CITY of ALBUQUERQUE TWENTY THIRD COUNCIL

ENACTMENT NO. 0-2018-0314 COUNCIL BILL NO. O-18-37 SPONSORED BY: **Patrick Davis** 1 **ORDINANCE** 2 AMENDING THE MERIT SYSTEM; PERSONNEL POLICY ORDINANCE TO 3 INCLUDE PAID PARENTAL LEAVE. 4 BE IT ORDAINED BY THE COUNCIL. THE GOVERNING BODY OF THE CITY OF 5 ALBUQUERQUE: 6 SECTION 1. That Section 3-1-16 ROA 1994 is hereby amended to add 7 section "I" as follows: 8 "(I) Parental Leave with pay will be authorized for all employees qualified 9 for benefits as described in § 3-1-6 (E), who have completed at least twelve 10 (12) months of continuous service and have worked one thousand two 11 hundred and fifty (1,250) hours within the twelve (12) months preceding the [Bracketed/Strikethrough Material] - Deletion **12** date the Parental Leave will begin. Bracketed/Underscored Material] - New 13 1) Parental leave will be available for any eligible employee who 14 experiences a qualifying event. 15 a. A qualifying event includes a birth or the placement of a minor 16 child with the employee for adoption or foster care (excluding the adopting of 17 a stepchild or partner's child) experienced by the employee, the employee's 18 spouse, or domestic partner. 19 2) Parental leave will consist of 12 standard work weeks at full pay to 20 be used within six months of the qualifying event. If an employee is eligible for 21 leave under the Family and Medical Leave Act (FMLA), parental leave must be 22 taken concurrently with leave under the FMLA." 23 SECTION 2. Employees who would otherwise qualify for the parental leave 24 authorized by this ordinance, but whose qualifying event occurred prior to the 25 date of enactment, shall be eligible retroactively only where the qualifying Bracketed/Underscored Material] - New

SECTION 3. COMPILATION. Section 1 of this ordinance shall amend, be incorporated in and made a part of the Revised Ordinances of Albuquerque, New Mexico, 1994.

SECTION 4. SEVERABILITY CLAUSE. If any section, paragraph, sentence. clause, word or phrase of this ordinance is for any reason held to be invalid or unenforceable by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this ordinance. The Council hereby declares that it would have passed this ordinance and each section, paragraph, sentence, clause, word or phrase thereof irrespective of any provisions being declared unconstitutional or otherwise invalid.

SECTION 5. EFFECTIVE DATE. This ordinance shall take effect five days after publication by title and general summary.

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