

*To replace Chapter 3, Part One, Article II, Section E (Teaching and Service Workload Release) of the Faculty Handbook*

*Section B (Other Leaves of Absence) of Article II will also be amended to remove the references to the Interim Paid Parental Leave Policy.*

## **Faculty Paid Parental Leave Policy**

### **I. Eligibility**

- A. All Tenured, Tenure Track, Non-Tenure Track and/or Special Faculty Members, as defined in Chapter 2, who are 1) full-time (at least 50% effort) and are benefits eligible, and 2) eligible for Family Medical Leave Act (“FMLA”) leave are eligible for Faculty Paid Parental Leave. FMLA requires that a faculty member be employed by the University for at least 12 months prior to the commencement of the leave and have worked at least 1,250 hours during the 12-month period prior to the leave.
- B. Any Tenured, Tenure Track, Non-Tenure Track and/or Special Faculty Members, who are full-time (at least 50% effort) and are benefits eligible, as defined in Chapter 2, and who are not eligible for FMLA leave may apply for an exception from the Provost’s office to be eligible for Faculty Paid Parental Leave. For these employees, CWRU will seek to make appropriate leave accommodations through a process administered by the Provost.
- C. Both a mother and a father, as well as domestic partners, who are faculty members may take this leave if they are eligible.

### **II. Amount of Leave Provided.**

- A. Up to sixteen (16) weeks of paid parental leave during the academic year for 1) faculty primary caregivers to care for and bond with a newborn, or 2) faculty primary caregivers to care for and bond with a newly adopted child or newly placed foster child under the age of six (6). For purposes of this policy, “primary caregiver” means an eligible faculty member who has primary responsibility for care-giving of a child within 12 months of the birth of that child, or of the adoption or foster placement of a child under the age of six (6).
- B. Up to 3 weeks of paid parental leave for the secondary caregiver to care for and bond with 1) a newborn, or 2) a newly adopted child or newly placed foster child under the age of six (6). For purposes of this policy, “secondary caregiver” means an eligible faculty member who has secondary responsibility for the care-giving of a child within 12 months of the birth of that child, or of the adoption or foster placement of a child under the age of six (6).

- C. The eligible faculty member(s) shall designate which parent is the primary caregiver and which one is the secondary caregiver for the birth or placement for adoption of that child.
- D. The faculty member will be relieved of their normal duties and responsibilities during the period of leave including research, scholarship, teaching, and service responsibilities.
- E. The leave period is expected to be continuous, unless other arrangements are agreed to by the parent/faculty member and the Dean of the respective School.
- F. The exact amount of paid parental leave available to be taken is determined by the amount of FMLA leave available to the parent/faculty member and any additional amount of paid parental leave available under this Policy and/or available under other University leave policies.
- G. FMLA leave shall first be exhausted prior to any additional time that is permitted under this policy or as permitted under any other University leave policy.
- H. If both parents/domestic partners are faculty members, the maximum paid parental leave for both faculty members together is nineteen (19) weeks (sixteen (16) weeks for the primary caregiver and three (3) weeks for the secondary caregiver). The actual amount of paid parental leave that may be provided in such circumstances will be determined by the amount of FMLA leave available to each parent/faculty member, per the FMLA Leave Policy. In the case of the birth of a child, if the primary caregiver is not the birth mother, the maximum total paid parental leave that may be provided to the two parents/faculty members related to the birth of the child will be nineteen (19) weeks; the amount of paid parental leave provided to the primary caregiver may be reduced by the amount of FMLA leave taken by the birth mother.
- I. If the faculty member becomes eligible for FMLA leave while on Faculty Paid Parental Leave, the FMLA leave shall be taken in accordance with the FMLA Leave policies.
- J. The Faculty Paid Parental Leave Policy can be used in combination with existing University non-FMLA Leave polices after FMLA leave has been exhausted. For example, a faculty member could request additional leave in the event of medical complications for the mother or child or during the birth or adoption.
- K. For purposes of the 16 consecutive weeks provided during an academic year, for a faculty on a nine-month contract, the academic year is defined as the first day of classes in August to graduation in May; for faculty on a twelve-month contract the academic year extends from July 1 to June 30; and for faculty who start mid-year, the academic year is defined as the faculty's start date until graduation in May for nine-month contracts or until June 30 for twelve-month contracts.

