

Utah Military Academy Policy and Procedures

Subject: 2HR-209 Postpartum Recovery and Parental Leave

Index: Human Resources – Employee Legal Rights and Responsibilities

Draft: April 9, 2026

1. PURPOSE AND PHILOSOPHY

The purpose of this policy is to comply with Utah Code §53G-11-209, which requires the Academy to provide paid postpartum recovery leave and paid parental leave to qualifying employees.

2. GENERAL PROVISIONS

2.1. The Academy shall provide and administer paid postpartum recovery leave and paid parental leave to eligible employees in accordance with state law. The Director of Human Resources or Designee shall be responsible for administering this policy and ensuring compliance with law and Academy procedures.

2.2. Employees seeking leave under this policy are responsible for submitting requests, providing required documentation, and coordinating leave with their supervisor and Human Resources.

2.3. Leave provided under this policy shall run concurrently with any leave authorized under the Family and Medical Leave Act (FMLA).

2.4. During any leave under this policy, an eligible employee shall continue to receive all employment related benefits and payments at the same level as immediately before beginning the leave, provided the employee pays any required employee contributions.

2.5. The total amount of postpartum recovery leave and parental leave authorized under this policy applies per qualifying event and shall not be increased based on the number of children or individuals involved in that event.

3. POSTPARTUM RECOVERY LEAVE

3.1. An eligible employee who gives birth to a child shall receive up to three (3) weeks of paid postpartum recovery leave. This leave shall be used beginning on the date of birth unless a health care provider certifies that an earlier start date is medically necessary.

3.2. Postpartum recovery leave shall be taken in a single continuous period, unless otherwise authorized in accordance with Academy procedures.

3.3. Paid postpartum recovery leave provided is in addition to any paid parental leave and any accrued sick leave or vacation/personal leave available to the employee.

4. PARENTAL LEAVE

4.1. An eligible employee shall receive paid parental leave, in the amount required by Utah Code § 53G-11-209 (2)(a), for:

4.1.1. three weeks for the birth of the employee's child;

4.1.2. three weeks for the adoption of a child;

4.1.3. three weeks for the appointment of the employee as a legal guardian of a child or an incapacitated adult; or

4.1.4. four weeks for the placement of a child in foster care.

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4.2. Employees may not use paid parental, adoption, guardianship, or foster leave in excess of the limits established in this policy within any consecutive twelve-month period.

4.3. Parental leave shall be provided and used consistent with applicable state law, including Utah Code §53G-11-209 and §63A-17-511, which may establish different conditions or limitations depending on the type of leave being used, and subject to Academy procedures.

4.4. Paid parental leave provided is in addition to any paid postpartum recovery leave and any accrued sick leave or vacation/personal leave available to the employee.

5. NON-RETALIATION

No employee shall be subject to retaliation for requesting or using leave in accordance with this policy and state law.

DEFINITIONS

"Parental leave eligible employee" means a Academy employee who accrues paid leave benefits in accordance with the Academy's leave policy; and: a) is a birth parent as defined in Utah Code §81-13-101; b) is the intended parent of child born under a validated gestational agreement in accordance with Utah Code Title 81, Chapter 5, Part 8, Gestational Agreement; c) is legally adopting a child under the age of 18, unless the employee is the spouse of the pre-existing

parent; or d) is appointed the legal guardian of a child or incapacitated adult.

“Postpartum recovery leave employee” means a Academy employee who accrues paid leave benefits in accordance with the Academy’s leave policy; and who gives birth to a child at 20 weeks or greater gestation.

REFERENCES

Utah Code Ann. §53G-11-209 – Parental Leave-Postpartum recovery leave-Leave-sharing.

Utah Code Ann. §63A-17-511 – Parental leave-Postpartum recovery leave

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DOCUMENT HISTORY

Adopted: May 7, 2019

Revised: June 2, 2026 Updated policy to comply with change made to law in HB329 (2026)