



DEPARTMENT OF MANAGEMENT SERVICES  
DIVISION OF STATE HUMAN RESOURCE MANAGEMENT  
POLICY GUIDELINE

**STATE PERSONNEL SYSTEM**

**SUBJECT:**

*Administration of Parental Leave Benefits for State Personnel System (SPS) Employees Following the Birth or Adoption of a Child*

**POLICY GUIDELINE:** HRM #2023-009

**EFFECTIVE DATE:** December 11, 2023

**SUPERSEDES:** N/A

**STATUTES/RULES/REGULATIONS/LAWS:**

*Section 110.1522, Florida Statutes (F.S.), Model rule establishing family support personnel policies*

*Section 110.221, F.S., Parental or family medical leave*

*Section 110.131, F.S., Other-personal-services employment*

*Chapter 20, F.S., Organizational Structure*

*Section 110.219, F.S., Attendance and leave; general policies.*

*Section 382.002, F.S., Vital Statistics*

*Rule 60L-34.0051, F.A.C., Florida Administrative Code (F.A.C.), Family Supportive Work Program*

*Rule 60L-34.00421, F.A.C., Paid Parental Leave Following the Birth or Adoption of a Child*

*Rule 60L-34.0042, F.A.C., Sick Leave*

*Rule 60L-34.0041, F.A.C., Annual Leave*

**FORMS:** *Interagency Leave Transfer for Parental Leave Only – Request to Use Template and Interagency Leave Transfer for Parental Leave Only – Request to Donate Template*

**ADDITIONAL REFERENCE MATERIALS:** [Provisions Governing the State Personnel System's Sick Leave Transfer \(Donation\) Plan](#), [Selected Exempt Service & Senior Management Service Proration/Payment Guidelines for Annual Leave](#), [Definitions of Family Members for use of Leave under the Family Supportive Work Program](#), [Family and Medical Leave Act](#), and [Accrued Family Sick Leave](#), [Processing Leaves of Absence Under the Federal Family and Medical Leave Act \(FMLA\) Program Manual](#), [Parental Leave Benefits for State Personnel System Employees](#), [Employee Communication Template](#), Paid Parental Leave Instructional Guide for People First, and Paid Parental Leave Process in People First

**SCOPE AND PURPOSE:**

Effective December 11, 2023, eligible SPS employees shall be granted paid parental leave benefits following the birth or adoption of a child. Additionally, eligible employees may receive annual leave and sick leave transfers under certain conditions following the birth or adoption of a child. These guidelines clarify the administration of these different parental leave benefits for eligible SPS employees.

**BACKGROUND:**

The SPS has an established Family Supportive Work Program (FSWP) with provisions under section 110.1522, F.S., section 110.221, F.S., and Rule 60L-34.0051, F.A.C. The program

provides six months of protected leave (paid or unpaid leave) for use within one year following the birth or adoption of a child. Additionally, the SPS is required to comply with the provisions of the federal FMLA, which provides up to 12 workweeks of protected leave (paid or unpaid leave) to employees following the birth or adoption of a child or for employees with a serious health condition (including recovery from childbirth or other serious health conditions related to pregnancy). If a disability occurs due to pregnancy, the leave of absence may begin prior to childbirth. In addition to protected leave under FSWP and FMLA, SPS agencies shall now provide paid parental leave for recovery following childbirth and care and bonding following the birth or adoption of a child to eligible employees in accordance with Rule 60L-34.00421, F.A.C. When employees are eligible, leave used under the FSWP, FMLA, and paid parental leave are concurrent.

**POLICY:**

Effective December 11, 2023, Chapter 60L-34, F.A.C., was modified to provide new benefits related to parental leave. Only births or adoptions occurring on or after December 11, 2023, qualify for the modified parental leave benefits contained in this Rule Chapter. These benefits are not retroactive.

A. To be eligible for paid parental leave in accordance with Rule 60L-34.00421, F.A.C., salaried employees within the SPS must:

- Have at least one year of cumulative service within the last seven years;
- Have a minimum of 1,250 hours worked in the 12-month period preceding the first date of leave within the SPS; and
- Provide documentation in accordance with the requirements in paragraphs 60L-34.00421(3)(a) and (b), F.A.C.

**Note:** Part-time employees must meet the eligibility requirements above to qualify. If part-time employees are eligible, the benefits will be prorated based on the number of regularly scheduled hours of work in the workweek or work period.