### **III. Salary and Benefit Provided During the Leave**

- A. The primary caregiver shall be entitled to up to a maximum of 16 weeks paid leave at 100% of his or her salary and benefits during the leave.
- B. The secondary caregiver is eligible for up to a maximum of 3 weeks of paid leave at 100% of his or her salary and benefits.

**IV. Requirements Applicable to Faculty Paid Parental Leave**

- A. The Faculty Paid Parental Leave must commence within 12 months of the live birth or of the adoption or placement of a foster child under the age of six (6) by the eligible faculty member.
- B. At the option of the faculty member, and with approval from the Dean, the parental leave provided by the Policy may be taken during the semester in which a child is born, adopted, or is placed as a foster child, across a portion of two semesters, or during any subsequent semester that begins no later than twelve months after the birth, adoption or placement of a foster child, allowing for the relief of up to sixteen weeks (equivalent to a semester). Faculty members who are eligible for paid parental leave for a birth or adoption that occurs during a semester should consult with their Dean and Employee Relations to schedule the paid parental leave so as to attempt to meet the leave period request of the faculty member and the needs of the School or department, whenever possible.
- C. Being on leave shall not adversely impact any faculty evaluation.
- D. The faculty member may seek a pre-tenure extension during the leave period, as provided for in the Faculty Handbook provisions on pre-tenure extensions (Chapter 3, Part One, Article I, G.5,6 and 7).
- E. Faculty Paid Parental Leave is separate from sick days taken under the University's Sick Days policy.
- F. The Faculty Paid Parental Leave Policy runs concurrently with the FMLA leave specified in the HR Policy Manual and the benefits afforded under this Policy must meet or exceed the rights afforded under the FMLA. The benefits afforded under this Policy are not in addition to those offered by the FMLA.

**V. Procedures**

The procedures below, as well as those outlined in the Human Resources Family and Medical Leave Policy and Other Leaves Policy, as specified in the Human Resources Policy Manual, apply to paid parental leave under this policy.

- A. Any eligible faculty member who wishes to use leave in accordance with this Policy should notify their supervisor or Dean's Office, and Human Resources

Employee Relations (“Employee Relations”) of the need for leave under this Policy. The supervisor or Dean’s Office and/or eligible faculty member must request from Employee Relations the appropriate form requesting leave. The completed leave form must be forwarded to Employee Relations for approval and processing at least thirty (30) days in advance of the requested leave, when practicable.

- B. The supervisor/Dean’s Office and the Employee Relations Office will work with the eligible faculty member in determining whether the request falls under this Policy.
- C. Employee Relations will communicate with the faculty member regarding eligibility for paid parental leave and rights and responsibilities under the FMLA, as provided in the FMLA Policy in the Human Resources Manual.
- D. Proof of the birth or placement of the child is required. Additional documentation of proof of eligibility may be requested by the Employee Relations Office.
- E. An eligible faculty member is entitled to have their benefits maintained during a leave under this Policy. During the leave, the faculty member’s contributions towards their benefits will be deducted from their paychecks.
- F. The faculty member is to communicate any changes in the leave terms to Employee Relations and/or the supervisor/Dean’s Office immediately upon learning of them. The supervisor/Dean’s Office will notify the Employee Relations Office of these changes.
- G. Employee Relations and/or the supervisor/Dean’s Office will confirm the return to work date. Upon the faculty member's return to work, the supervisor/Dean’s Office is to complete the appropriate portion of the leave form (Return to Work section) to be turned in to the Employee Relations Office.
- H. If the faculty member fails to return to work on the agreed upon date, the supervisor/Dean’s Office is to notify the Employee Relations Office.
- I. The supervisor/Dean’s Office is responsible for holding the position, or an equivalent position, of an eligible faculty member on approved leave. The paid parental leave under this policy shall be subject to the FMLA’s provisions on return to work, specifically the right (a) to be restored by the employer to the position of employment held by the employee when the leave commenced; or (b) to be restored to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment.
- J. Questions about Faculty Paid Parental Leave should be referred to Employee Relations.