

Parental Leave Policies: An Interim Report

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Family and Medical Leave Act - Overview

The FMLA entitles eligible employees of covered employers to take unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave. Eligible employees are entitled to:

- Twelve workweeks of leave in a 12-month period for:
- the birth of a child and to care for the newborn child within one year of birth;
- the placement with the employee of a child for adoption or foster care and to care for the newly placed child within one year of placement;
- to care for the employee's spouse, child, or parent who has a serious health condition;
- a serious health condition that makes the employee unable to perform the essential functions of his or her job;
- any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a covered military member on "covered active duty;"

The Nitty Gritty

- FMLA can be taken intermittently, but a doctor must document this need.
- FMLA is managed by HR, is required by law and is unpaid.
- FMLA protects the job.
- Job protection does not necessarily end when FMLA ends (other Federal protections may apply).
- To use FMLA one must have worked 1250 hours in the year (2080 hours = fulltime).

What Auburn Offers

- SCP – Salary Continuation Plan - a short term disability benefit. Managed through payroll and benefits.
- SCP is managed internally. Requires medical certification – a doctor says that you are unable to come to work.
- No stated limit for how many times or how often a person may apply for SCP.
- There is a one year of employment qualifying period.
- SCP is two parts:
 - Use sick leave at 100% pay.
 - SCP at 60% of pay.
 - It is a total: sick leave + SCP = 6 months

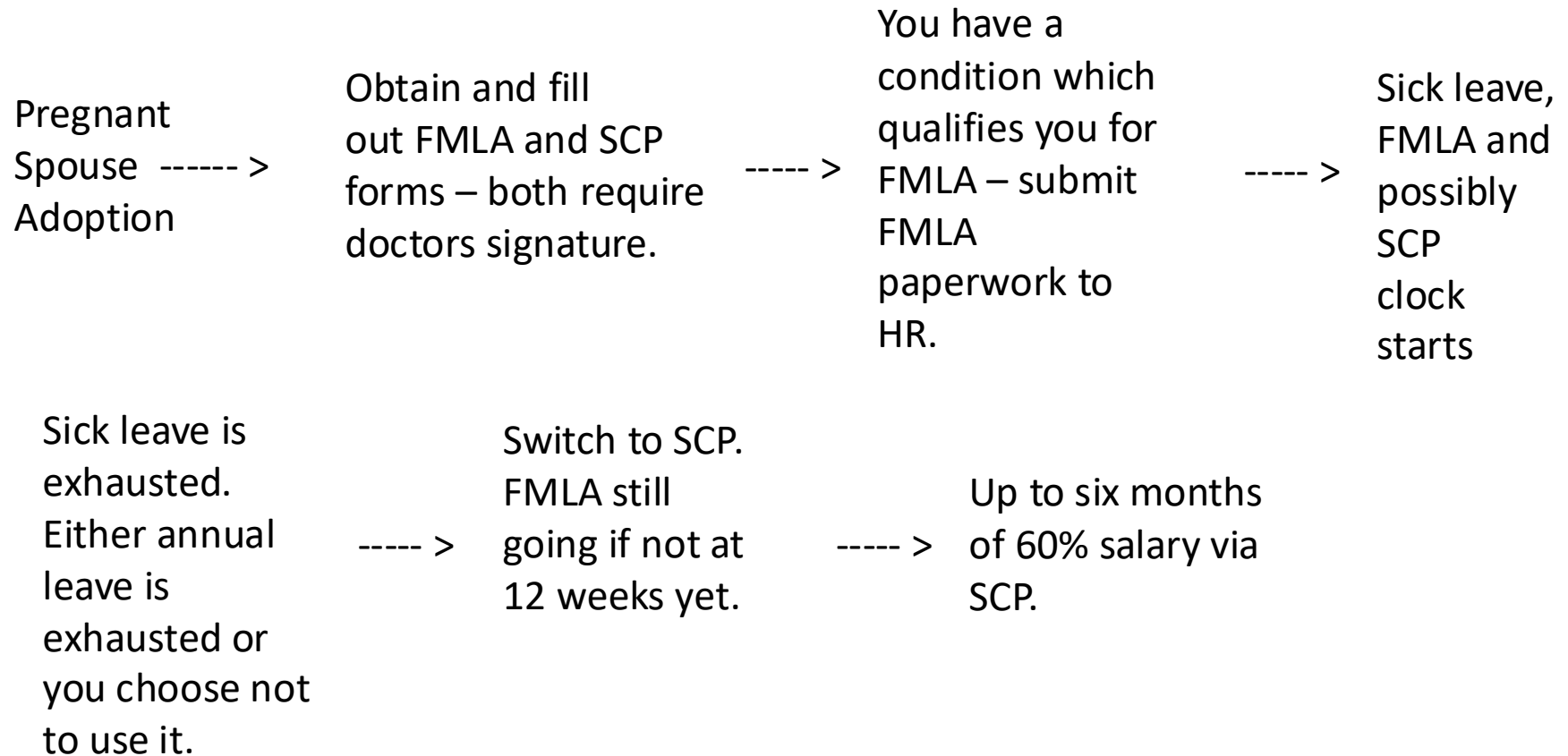
FMLA and SCP

1. Complete the FMLA forms – the best situation is to anticipate and complete forms 30 days in advance.
Forms online → Doctor → to HR
2. FMLA is concurrent with sick leave and SCP.
3. FMLA lasts 12 weeks, while SCP can last up to 6 months - all start concurrently.
4. Sick Leave + SCP cannot exceed 6 months. It's not additive.
5. You can take as much sick leave as you have.
6. If sick leave < 6 months, then SCP.