B. Eligible employees shall be approved for paid parental leave in accordance with Rule 60L-34.00421, F.A.C, as follows:

Maternity Leave:

- Leave shall be granted for a period of seven consecutive calendar weeks for an employee’s recovery period immediately following childbirth. Such leave begins on the first full calendar day following the birth.

Care and Bonding Leave:

- Leave shall be granted to a legal parent for a period of up to two weeks within one year following the birth or adoption of a child and may be granted on an intermittent basis.

C. Sick leave may be used by an employee in accordance with paragraph 60L-34.0042(3)(d), F.A.C., for care and bonding within one year following a documented birth or adoption of the

employee's child. Leave used in accordance with paragraph 60L-34.0042(3)(d), F.A.C., and subsection 60L-34.00421(3), F.A.C., cannot exceed a combined total of 16 weeks.

D. Eligible employees may be approved to receive transferred leave credits in accordance with subsections 60L-34.0041(7) and 60L-34.0042(7), F.A.C, as follows:

- Annual leave credits may be transferred to or from current legal spouses within the SPS and other Executive Branch agencies within one year following a documented birth or adoption in accordance with subsection 60L-34.0041(7), F.A.C. Annual leave may only be transferred for an employee's:
  - Absences, as documented by the treating physician, for recovery or medical complications resulting from childbirth and not covered by the recovery period provided in paragraph 60L-34.00421(3)(a), F.A.C.; and
  - Absences for care and bonding with the child, documented in accordance with paragraph 60L-34.00421(3)(b), F.A.C.
- Sick leave credits may be transferred to or from employees within the SPS and other Executive Branch agencies within one year following a documented birth or adoption of an employee's child for care and bonding, in accordance with subsection 60L-34.0042(7), F.A.C.
- To receive annual leave or sick leave transfers under these subsections, employees must first use all eligible paid parental leave benefits under subsection 60L-34.00421(3), F.A.C., all sick leave accrued under subsections 60L-34.0042(1) and (2), F.A.C., and all types of compensatory leave. Employees are not required to exhaust their annual leave accrued under subsections 60L-34.0041(1) and (2), F.A.C., before receiving these leave transfers.

E. Paid Parental Leave, FSWP, and FMLA:

Paid parental leave benefits provided in subsection 60L-34.00421(3), F.A.C., are granted in addition to benefits granted under the FSWP and FMLA. However, when employees are eligible, leave used under the FSWP, FMLA, and paid parental leave run concurrently.

F. Establishing Eligibility for Paid Parental Leave:

In determining whether the employee has the required length of service and work hours to qualify for paid parental leave, agencies shall include employment only with SPS agencies and within the following Pay Plans:

- Career Service (CS) (Pay Plan 01)
- CS Comparable in the Executive Office of the Governor (Pay Plan 07)
- Selected Exempt Service (SES) (Pay Plan 08)
- Senior Management Service (SMS) (Pay Plan 09)

**Note:** Other Personal Services (OPS) employment does not count towards the required length of service and work hours to qualify for paid parental leave.

When determining if an SPS employee has exhausted their paid parental leave entitlement with the employer (i.e., the SPS) for a particular 12-month period, agencies must consider any paid parental leave used in a CS, CS Comparable, SES, or SMS position, at an SPS agency during such period.

**Note:** When an SPS employee moves to a position in another SPS agency during a period for which paid parental leave was previously approved, the Human Resource office at the employee's new agency may request copies of the paid parental leave documentation from employee's former agency Human Resource office. By requesting copies, the new agency will be able to appropriately document the employee's need for paid parental leave, including medical/physician certifications, birth certificates, and court orders. This exchange of information will allow the employee to continue using paid parental leave for the previously approved deduction period without having to obtain and furnish additional supportive documentation. Upon receipt of the documentation by the employee's new agency, the appropriate agency management and/or Human Resource office staff should notify the employee and confirm that paid parental leave will continue to be available at the new agency.

### **QUESTION AND ANSWER:**

#### **Paid Parental Leave Following the Birth or Adoption of a Child**

##### **Question 1:**

If an employee becomes the legal parent of more than one child during a childbirth or adoption event (e.g., birth of twins or adoption of siblings), is the employee eligible for seven weeks of paid maternity leave and two weeks of paid parental care and bonding leave for each child?

##### **Answer:**

No. Paragraphs 60L-34.00421(3)(a) and (b), F.A.C., specify that leave is granted for the specified time period within one year of the event. Leave is therefore not granted per child.

