

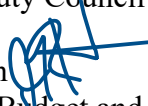



February 21, 2024

**FISCAL AND POLICY NOTE**

TO: Jennifer A. Jenkins  
Council Administrator

Colette R. Gresham, Esq.  
Acting Deputy Council Administrator

THRU: Josh Hamlin   
Director of Budget and Policy Analysis

FROM: David Noto   
Legislative Budget and Policy Analyst

RE: Policy Analysis and Fiscal Impact Statement  
CB-004-2024

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CB-004-2024 (*Proposed by:* Council Member Oriadha)

Assigned to the Government Operations and Fiscal Policy (GOFP) Committee

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AN ACT CONCERNING PARENTAL LEAVE ELIGIBILITY for the purpose of revising the time that County employees are eligible to receive parental leave.

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**Fiscal Summary**

**Direct Impact**

*Expenditures:* Additional expenditures are likely to be necessary to provide for newly eligible employees utilizing the program.

*Revenues:* No anticipated revenue impact.

## Indirect Impact

Likely Favorable

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### Legislative Summary:

CB-004-2024, proposed by Council Member Oriadha, was presented on February 6<sup>th</sup>, 2024, and referred to the GOFP Committee. This bill would reduce the amount of time that an employee of Prince George's County would need to be employed by the County to be eligible to receive paid parental leave (PPL) from 12 months to 3 months.

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### Background/Current Law:

The federal Family and Medical Leave Act took effect in 1993 and requires covered employers to provide employees with leave for qualified medical and family reasons. Under federal law, employees are entitled to take up to twelve weeks of leave for the birth, adoption, or foster placement of a child, or to care for themselves or a family member with a serious health condition. During that period, employees' jobs are protected, they receive health insurance benefits, and they may receive wages if they use existing paid leave accruals (e.g., sick leave, vacation leave, and compensatory time), but there is no requirement that employers provide PPL<sup>1</sup>.

The United States is the only industrialized country to offer no nationwide PPL<sup>2</sup>. Only one other country worldwide doesn't offer some form of PPL: Papua New Guinea<sup>3</sup>.

Starting on January 1, 2025, Maryland state government employees will be entitled to up to 12 weeks per year of PPL.

In Prince George's County, the current policy, per the County Code, Sec. 16-225.01. states that up to ten (10) days of paid parental leave shall be granted to employees eligible for family leave, who have been employed by the county for at least 12 months<sup>4</sup>. The last bill approved by the Council regarding PPL, CB-001-2020, expanded the amount of PPL from 5 days to ten days, effective June of 2020<sup>5</sup>.

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### Resource Personnel:

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<sup>1</sup> [www.dol.gov/agencies/whd/fmla](http://www.dol.gov/agencies/whd/fmla)

<sup>2</sup> [www.pewresearch.org/short-reads/2019/12/16/u-s-lacks-mandated-paid-parental-leave/](http://www.pewresearch.org/short-reads/2019/12/16/u-s-lacks-mandated-paid-parental-leave/)

<sup>3</sup> [www.worldpolicycenter.org/policies/is-paid-leave-available-for-both-parents-of-infants](http://www.worldpolicycenter.org/policies/is-paid-leave-available-for-both-parents-of-infants)

<sup>4</sup> [Sec. 16-225. - Parental, family, and medical leave | Municode Library](#)

<sup>5</sup> [Prince George's county Council - Reference No. CB-001-2020](#)

- Leroy Maddox, Legislative Officer
- Joel Peebles, Policy Director, Council District 7

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## Discussion/Policy Analysis:

### *CB-004-2024*

CB-004-2024 would amend Subtitle 16. Section 16-225.01 of the Prince George's County Code is repealed and reenacted with the following amendments:

#### **Sec. 16-225.01. Parental, family, and medical leave.**

- (a) Parental leave. Up to ten (10) days of paid parental leave shall be granted to employees who are eligible for family and medical leave pursuant to this Section. Parental leave shall be granted to employees who are eligible to earn annual leave who have been employed by the County for at least 3 months and who have been in a paid status for at least 480 hours during the previous 3 months.