What Happens after 6 Months?

- Long Term Disability (LTD), unless they still have annual leave available.
- The process for filing for LTD should be started well before the 6 months is up. It can take months for approval.

Flow Chart



Numbers

- Number of employees using SCP:
 - 2012: 76
 - 2013: 83
 - 2014: 14
- Number of employees using LTD:
 - 2011: 20 (avg of 14.3 per month)
 - 2012: 26 (avg of 22.8 per month)
 - 2013: 35 (avg of 27.6 per month)
 - 2014: 30 (avg of 28.5 per month)

39 different employees have drawn LTD from 2011 through current.

Comparisons

School	Does your University offer any type of parental/adoptive leave in addition to FML? If so, how long?
Alabama	Maternity leave for 9 month faculty without sick or annual leave. Up to 8 weeks, if baby not born in summer.
Univ. S. AL	NO
Tennessee	NO
UGA	NO
Missouri	NO
Kentucky	NO
Nebraska	YES – 8 weeks – all deducted from accrued sick/vacation leave
Indiana	YES – up to one year

Comparisons

School	Does your University offer any type of parental/adoptive leave in addition to FML? If so, how long?
Purdue	YES
Illinois	YES – 2 weeks paid parental leave
NCSU	NO (No sick leave for 9 mo. faculty)
Oklahoma State	NO
Texas A & M	NO
Florida	YES – up to 6 months – but appears to simply be vacation/sick leave
LSU	NO

University of Florida

Employees in leave-accruing positions may request up to 6 weeks of advanced sick or vacation leave for the birth or adoption of a child or the initial placement of a child in the foster care of the employee. Employees may also use their personal accrued leave, unpaid leave, or a combination of paid and unpaid leave, so long as the total parental leave period, including the paid parental leave program, does not exceed a total of six (6) calendar months from the first date leave is used. If being used for foster care, the paid parental leave must be used within the FMLA entitlement period of twelve (12) workweeks.

Illinois – Parental Leave

- **Length of Leave**
- Eligible employees are granted up to two weeks of leave with pay for parental leave. Parental leave is limited to one leave per twelve-month academic appointment year. For eligible employees, parental leave taken will count toward the 12-week FMLA entitlement.
- Parental leave following the birth of a child must be taken in full immediately after the birth or immediately following the child's release from a health care facility to the home.
- Parental leave for an adopted child may be taken in full either at the time of initial placement or at the time of legal adoption.
- Leave cannot be taken on an intermittent schedule, or on a reduced leave schedule for a period lasting longer than two weeks.

Indiana

- Family leave provides eligible academic appointees with up to twelve weeks of fully paid leave.
- For the birth or adoption of a child by the academic appointee or the academic appointee's spouse or domestic partner, or the primary care of an eligible family member with a serious health condition.
- Both 10- and 12-month academic appointees are eligible for family leave after two years of continuous full-time Indiana University service. Visiting, adjunct, part-time, post-doctoral, and intermittent appointees are not eligible for family leave.
- Academic appointees may take family leave up to twice every five years, but the appointee must return to full-time service for at least one fall or spring semester between leaves. Appointees in non-teaching appointments must return for at least five months.

Purdue

It is the policy of Purdue University to provide Paid Parental Leave to benefits-eligible employees, including graduate student employees, due to the birth of an employee's child or the placement within an employee's home of an adopted child. This policy will run concurrently with Family and Medical Leave Act (FMLA) leave, in cases where an employee is eligible for FMLA leave. This policy is in effect for childbirth or adoptions occurring on or after October 1, 2008.

Purdue

Word

Definition

Eligible
Employee

An employee who has been employed by the University for at least one continuous year (12 months) half-time or more in a benefits-eligible faculty or staff position, a graduate student employee position, or a benefits-eligible post-doc position.

Family and
Medical Leave
Act or FMLA

The Family and Medical Leave Act of 1993, 29 U.S.C. § 2611 et. seq.

Parent

A male or female faculty or staff member, graduate student employee, or post-doc who is a birth mother; a father of the birth child; a same-sex domestic partner of the birth mother; a same-sex domestic partner of the birth father; an adoptive mother or father; a same-sex domestic partner of an adoptive mother or father.

Paid Parental
Leave

A period of paid leave of absence (that does not reduce an Eligible Employee's balance of any other paid leave such as sick, vacation, or personal business days or personal holiday) for the purpose of recovery from the birth of a child; and/or, to bond with a newborn or with a newly-adopted child under the age of 18.

240 hours total for paid leave

Summary

- Of our 'snapshot' survey, very few schools offer parental benefits beyond FMLA and use of an individual's accrued sick and/or vacation leave.
- Additional paid parental leave may be offered for a short period – 2 weeks.
- Typically for all faculty, regardless of appointment (*eg*: 12, 10 , 9 mo.).
- Some other requirements as well (must have been employed for one year, etc.).
- Other University staff are typically included, but often not post-docs or graduate students.

Thanks to the Committee

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THANK YOU – QUESTIONS?

