

# Back to School: DC Employers Must Provide Leave for School-Related Events

By Scott Mirsky

**Summary: The start of the school year is right around the corner. Employers will start receiving employee requests to take time off to attend school-related events. In DC, an employer must provide parental leave to allow parents to attend school-related activities. We have prepared a Q&A to help employers address this issue.**

In DC, employees are entitled to leave to attend school-related events. Here is what employers need to know:

## ***How much leave does an employer have to provide?***

Employers must provide an employee 24 hours of leave during any 12 month period so that a parent can attend school-related events.

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## ***Is the leave or paid or unpaid?***

This leave is unpaid. However, the employee is permitted to use his/her paid leave if such leave is available.

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## ***What types of school-related events are covered?***

School related events include activities sponsored by the child's school or an associated organization (e.g. , a parent-teacher association) like a concert, play, rehearsal, sporting event or a practice where the child is a direct participant (not a spectator). Additionally, events where the child is the subject, such as a meeting with a teacher or counselor, are also covered by the law.



## ***Who is entitled to take this type of leave?***

The following individuals are covered by the law and are entitled to take leave for school-related events:

- A biological parent of a child;
- A person who has legal custody of a child;
- A person who is a guardian of child (regardless of whether he or she has been appointed legally as such);
- An aunt, uncle, or grandparent of a child; and
- Anyone married (or in a domestic partnership) with any of the foregoing individuals.

In addition, the law does not limit the number of covered employees who can take leave to attend the same school-related activity of a child. For example, if a child's Mom, Dad, Aunt, domestic partner of Aunt, and Grandparents all work in DC, they would all be covered by the law and can take leave to watch a child play in the same football game (subject to complying with the other terms of the law).

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***Does the employer need to provide advance notice of the need to take leave?***

Yes, the employee should provide the employer with ten (10) calendar days advance notice, unless the school-related event was not reasonably foreseen.

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***Are there any situations when employer can deny the request?***

Yes, if the employer can demonstrate that the leave will disrupt the employer's business and make the achievement of production or service delivery unusually difficult. As a practical matter, this type of denial should be avoided by an employer since demonstrating this type of disruption will be a high bar to satisfy.

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***Do employers need to post any notices regarding this leave?***

Yes, employers must post and maintain this notice in a conspicuous place regarding an employee's right to leave and the complaint process.

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***Does a similar law exist in Maryland or Virginia?***

No, but when evaluating leave requests, employers should ensure that they are treating all employees fairly and not making decisions based on gender or family responsibilities (a protected class in certain counties).

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***What happens if an employee works in Maryland or Virginia but the child attends a school in DC?***

As explained in the last answer, Maryland and Virginia do not have a law specifically requiring leave for school-related events. Therefore, a Maryland or Virginia employer would not be required to follow the DC law mandating leave for school-related activities.

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If you have questions regarding your leave obligations to employees, please contact the employment attorneys at Paley Rothman.