



Resolution 13/14-01: Implementation of Updated Parental Leave Policy

Bill History: 1/14/2014 Submitted by R.S. Miller. Designated as Senate Bill 376.
 1/23/2014 Passed first reading at Faculty Senate Executive Committee. Forward to full Senate.
 2/20/2014 Passed second reading, unanimously, but lacked consensus to dispense with third.
 4/25/2014 Passed third reading, unanimously.

WHEREAS: An updated parental leave policy was developed by the faculty in coordination with the Office of the Provost and others within the university Administration, and

WHEREAS: An effective and uniformly applied parental leave policy is important for the faculty community, as well as planning within academic departments, and

WHEREAS: This policy has been approved by the Faculty Senate and incorporated into the new Faculty Handbook draft that was submitted to the Administration in 2013, and

WHEREAS: The draft (2013) Faculty Handbook is under review and will not be approved or go into effect until an unspecified future date, and

WHEREAS: To date, parental and maternity leave has been non-uniformly applied across campus with variations at the discretion of Chairs, Deans, and Provost, and

NOW THEREFORE BE IT RESOLVED:

That the Faculty Senate requests that the Parental Leave policy as described in the 2013 Faculty Handbook draft (Section 9.7) be implemented immediately as university policy, and

BE IT FURTHER RESOLVED:

That this policy consist of the following (taken from 2013 draft Faculty Handbook):

Parental leave is designed to serve two purposes. On one hand, it allows faculty members to take care of the substantial responsibilities and health issues related to child birth or the placement of a child for guardianship or adoption. On the other hand, offering such leaves benefits the university by facilitating the attraction, retention, and long-term productivity of high-quality faculty.

Eligibility. A full-time faculty member with at least one academic year of service to the university is eligible for parental leave in the event of: (1) the birth of his or her child, (2) the birth of a child to the domestic partner of the faculty member, or (3) the placement of a child under the age of 7 with the faculty member for guardianship or adoption. If both parents of the child are faculty members of the university, only one parent may take the entire 15 weeks of full-time parental leave (or an equivalent amount of leave on a part-time basis) for a given child. An individual requesting leave under these circumstances will provide documentation that he/she will be the primary care giver during the leave period. With the approval of the Provost, the two parents may split the leave. Parental leave is not granted for pregnancy-related disability preceding the birth of a child, which is granted in accordance with the sick leave policy (Section 9.6, 2013 draft Faculty Handbook) and shall not affect a faculty member's eligibility for parental leave for the birth of that child.

Timing and duration of leave. A parental leave must commence within 4 months of the birth of the child or the placement of the child for guardianship or adoption for a faculty member taking parental leave, except in cases where both parents are faculty members and split the leave. Full-time parental leave consists of 15 weeks of full-time leave from all faculty responsibilities. An equivalent amount of part-time leave may be substituted for full-time leave; the latter will be referred to as "flexible parental leave." For example, under flexible parental leave, a faculty member whose leave commences near the end of spring semester, could elect to take one-third of the leave as five weeks of full-time leave to finish out the spring semester, followed by taking the remaining two-thirds of the leave by working part-time the following fall semester. For faculty on academic year appointments, the summer will not count toward the 15 weeks of full-time leave (or equivalent) to which the faculty member is entitled.

In cases where both parents of the child are faculty members eligible to take parental leave, the parents may choose to have one parent take the full 15 weeks of full-time equivalent leave or may submit a request to split the leave between them (e.g., one parent could take 10 weeks and the other five weeks of full-time leave). In such cases, the parent who takes the leave first must begin the leave within four months of the birth of the child or the placement of the child for guardianship or adoption for a faculty member taking parental leave.

Parental leave also is not granted for periods of medical disability resulting from child birth but extending beyond the 15 weeks of full-time leave (or equivalent). Under such circumstances, the faculty member may apply for sick leave (Section 9.6, 2013 draft Faculty Handbook).

The first 12 weeks of any parental leave, or of the combined periods of sick leave for pregnancy-related disability preceding the birth of a child plus parental leave, or of combined periods of parental leave plus sick leave for disability resulting from child birth are deemed to be leave under the Family and Medical Leave Act of 1993 (FMLA).

Request and approval. In order for the university to make adequate provision for instruction, a faculty member who plans to take parental leave must notify his or her department chair or equivalent in writing of his/her intent to take parental leave, with copies to the dean and Provost. Such notification must be made within three months of confirmation of a pregnancy or as soon as practicable after learning of the placement of the child for guardianship or adoption. The faculty's written notification must include a proposal for when the leave will begin and, if the faculty member is requesting flexible parental leave, a proposal for how the leave will be taken. The exact terms of the flexible parental leave will be negotiated between the faculty member and the department chair, who shall submit a written summary of the terms of the leave to the dean and the Provost.

In cases where both parents are faculty members who are eligible for parental leave and the parents want to split the 15 weeks of full-time leave or equivalent between them, both faculty members shall submit a request detailing how they propose to split the leave to the Provost and their respective department chairs, with copies to their respective deans. The Provost or his/her designated representative is responsible for consulting with the department chairs and determining the terms of a split leave.

The Provost has final authority for approving parental leave requests and shall grant all requests for parental leave from faculty members who meet eligibility requirements for such leave. However, the Provost may modify the specific terms of flexible parental leaves and split leaves requested if the initial request is not practicable.

Pay Status. The faculty member will receive his or her full normal salary and benefits during the leave period, even if designated as FMLA leave. Faculty members on academic year appointments will not receive parental leave pay in the summer.

Coverage of classes. If replacements are needed to carry out the instructional responsibilities of a faculty member on parental leave, the compensation for those replacements shall be allocated by the Provost from the Faculty Leave Account (See Section 9.5, 2013 draft Faculty Handbook).

Extension of tenure clock. When a tenure-track faculty member is granted parental leave, an automatic one-year extension in that faculty member's probationary period clock shall be granted in accordance with Section 9.6.3.6 (, 2013 draft Faculty Handbook).