**Note:** Please see Question 5 if multiple qualifying events occur in a one-year period.

##### **Question 2:**

Does an employee have to be eligible for FMLA and/or FSWP to be eligible for the new paid parental leave?

##### **Answer:**

No. An employee who has exhausted FMLA and/or FSWP for the applicable 12-month period and meets eligibility requirements for paid parental leave shall be approved in accordance with Rule 60L-34.00421, F.A.C.

**Question 3:**

If an employee does not meet the eligibility requirements for paid parental leave when the birth or adoption occurs on or after December 11, 2023, but later becomes eligible within one year of the birth or adoption, should the agency approve any requests for paid parental leave?

**Answer:**

Yes. The agency shall approve an employee's request for care and bonding, not to exceed two weeks of paid parental leave, within one year following the birth or adoption. If an employee becomes eligible for paid maternity leave within the first seven weeks immediately following the birth, the agency shall approve the leave only for the portion of the seven-week period remaining. The seven-week period begins on the first full calendar day following the birth.

**Question 4:**

What Hours Type must eligible employees record in People First for the seven weeks of maternity leave provided in accordance with paragraph 60L-34.00421(3)(a), F.A.C.?

**Answer:**

Hours Type 0010 (Paid Parental-Maternity)

**Question 5:**

What Hours Type(s) must eligible employees record in People First for the two weeks of care and bonding leave provided in accordance with paragraph 60L-34.00421(3)(b), F.A.C.?

**Answer:**

It is possible for parents to have more than one qualifying event (separate birth and/or adoption events) in a one-year period. If that occurs, multiple Hour Types may be necessary to provide two weeks of care and bonding leave for each event. As a result, four Hour Types are available in People First for care and bonding. When necessary, these Hour Types should be used in sequence as follows:

- Hours Type 0011 (Paid Parental-Care/Bond 1)
- Hours Type 0012 (Paid Parental-Care/Bond 2)
- Hours Type 0013 (Paid Parental-Care/Bond 3)
- Hours Type 0014 (Paid Parental-Care/Bond 4)

**Note:** Please see Question 1 above if an employee becomes the legal parent of more than one child at the same time.

**Question 6:**

Are OPS employees eligible for paid parental leave?

**Answer:**

No. Pursuant to section 110.131(3), F.S., OPS employees are not eligible for paid parental leave or any other leave benefits provided in Chapter 60L-34, F.A.C.

**Annual Leave Transfers and Sick Leave Transfers  
Following the Birth or Adoption of a Child**

**Question 7:**

May an employee who works in the SPS or another Executive Branch agency donate annual leave to their child's parent if that parent is an employee, but is not the employee's current legal spouse?

**Answer:**

No. Annual leave credits are only permitted between current legal spouses within the SPS or another Executive Branch agency.

**Question 8:**

Do any of the sick leave transfer provisions in subsection 60L-34.0042(5), F.A.C., apply to employees donating or receiving sick leave transfer credits under subsection 60L-34.0042(7), F.A.C.?

**Answer:**

Yes. The only provision from subsection 60L-34.0042(5), F.A.C., which applies to employees donating or receiving sick leave transfer credits under subsection 60L-34.0042(7), F.A.C., is subparagraph 60L-34.0042(5)(e)4., F.A.C. This subparagraph states the employee cannot use "more than 1,040 hours of transferred sick leave credits in the preceding twelve-month period." As a result, sick leave credits received and used under subsections 60L-34.0042(5) and (7), F.A.C., both count toward the 1,040-hour limit.

**Note:** For additional information on sick leave transfers under subsection 60L-34.0042(5), F.A.C., please see the Policy Guideline on [Provisions Governing the State Personnel System's Sick Leave Transfer \(Donation\) Plan](#).

**Question 9:**

Are agencies required to allow annual leave transfers and sick leave transfers to and from eligible employees as authorized in subsections 60L-34.0041(7) and 60L-34.0042(7), F.A.C.?

**Answer:**

Yes. Agencies must allow annual and sick leave transfers authorized in subsections 60L-34.0041(7) and 60L-34.0042(7), F.A.C., for employees who meet eligibility and documentation requirements. However, agencies have the option to provide or not provide sick leave transfer plans authorized in subsection 60L-34.0042(5), F.A.C., and sick leave pools authorized in subsection 60L-34.0042(6), F.A.C.