#### *Relevant legislation from Other Jurisdictions:*

Starting on January 1, 2025, state government employees will be entitled to up to 12 weeks per year of PPL. To be eligible for PPL in Maryland, you must be an employee and have worked at least 680 hours for the state government in the past 12-months<sup>6</sup>.

In most neighboring jurisdictions, employees must have been in an eligible position for anywhere between 12 to 6 consecutive months. PPL must be used within 12 months of the birth of a newborn child or adoption and employees can receive the equivalent of between 30 days to twelve work weeks per year, depending on the jurisdiction, although 60 days (2 months) is the most common amount of time allotted. In Montgomery County, eligible full-time employees must have been in a County merit system position for at least 6 consecutive months and can be approved for up to 240 hours (30 days) of PPL during a 12-month period<sup>7</sup>. Washington, DC offers government employees with at least one year of continuous service up to 12 weeks to care for a new child, with an additional 2 weeks to receive prenatal care<sup>8</sup>.

Nationwide, PPL runs a wide gamut, with some local jurisdictions, like Harris County, Texas, and King County, Washington, both offering 12 weeks of PPL, for full-time employees who have been employed for at least 180 days or six months<sup>9,10</sup>, while both Maricopa County, Arizona and Miami-

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<sup>6</sup> [Workers \(Maryland.Gov\)](https://www.maryland.gov/workers/)

<sup>7</sup> [www.montgomerycountymd.gov/HR/Resources/Files/OMS/PPL\\_QandA.pdf](http://www.montgomerycountymd.gov/HR/Resources/Files/OMS/PPL_QandA.pdf).

<sup>8</sup> <https://dcpaidfamilyleave.dc.gov/>

<sup>9</sup> [www.maricopa.gov/DocumentCenter/View/74052/Employee-Leave-Policy-HR2415-2-23-2022](http://www.maricopa.gov/DocumentCenter/View/74052/Employee-Leave-Policy-HR2415-2-23-2022)

<sup>10</sup> [www.kingcounty.gov/en/legacy/audience/employees/pay-benefits/paid-parental-leave](http://www.kingcounty.gov/en/legacy/audience/employees/pay-benefits/paid-parental-leave)

Dade County, Florida offer six weeks for eligible employees who have been employed for at least 12 months<sup>1112</sup>.

Starting in 2026, the state of Maryland will require most employers to provide up to 12 weeks of PPL for employees who have worked at their current position for at least 680 hours over the past 12 months, but employees will only become eligible for PPL once they have exhausted all their existing accrued leave of other types (sick leave, paid vacation, etc.)<sup>13</sup>.

This bill is unlikely to directly require additional expenditures, but expanding eligibility to include those so recently hired will have a limited effect on productivity and additional expenditures may be necessary to mitigate that loss of productivity.

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### **Fiscal Impact:**

- *Direct Impact*

Enactment of CB-004-2024 is likely to have a limited fiscal impact on the County, related to a loss in productive time for newly eligible individuals utilizing PPL. As of the date of this memorandum. Council staff has not received input from the Executive Branch regarding the extent of the operational impact or any additional expenditures necessary to mitigate the impact.

- *Indirect Impact*

Enactment of CB-004-2024 may have a positive indirect impact on the County by enhancing the benefits for current employees, attracting prospective employees to County government, and promoting a positive work/ life balance for the County's workforce.

- *Appropriated in the Current Fiscal Year Budget*

No.

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### **Effective Date of Proposed Legislation:**

The Act shall take effect forty-five (45) days after it becomes law.

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If you require additional information, or have questions about this fiscal impact statement, please reach out to me via phone or email.

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<sup>11</sup> <https://cjo.harriscountytexas.gov/Protecting-Workers-Families>

<sup>12</sup> [https://www.healthymiamidade.org/wp-content/themes/poptheme/links/WorksiteWellRes/Paid%20Parental%20Leave%20Fact%20Sheet\(5\).pdf](https://www.healthymiamidade.org/wp-content/themes/poptheme/links/WorksiteWellRes/Paid%20Parental%20Leave%20Fact%20Sheet(5).pdf)

<sup>13</sup> <http://paidleave.maryland.gov/workers/Pages/home.aspx>