

## **POLICY & PROCEDURE DOCUMENT**

**NUMBER: 4.####**

**DIVISION: Human Resources**

**TITLE: Paid Parental Leave**

**DATE: September 27, 2019**

**POLICY FOR: All Faculty and Staff Positions**

**AUTHORIZED BY: Tony Glisson, Director of Human Resources**

### **Purpose and Scope**

This policy is established and constructed to demonstrate WKU's commitment to a workplace culture that supports faculty and staff in balancing the challenging responsibilities of work life and family life. Specifically, this policy sets forth benefits and provisions that support the family unit associated with the birth or adoption of a child. By design, this policy illustrates strongly held institutional values by providing parents significant time and flexibility to bond with a new child, to adjust to a modified family status and balance professional obligations. These tenants are consistent with WKU's strategy for recruiting and retaining an inclusive, diverse and exceptionally qualified workforce.

### **Definitions**

For purposes of this policy, the following definitions apply:

Eligible employee: a faculty or staff member who meets FMLA or other eligibility criteria as stated within this policy.

Parent: a faculty or staff member who is a legal parent of a newborn or newly adopted child. A legal parent is one whose name appears on the respective child's birth certificate, or legal document establishing paternity or a legal document establishing adoption.

Spouse or Other Qualified Dependent/Partner: a husband or wife, as recognized under the laws of the Commonwealth of Kentucky or Other Qualified Dependent (OQD)/Partner who is financially interdependent and sharing a primary residence with the employee. The spouse or other qualified dependent (OQD)/partner, must meet FMLA and any other applicable eligibility criteria for any paid parental leave provisions under this policy.

Semester Weeks: weeks that occur during the fall and spring semesters. Summer and winter breaks are not considered semester weeks.

Parental Leave: a period of paid time away from job responsibilities that may include paid and unpaid time as specified in this policy. The purpose is for the recovery from birth of a child

and/or to bond with a newborn or a newly adopted child who is under the age of 18. Parental Leave must be taken within a 12-month period from the time of the event. Parental Leave may be taken in advance of the event when deemed necessary or when required to fulfill the requirements for an adoption. Utilization is limited to once during a rolling 12 month-period based on the date of the birth or executed adoption agreement. Parental Leave is intended to run concurrently with an eligible employee's qualified FMLA leave.

Paid Parental Leave: paid leave that is awarded separate from any eligible employee's balance of accrued sick or vacation leave. Paid Parental Leave is intended to run concurrently with an eligible employee's qualified FMLA leave. Pay for the paid leave period is established based on the employee's regular base salary or base hourly rate. Faculty members may take paid leave as one full semester or 16 consecutive semester weeks that may cross semesters as described below. Staff members may take paid parental leave as described below.

### **Explanation of Benefit**

All requests for Parental Leave as described under this policy should be made as far in advance as possible, but generally not less than thirty (30) calendar days before the leave is to commence. Requests for leave should be presented in writing to the applicable department/unit head. Employees may use the Paid Parental Leave benefit within 12 months from the birth/adoption date. (Use FMLA forms on HR webpage)

### **Faculty Employees**

Upon request and following the provisions of policy, faculty, including those with administrative responsibilities, will be granted Paid Parental Leave following the birth or adoption of a child. Duration of the Paid Parental Leave is for up to one (1) academic semester or 16 semester weeks. If the birth/adoption occurs mid-semester or late-semester, a faculty member may choose to take paid leave during the semester in which the event occurs or the following semester.

Prior to the start of or at the expiration of a Paid Parental Leave period, it may not be feasible for a faculty member to return to customary classroom/instructional duties. Because of this, a workload modification plan must be developed that provides guidance for the faculty member's work until the next semester begins. The proposed workload modification plan will generally involve a reassignment of the faculty member to research, service or administrative duties (i.e., teaching during the bi-term, service role to the department or departmental administrative functions). The applicable college dean will authorize and approve the plan in compliance with academic policies.

For a nine-month faculty member, the period between May 15 and August 14 shall not be counted against the 16 week total. Similarly, the winter break period which precedes the spring semester, shall not be counted toward the 16 week limit. However, any holiday or closure period of less than five (5) business days is counted toward the limit.

### **Eligibility Criteria**

There is no waiting period for full-time faculty employees prior to being eligible for Paid Parental Leave. Part-time faculty employees must have worked at least 1250 hours during the 12 month

period immediately preceding the requested leave. Hours shall be computed as follows: each credit hour of teaching equates to 2.25 hours of work per week.

**In cases where both parents are WKU employees, they may choose to take paid parental leave independent of each other.**

### **Option to Extend the Tenure Probationary Period**

A tenure track, non-tenured faculty employee may request an extension of the tenure probationary period in conjunction with an approval Parental Leave as provided for in Academic Affairs Policy 1.1240.

### **Conflicts of Interest**

While a faculty member is on paid parental leave, Academic Policy 1.2092 applies.

### **Protections for Faculty Employees**

No faculty member shall be discriminated against or otherwise experience reprisals in any appointment, evaluation, promotion, tenure award or other employment-related academic process as a result of utilizing Parental Leave and other provisions specified within this policy and as articulated in the University's non-discrimination policy.

[NOTE: the section below related to "staff" employees remains under review and is to be discussed in the future with Staff Senate. Therefore, this section is subject to revision prior to being a Final DRAFT.](#)

### **Staff Employees**

There is no waiting period for full-time staff employees prior to being eligible for Paid Parental Leave. Part-time staff employees must have worked at least 1250 hours during the 12 month period immediately preceding the requested leave.

On request and following the provisions of policy, a staff employee will be granted Parental Leave for up to twelve (12) weeks consistent with FMLA policy. "Paid" Parental Leave will be provided initially for a period of four (4) weeks (150 hours) and without any charge against accumulated sick or vacation leave. Following this four (4) week period of Paid Parental Leave, an employee must use accrued sick or vacation leave in order to remain in a paid status.

In cases where both parents are employed by WKU and who meet the Parental Leave eligibility criteria, both parents are eligible for up to twelve (12) weeks of Parental Leave and are not required to coordinate leave for a combined total of twelve (12) weeks.

### **Eligibility Criteria**

A full-time staff employee is immediately eligible for Paid Parental Leave with no waiting period. Part-time staff employees must have been employed by the University for at least twelve (12) months and worked at least 1250 hours during the last twelve (12) months immediately preceding the Parental Leave request, consistent with FMLA policy.

### **Mid-/Late-term Miscarriages, Stillbirths, and Infant Mortality**

In cases of loss of pregnancy, a stillbirth, or infant death, Policy 4.6302: FMLA (Expanded Sick Leave/FMLA) would apply.

### **Support for Pregnancy, Childbirth, Related Medical Conditions and Nursing Mothers**

In compliance with federal and state law, employees are provided protections against employment discrimination related to pregnancy, childbirth, and related medical conditions. On request and following proscribed procedures, WKU will make reasonable accommodations to employees who are limited due to pregnancy, childbirth, and related medical conditions, except where an undue hardship would be imposed on the institution.

Nursing mothers shall be provided reasonable paid break time for purposes of expressing breast milk for a nursing child up to one (1) year after the child's birth date. Additionally, appropriate space/facilities for purposes of expressing breast milk shall be provided as follows:

- The area must be shielded from view and free of intrusion from others.
- A bathroom or restroom is inappropriate and shall not be designated as an area for expressing breast milk.
- The space may be a private area contained within a larger room or a private room that is reliably made available to nursing mothers whenever needed, but may otherwise be used for different purposes.
- The area shall be equipped with seating, a table or other flat surface, an electrical outlet and nearby access to water/sink.