**Question 10:**

May an employee receive annual leave and sick leave transfers authorized in subsections 60L-34.0041(7) and 60L-34.0042(7), F.A.C., following the birth or adoption of a child even if the employee does not qualify for paid parental leave?

**Answer:**

Yes. Employees receiving annual and sick leave transfers do not have the same eligibility requirements as employees receiving paid parental leave. As a result, some employees will qualify for annual and sick leave transfers and not qualify for paid parental leave.

**Question 11:**

Under what conditions may an eligible employee who is separating from employment donate annual leave or sick leave to an employee who has been approved to receive donated hours in accordance with subsections 60L-34.0041(7) or 60L-34.0042(7), F.A.C.?

**Answer:**

Consistent with the Policy Guideline on [Provisions Governing the State Personnel System's Sick Leave Transfer \(Donation\) Plan](#) and for prudent fiscal management:

- A recipient must use donated hours from a separating employee by the end of the pay period in which the donor is separating. Leave credits of a separating employee have no value once the separation occurs, and as a result, cannot be carried forward for any purpose post-separation.
- If the donor is eligible for an annual leave or sick leave payment, the donated hours are to be deducted first and the remaining balance is to be used for purposes of calculating the payable hours.

**Note:** For SES and SMS employees who donate or receive annual leave transfers on or after their last anniversary date and then separate or retire from state government, please see the Policy Guideline on [Selected Exempt Service & Senior Management Service Proration/Payment Guidelines for Annual Leave](#) for further instructions.

**Question 12:**

Are agencies required to return unused annual leave and sick leave credits to an employee who donates leave under the transfer provisions of subsections 60L-34.0041(7) and 60L-34.0042(7), F.A.C.?

**Answer:**

Yes. If an employee does not use annual leave and/or sick leave credits transferred under the provisions of subsections 60L-34.0041(7) and 60L-34.0042(7), F.A.C., the agency must return the unused leave credits to the donor.

**Question 13:**

What state entities are SPS agencies required to transfer annual leave and sick leave to and from employees pursuant to subsections 60L-34.0041(7) and 60L-34.0042(7), F.A.C.?

**Answer:**

SPS agencies are required to allow annual leave and sick leave transfers under the subsections stated above with other SPS agencies and other Executive Branch entities listed in Chapter 20, F.S. Other Executive Branch entities include but may not be limited to the State Board of Administration and the Florida Lottery. These annual and sick leave transfers with other Executive Branch entities are also contingent on their transfer rules.

**Note:** The Board of Governors, the Florida Commission on Human Relations, the Florida Gaming Control Commission, the Office of Financial Regulation, the Office of Insurance Regulation, the Public Employees Relations Commission, and the Public Service Commission are part of the SPS.

### **Documentation Requirements and Leave Requests**

**Question 14:**

What documents may employees submit for care and bonding leave to prove they are the legal parent of a child for the purposes of administering paragraph 60L-34.00421(3)(b), F.A.C., subparagraph 60L-34.0041(7)(a)2., F.A.C., and subsection 60L-34.0042(7), F.A.C.?

**Answer:**

Employees may submit any one of the following documents:

- A birth certificate
- An amended birth certificate based on a court order
- A court order



**Question 15:**

What documents may employees submit for paid maternity leave to prove a documented birth of a child for the purposes of administering paragraph 60L-34.00421(3)(a), F.A.C.?

**Answer:**

Employees may submit any one of the following documents:

- A birth certificate
- Medical certification including discharge papers from the hospital

**Question 16:**

What is the process an employee should follow when requesting leave for care and bonding within one year of the birth or adoption of the child?

**Answer:**

In addition to documentation requirements above, agencies may require the employee to follow an established process for requesting leave. Agencies should encourage employees to submit leave request(s) for care and bonding in advance to assist the supervisor in minimizing the impact on the work unit.

**Question 17:**

If an employee turns in documentation that requires a recovery period following childbirth which is greater than seven weeks, does sick leave used for recovery after the seven weeks of paid maternity leave count towards the 16-week limitation regarding combined use of sick leave and paid parental leave contained in paragraph 60L-34.0042(3)(d), F.A.C.?

**Answer:**

No. Only sick leave used for care and bonding and paid parental leave count towards the 16-week limitation contained in paragraph 60L-34.0042(3)(d), F.A.C.

