May 2010

Rationale for a Parental Leave policy for ISU

History
In the spring of 2009, ISU became aware of a draft University of Iowa policy on parental leave for faculty and P&S staff. With the support of Executive Vice President and Provost Hoffman, the University Advisory Committee on Work/Life appointed a sub-committee (including faculty, P&S employees, and administrators) to write a parallel policy that would fit with ISU policies and practices. The full University Advisory Committee on Work/Life approved the policy in February 2010, having sought input and advice from Legal Counsel, Human Resource Services, and Equal Opportunity and Diversity.

Why a policy?
ISU has a record of good practices in supporting new parents, including the development and discussion of policies such as the Arrival of Children Policy and a Modified Duties Policy. Both of these polices are currently on hold, due to their fiscal costs. The Parental Leave Policy being proposed serves a much broader group of ISU employees (faculty, P&S staff, post-doctoral associates, non-organized merit supervisory staff) and has a much lower cost to the institution while accomplishing many of the same goals as the earlier policies: it puts into policy clear support for all new parents and outlines a process for arranging time away from work for these parents. It would increase the options for new parents, and in connection with FMLA, would allow ISU to support new parents more strongly.

Key features
The policy has these key features:

-- It states clearly that birth mothers may have up to 8 weeks away from the workplace on the birth of a child.
-- It also allows faculty, P&S employees, S&C staff, and post-docs who are new parents to use up to 15 days of sick leave to care for a new child.
-- It puts into policy ISU’s commitment to its employees who are new parents--mothers and fathers, both biological and adoptive parents, domestic partners, guardians, and foster parents.
-- It would replace the current “adoption” policy that allows an employee up to 5 days leave for the arrival of a newly adopted child.

Process
In May 2010, the University Work/Life Advisory Committee will distribute the draft policy to the Faculty Senate, the P&S Council, the S&C Council, and the Post-Doc Association for their review and comment. The EVPP Office will also communicate with the University of Iowa to coordinate a review process in hopes that when a policy is passed by ISU groups, its routing to the Board of Regents can be jointly done.
PARENTAL LEAVE POLICY

A. Purpose

Parental Leave Policy intends to contribute positively to a work environment that is family-friendly by offering all employees time away from work upon the arrival of a child in the home, specifying how a new parent may work with the University to reduce conflicts between work responsibilities and parental obligations. This policy explains eligibility and processes by which a new parent who has care-giving responsibilities may arrange to spend time on leave, paid and/or unpaid, while maintaining employment status. The policy also specifies how University employment policies and procedures relevant to parental leave articulate with the federal Family and Medical Leave Act (FMLA).

B. Definitions

(1) New parent: an employee, spouse, or domestic partner who experiences the arrival of a child while employed at the Iowa State University through birth, adoption, guardianship, or foster parenting.

(2) Birth mother: the woman who gives birth to a child.

(3) Domestic partner: an individual who has satisfactorily completed the University’s process for declaration of domestic partner.

(4) Foster parent: an adult who is legally assigned to provide temporary care for a child outside of the child’s home environment.

(5) Guardianship: legal responsibility to care for a child.

(6) Child: a person below the legal age of majority (currently 18 years of age).

(7) FMLA: Family and Medical Leave Act [provide link appropriate to ISU]
C. Eligibility and Procedures

Any faculty, P&S, post-doctoral or non-organized merit employee may use parental leave. For those employees who are eligible for FMLA leave, parental leave will run concurrently with FMLA (whether paid or unpaid). However, parental leave may be available to an employee who is otherwise not eligible for FMLA. In addition, new parents in dual-career couples at the University may both be eligible for parental leave. Each employee’s eligibility to use the policy is determined individually and separately. Use of parental leave may be intermittent within the one-year time frame of the qualifying event that brings the child(ren) into the home, if the employee and supervisor can agree to details.

(1) A-base Faculty, B-base Faculty, Professional and Scientific staff (P-base), Post-doctoral Associates (D-base), and Non-Organized Merit Supervisory Staff

(a) Birth mothers are eligible for leave for a period of pregnancy-related temporary disability, to be charged against accrued sick leave. Based on current medical practice, typically a leave of eight weeks or less immediately after giving birth would not require the employee to provide disability documentation. If an employee’s accumulated sick leave is insufficient to cover the period of disability, the employee shall be allowed to charge such absence to vacation time or a leave of absence without pay. Leave over 8 weeks would require medical documentation.

(b) Any new parent by virtue of birth, adoption, guardianship, or foster parenting may utilize up to fifteen (15) working days, equivalent to one hundred and twenty (120) hours, based upon full-time employment (pro-rated for part-time) of parental leave per year for a child(ren)’s entry into the home.

- i. The fifteen working days [equivalent to one hundred and twenty (120) hours and pro-rated if part time] of parental leave will normally be charged against accrued sick leave.

- ii. If a new parent has not accrued sufficient sick leave time, the parent is eligible to supplement with time accrued to vacation, or through use of unpaid leave.

1 B-base faculty do not accrue vacation time and will not have that option for parental leave.
D. Process for Requesting and Using Leave Time

To activate Parental Leave, an employee shall make a request to be absent from the workplace to the supervisor, terming the request as “Parental Leave”; this should be done concurrently with filing for FMLA. Supervisors should give such notice as far in advance as possible. To facilitate Parental Leave, the supervisor is encouraged to be as responsive as possible to the specific dates of absence requested by an eligible employee. Supervisors are encouraged to arrange for additional leave beyond the 15 days provided, if requested by the employee, with such leave charged to vacation (A, P, D, and only) or leave without pay (A, P, D, and B-base).

N. B.: this policy would replace the current policy on adoption.