

1 By Supervisors Sumner, Nicholson, County Executive  
2 Crowley, Supervisors Clancy, Rolland, Shea, Haas,  
3 Czarnezki, and Martin  
4  
5

File No. 22-467

6 **A RESOLUTION/ORDINANCE**  
7

8 to create Section 17.177 of the Milwaukee County Code of General Ordinances to  
9 establish a paid parental leave program for County employees  
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11  
12 WHEREAS, the purpose of paid parental leave is to enable the employee to care  
13 for and bond with a newborn, a newly adopted, or newly placed child; and  
14

15 WHEREAS, according to a U.S. Bureau of Labor Statistics report *Employee*  
16 *Benefits in the United States, March 2021*, less than one in four (23%) workers have  
17 access to paid family leave in 2021; and  
18

19 WHEREAS, according to a Kaiser Family Foundation (KFF) brief, *Paid Leave in*  
20 *the U.S.*, published in December 2021, “Research indicates that access to paid family  
21 and medical leave is associated with improved physical and mental health for new  
22 parents, decreased infant mortality, financial security for caregivers in the short- and  
23 long-term, and improved connections to the workforce, particularly for women, who are  
24 more likely than men to be caregivers for children and older adults”; and  
25

26 WHEREAS, the KFF brief also said “The most recent nationwide policy reform  
27 occurred in 1993, when the federal government passed the Family and Medical Leave  
28 Act (FMLA), giving eligible employees up to 12 weeks of *unpaid*, job-protected leave per  
29 year for their own serious health condition, to care for a seriously ill family member, and  
30 for the arrival of a new child, as well as up to 26 weeks to address needs related to a  
31 family member’s military deployment”; and  
32

33 WHEREAS, according to the National Partnership for Women and Families,  
34 National Birth Equity Collaborative publication *Black, Latinx, and Low-Wage Workers*  
35 *Bear the Brunt of Lack of Paid Leave*; “There are racial and ethnic disparities in workers’  
36 access to paid leave, with Black and Latino workers being less likely than their white  
37 counterparts to have any paid leave”; and  
38

39 WHEREAS, Milwaukee County Code of General Ordinances (MCGO) Section

40 108.01, Achieving Racial Equity and Health, states in part "...Milwaukee County  
41 government declares its commitment to achieving racial equity by identifying and  
42 eliminating any racism in its institutional policies, procedures, practices, and power  
43 structures for black and brown individuals and communities so everyone in Milwaukee  
44 County can thrive"; and

45

46 WHEREAS, Milwaukee County allows most employees to accrue sick, vacation,  
47 and personal days that may be used to provide *paid* Family Medical Leave (FML) or  
48 they must use unpaid time off; and

49

50 WHEREAS, research provided in File 18-243 from the Director of Benefits  
51 Administration, Department of Human Resources, related to parental and medical leave  
52 shows that employers and employees benefit when family-friendly workplace policies  
53 are in place as it improves employee morale, recruitment, retention, and productivity;  
54 and

55

56 WHEREAS, Milwaukee County's workforce is trending younger and many  
57 employees have not accrued enough sick, vacation, or other paid time off to allow for a  
58 meaningful parental leave without being forced to choose between caring for a child or  
59 taking unpaid leave; and

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61 WHEREAS, the Committee on Finance, at its meeting of March 17, 2022,  
62 recommended adoption of File No. 22-467 (vote 7-0); now, therefore,

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64 BE IT RESOLVED, the Milwaukee -County Board of Supervisors hereby  
65 supports the addition of a paid parental leave policy that provides up to eight weeks of  
66 paid leave for full and part-time employees, subject to collective bargaining if applicable,  
67 for qualifying events on or after June 6, 2022; and

68

69 BE IT FURTHER RESOLVED, the Department of Human Resources, working in  
70 conjunction with the Office of Corporation Counsel and Office of the Comptroller, is  
71 requested to develop guidelines for the parental leave program to help effectuate the  
72 ordinance language contained below; and

73

74 BE IT FURTHER RESOLVED, Section 17.177 of the Milwaukee County Code of  
75 General Ordinances shall be created by adoption of the following:

76

77 AN ORDINANCE  
78

79 The County Board of Supervisors of the County of Milwaukee does ordain as  
80 follows:

81 **SECTION 1.** Section 17.177 of the General Ordinances of Milwaukee County is hereby  
82 created as follows:

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84 **17.177 – Paid parental leave.**

85  
86 **(1) All employees with a defined work week of twenty (20) hours or more shall**  
87 **be entitled to up to eight (8) weeks of paid parental leave for any qualifying**  
88 **event once every calendar year, subject to the following:**

- 89 **a. Employees with a defined work week of forty (40) hours shall be**  
90 **entitled to 320 hours of paid parental leave for a qualifying event; all**  
91 **other employees shall be entitled to a paid parental leave for a**  
92 **qualifying event prorated based on their defined work week. For**  
93 **example, an employee with a defined work week of twenty (20)**  
94 **hours would be entitled to 160 hours of paid parental leave, or eight**  
95 **(8) weeks of leave based on their defined work week.**
- 96 **b. Only qualifying events on or after June 6, 2022, shall be eligible for**  
97 **paid parental leave.**
- 98 **c. An employee with a defined work week of forty (40) hours shall have**  
99 **worked a minimum of 1,000 hours in the 12 months prior to the**  
100 **qualifying event. The minimum number of hours worked in the 12**  
101 **months prior for an employee with a defined work week of at least**  
102 **twenty (20) hours but less than forty (40) hours shall be a prorated**  
103 **amount of the forty (40) hour defined work week.**
- 104 **d. Paid parental leave shall run concurrently with any state or federal**  
105 **family leave for which the employee may be eligible.**
- 106 **e. An employee with a qualifying event under this section who does**  
107 **not qualify for protection under the Family and Medical Leave Act**  
108 **(FMLA) of 1993 shall be provided the same job protections specified**  
109 **by the act.**
- 110 **f. The leave may be continuous, or intermittent with the approval of**  
111 **the appointing authority, but must be used within one (1) year of the**  
112 **qualifying event.**
- 113 **g. If a paid parental leave coincides with a paid holiday, the employee**  
114 **shall be given holiday pay in lieu of parental leave.**
- 115

116 **(2) An eligible employee shall be eligible for up to eight (8) weeks of paid**  
117 **parental leave once per calendar year, after any of the following qualifying**  
118 **events:**  
119 **a. Birth of a child.**  
120 **b. Placement of a child under the age of five (5) through adoption,**  
121 **fostering, guardianship, or acting in place of a parent.**  
122

123 **(3) An eligible employee who is also a birthing parent may qualify for paid**  
124 **parental leave, prorated based on their defined work week, in the following**  
125 **special circumstances:**  
126 **a. A birthing parent who experiences a miscarriage or stillbirth shall be**  
127 **eligible for up to three (3) weeks of paid parental leave.**  
128 **b. A birthing parent who experiences incapacity related to pregnancy**  
129 **or serious health conditions following the birth of a child shall be**  
130 **eligible for up to two (2) weeks of paid parental leave in addition to**  
131 **the eight (8) weeks of paid parental leave.**  
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133 **SECTION 2.** The provisions of this Ordinance shall become effective upon passage  
134 and publication.  
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03/17/2022

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SIGNED AS TO FORM ELECTRONICALLY on 3/21/2022

*Karen L. Tidwall*

Karen L. Tidwall, Deputy Corporation Counsel