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**APPLICABLE STATUTORY AND RULE CITATIONS:**

**[Section 110.1522, F.S., Model rule establishing family support personnel policies](#)**

The Department of Management Services shall develop a model rule establishing family support personnel policies for all executive branch agencies, excluding the State University System. “Family support personnel policies,” for purposes of ss. 110.1521-110.1523, means personnel policies affecting employees’ ability to both work and devote care and attention to their families and includes policies on flexible hour work schedules, compressed time, job sharing, part-time employment, maternity or paternity leave for employees with a newborn or newly adopted child, and paid and unpaid family or administrative leave for family responsibilities.

### **Section 110.221, F.S., Parental or family medical leave**

(1) As used in this section, the term “family” means a child, parent, or spouse, and the term “family medical leave” means leave requested by an employee for a serious family illness including an accident, disease, or condition that poses imminent danger of death, requires hospitalization involving an organ transplant, limb amputation, or other procedure of similar severity, or any mental or physical condition that requires constant in-home care. The term “parental leave” means leave for the father or mother of a child who is born to or adopted by that parent.

(2) The state shall not:

(a) Terminate the employment of any employee in the career service because of the pregnancy of the employee or the employee’s spouse or the adoption of a child by that employee.

(b) Refuse to grant to a career service employee parental or family medical leave without pay for a period not to exceed 6 months. Such leave shall commence on a date that is determined by the employee in consultation with the attending physician following notification to the employer in writing, and that is approved by the employer.

(c) Deny a career service employee the use of and payment for annual leave credits for parental or family medical leave. Such leave shall commence on a date determined by the employee in consultation with the attending physician following notification to the employer in writing.

(d) Deny a career service employee the use of and payment for accrued sick leave or family sick leave for any reason deemed necessary by a physician or as established by policy.

(e) Require that a career service employee take a mandatory parental or family medical leave.

(3) Upon returning at the end of parental or family medical leave of absence, such employee shall be reinstated to the same job or to an equivalent position with equivalent pay and with seniority, retirement, fringe benefits, and other service credits accumulated prior to the leave period. If any portion of the parental or family medical leave is paid leave, the employee shall be entitled to accumulate all benefits granted under paid leave status.

### **Section 110.131, F.S., Other-personal-services employment**

(3) Unless specifically provided by law, other-personal-services employees are not eligible for any form of paid leave, paid holidays, a paid personal day, participation in state group insurance or retirement benefits, or any other state employee benefit. Other-personal-services employees may be included in that part of an agency’s recognition and reward program that recognizes and rewards employees who submit innovative ideas that increase productivity, eliminate or reduce state expenditures, improve operations, or generate additional revenue or who meet or exceed the agency’s established criteria for a project or goal.

## **Chapter 20, F.S., Organizational Structure**

### **Section 110.219, F.S. – Attendance and leave; general policies**

(5) Rules shall be adopted by the department in cooperation and consultation with the agencies to implement the provisions of this section; however, such rules must be approved by the

Administration Commission prior to their adoption. Such rules must provide for, but need not be limited to:

- (e) Annual leave provisions.
- (f) Sick leave provisions.
- (g) Parental leave provisions.

### **Section 382.002, F.S., Vital Statistics**

(12) “Live birth” means the complete expulsion or extraction of a product of human conception from its mother, irrespective of the duration of pregnancy, which, after such expulsion, breathes or shows any other evidence of life such as beating of the heart, pulsation of the umbilical cord, and definite movement of the voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached.

### **Rule 60L-34.0051, F.A.C., Family Supportive Work Program**

(4) Agencies shall approve absences for parental or family medical leave purposes as authorized in section 110.221, F.S., to assist employees in meeting family needs, subject to the following:

(a) Within one year following birth or adoption of a child, leave shall be granted for up to six months for the parent;

(b) Leave shall be granted for up to six months for a family member’s serious health condition, as defined in the FMLA and implementing regulations; and

(c) The agency shall acknowledge to the employee in writing the period of leave to be granted and the date the employee will return to duty.

(7) An employee granted leave under paragraph (4)(a) of this rule may request to use:

(a) Accrued leave subject to the provisions contained in Chapter 60L-34, F.A.C.;

(b) Paid parental leave in accordance with Rule 60L-34.00421, F.A.C.;

(c) Annual leave credits transferred in accordance with subsection 60L-34.0041(7), F.A.C.; and

(d) Sick leave credits transferred in accordance with subsection 60L-34.0042(7), F.A.C.

(8) An agency may place an employee on leave without pay if the employee is granted leave for purposes under subsections (4) or (5) of this rule and the employee does not request the use of specific leave type(s).

