.

Please let us know if you need anything further in this regard.

Denise

Denise H. Mazza
Paralegal
Desk: 984-236-0823
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1 25 NCAC 01E .1903 is proposed for adoption under temporary procedures as follows:

2
3 **25 NCAC 01E .1903 ELIGIBILITY FOR PAID PARENTAL LEAVE**

4 (a) This Section applies to all agency employees subject to G.S. 126-8.6, whether or not those employees are exempt
5 from other sections of the State Human Resources Act.

6 (b) Employees may receive paid parental leave under this Section only if they are in a permanent, time-limited, or
7 probationary appointment. Temporary employees are not eligible for paid parental leave under this Section.

8 (c) An agency shall allow an employee to take paid parental leave under this Section only if, at the time of the
9 qualifying event, the employee meets each of the following conditions.

10 (1) For the immediate 12 preceding months, the employee has been employed without a break in
11 service as defined by 25 NCAC 01D .0114 in a permanent, time-limited, or probationary
12 appointment by:

13 (A) the State of North Carolina agencies, departments, and institutions, including without
14 limitation the University of North Carolina;

15 (B) public school units that provide paid parental leave in accordance with G.S. 126-8.6; or

16 (C) community college institutions of the State of North Carolina,
17 aggregating employment at any of these employers.

18 (2) The employee has been in pay status with:

19 (A) the State of North Carolina agencies, departments, and institutions, including without
20 limitation the University of North Carolina;

21 (B) public school units that provide paid parental leave in accordance with G.S. 126-8.6; or

22 (C) community college institutions of the State of North Carolina,

23 for at least 1,040 hours, aggregating employment at any of these employers, during the previous
24 12-month period.

25 (d) This Section applies to requests for paid parental leave related to qualifying events occurring on or after July 1,
26 2023.

27
28 *History Note: Authority G.S. 126-8.6;*

29 *Temporary Adoption Eff. [date of adoption].*

Burgos, Alexander N

From: Peaslee, William W
Sent: Monday, December 11, 2023 2:53 PM
To: Mazza, Denise H
Cc: Burgos, Alexander N
Subject: FW: NC OAH Submission for Adoption of Temporary Rule 25 NCAC 01E .1903 Eligibility for Paid Parental Leave
Attachments: Temporary Rule-making Findings of Need 25 NCAC 01E .1903 .doc.pdf; 25 NCAC 01E .1903 Eligibility for Paid Parental Leave.docx
Importance: High

Good afternoon,

I am the staff attorney reviewing above captioned temporary rule .

On line 17, as written, "aggregating employment at any of these employers" applies only to community college institutions, and not (A) or (B). Was that the intent?

On lines 23-24, as written, "for at least 1,040 hours, aggregating employment at any of these employers, during the previous 12-month period" applies only to community college institutions. Was that the intent? This seems very different from the current temporary rule in which the 1,040 hour requirement was applicable to all employers.

Please respond as soon as possible. Thank you.

As always, if you have any questions please do not hesitate to contact me.

William W. Peaslee
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From: Rules, Oah <oah.rules@oah.nc.gov>
Sent: Monday, December 11, 2023 1:45 PM
To: Snyder, Ashley B <ashley.snyder@oah.nc.gov>; Peaslee, William W <bill.peaslee@oah.nc.gov>
Subject: FW: NC OAH Submission for Adoption of Temporary Rule 25 NCAC 01E .1903 Eligibility for Paid Parental Leave

From: Mazza, Denise H <denise.mazza@nc.gov>
Sent: Monday, December 11, 2023 1:40 PM

To: Rules, Oah <oah.rules@oah.nc.gov>

Cc: Matthews-Thayer, Cathy <cathy.thayer@oah.nc.gov>; McGhee, Dana <dana.McGhee@oah.nc.gov>; Thomas, Blake <Blake.Thomas@nc.gov>

Subject: NC OAH Submission for Adoption of Temporary Rule 25 NCAC 01E .1903 Eligibility for Paid Parental Leave

Attached please find for filing the Temporary Rule-Making Findings of Need form for 25 NCAC 01E .1903 and the proposed adopted temporary rule, in Word.

Please let me know if you need anything further for this filing.

Thanks!

Denise

Denise H. Mazza

Paralegal

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