### **Rule 60L-34.00421, F.A.C., Paid Parental Leave Following the Birth or Adoption of a Child**

(1) Paid parental leave following the birth or adoption of a child counts as hours of pay but does not count as hours of work for overtime purposes.

(2) Approval of paid parental leave following the birth or adoption of a child, under subsection (3) of this rule is limited to an amount necessary to bring the employee to full pay for the number of

scheduled hours of work in the workweek, extended work period, or regular work period for excluded employees. In no case shall the approval of this paid leave cause the employee to exceed scheduled hours during the workweek, extended work period, or regular work period for excluded employees.

(3) An agency shall provide paid parental leave for the following:

(a) Maternity Leave:

Leave granted for absences from the workplace for an employee's recovery period immediately following childbirth, which shall have the meaning of the defined term set forth in section 382.002(12), F.S. Such leave shall be granted for a period of up to seven consecutive calendar weeks, which begins on the first full calendar day following a documented birth.

(b) Care and Bonding Leave:

Leave granted for an absence from the workplace following a documented birth or adoption of an employee's child to care for and bond with the child. The documentation shall identify the employee as a legal parent to the child. Such leave shall be granted for a period of up to two weeks within one year following the birth or adoption and may be granted on an intermittent basis.

(4) To qualify for paid parental leave benefits under subsection (3) of this rule, an employee shall have within the State Personnel System:

(a) At least one year of cumulative service within the last seven years; and

(b) A minimum of 1,250 hours worked in the 12-month period preceding the first date of leave.

(c) Part-time employees must meet the requirements of this subsection to qualify. If qualified, the benefit will be prorated based on the number of regularly scheduled hours of work in the workweek or work period.

#### **Rule 60L-34.0042, F.A.C., Sick Leave**

(3) Sick leave shall be authorized for the following purposes:

(d) Care and bonding within one year following a documented birth or adoption of the employee's child. The documentation provided shall be in accordance with paragraph 60L-34.00421(3)(b), F.A.C. Leave used for care and bonding in accordance with this rule and paid parental leave in accordance with subsection 60L-34.00421(3), F.A.C., cannot exceed a combined total of 16 weeks.

(7) Sick leave credits may be transferred to or from employees within the State Personnel System and other Executive Branch agencies within one year following a documented birth or adoption of an employee's child for care and bonding. The documentation provided shall be in accordance with paragraph 60L-34.00421(3)(b), F.A.C.

(a) The following requirements apply to an employee receiving sick leave credits under this subsection:

1. The employee has used all eligible paid parental leave benefits under subsection 60L-34.00421(3), F.A.C., all sick leave accrued under subsections 60L-34.0042(1) and (2), F.A.C., and all types of compensatory leave; and

2. Sick leave credits used in accordance with this subsection are subject to the limitations in paragraph (3)(d) and subparagraph (5)(e)4.

(b) For purposes of this subsection, Executive Branch agency is defined as those entities specified in Chapter 20, F.S.: Executive Branch Organizational Structure.

(c) Transfer of sick leave credits to and from employees of Executive Branch agencies outside of the State Personnel System is contingent on the transfer rules of the applicable agency.

**Rule 60L-34.0041, F.A.C., Annual Leave**

(7)(a) Annual leave credits may be transferred to or from current legal spouses within the State Personnel System and other Executive Branch agencies within one year following a documented birth, which shall have the meaning of the defined term set forth in section 382.002(12), F.S., or adoption of an employee's child. Annual leave may only be transferred for an employee's:

1. Absences, as documented by the treating physician, for recovery or medical complications not covered by the recovery period provided in paragraph 60L-34.00421(3)(a), F.A.C.; and

2. Absences for care and bonding with the child, documented in accordance with paragraph 60L-34.00421(3)(b), F.A.C.

(b) An employee may receive annual leave credits under this subsection provided the employee has used all eligible paid parental leave benefits under subsection 60L-34.00421(3), F.A.C., all sick leave accrued under subsections 60L-34.0042(1) and (2), F.A.C., and all types of compensatory leave.

(c) For purposes of this subsection, Executive Branch agency is defined as those entities specified in Chapter 20, F.S.: Executive Branch Organizational Structure.

(d) Transfer of annual leave credits to or from employees of Executive Branch agencies outside of the State Personnel System is contingent on the transfer rules of the applicable agency.

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<b>FILE PATH:</b> S:\Workforce\HRM\HRM Policy Communication\Policy Guideline\FINAL