OM 8.1.14 Caregiver Leave (Birth or Adoption)—Staff and Non-Continuing Faculty

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This policy is limited to staff (exempt and non-exempt) and faculty who do not have a continuing appointment. For faculty with a continuing appointment, see OM Section 8.1.15.

Policy Purpose

The University is committed to employment practices that promote employee health and well-being and support employee work life/family harmony.

Policy Summary

The University is committed to employment practices that promote the health and well-being of its employees. The University understands that supporting employees, as they balance career, childbirth and family life, benefit both the employee and the University.

Definition of Terms

Eligible employees: Staff (full-time exempt and full-time non-exempt) who have been employed by the University for: (a) at least twelve (12) months and (b) work at least 1,250 hours during the twelve (12) months before the start of the leave; and faculty not on a continuing appointment who have been employed by the University for: (a) at least two (2) successive regular terms before the start of the leave on a three fourths (3/4) time appointment and (b) who are employed post the leave.

Employment Benefits: All benefits provided by the University to employees including: group life insurance, disability insurance, health insurance, dental insurance, vacation, sick leave, special personal days, educational benefits, employee assistance, health advocacy and retirement contributions.

Family and Medical Leave Act: A job-protected leave without pay (or use of an employee's accrued leave with pay) for up to twelve (12) workweeks (or up to 26 weeks for qualified Military leave) during a rolling 12 month period for the reasons specified in this policy in conformance with the Federal Family and Medical Leave Act (FMLA) of 1993.

Maternity/Primary Caregiver Paid Leave: A period of paid leave for up to eight (8) regularly scheduled work weeks following the birth or adoption of a child.

Paternity/Secondary Caregiver Paid Leave: A period of paid leave for up to four (4) regularly scheduled work weeks of paid leave for a biological father, domestic partner or adoptive parent. This leave may be available on an intermittent basis with the approval of the supervisor and the Director of Human Resources Operations.

Primary Caregiver: A person who provides care for more than half of the care for the newborn child or the adopted child.

Secondary Caregiver: A person who provides care for less than half of the care for the newborn child or the adopted child.

Policy Statement
All eligible employees are entitled to paid maternity/primary care or paternity/secondary caregiver leave. In addition, eligible employees may continue their leave under Family Medical Leave Act of 1993 (FMLA). While out on FMLA, employees may choose to use their vacation; sick and special personal days; if they do not have available time or choose not to use their accrued time, the employee may take the time unpaid.

The employee must return to work for a minimum of eight weeks after the completion of the leave.

**Procedures**

Employees will follow procedures outlined in policy OM Sect 8.1.13. Employees must contact the Human Resources department as soon as possible to review leave options, paperwork and process.

To access the University’s Caregiver Leave, the employee must contact Human Resources. The University will provide up to eight (8) weeks at full pay for maternity/primary caregiver leave at the time of birth or adoption. In a case where the attending physician deems the maternity disability to be greater than 8 weeks, the employee may access Short Term Disability as provided in the terms of the short term disability plan. The employee may also elect additional time off beyond the eight (8) weeks for maternity/primary caregiver leave, up to four (4) weeks under FMLA by accessing vacation, sick and special personal days. If the employee elects not to use their accrued time off, they may continue their leave unpaid under FMLA.

To access the University’s Paternity/Secondary Caregiver Leave, the employee must contact Human Resources. The University will provide four (4) weeks at full pay for leave at the time of the birth or adoption or within six (6) months of the birth or adoption. The employee may also elect additional time off beyond the four (4) weeks for up to eight (8) weeks under FMLA by accessing vacation, sick and special personal days. If the employee elects not to use their accrued time off, they may continue their leave unpaid under FMLA.

FMLA will run concurrent with the University’s Caregiver Leave (maternity and paternity) policy. Employees may take up to a total of 12 weeks. If both parents work at Clarkson, FMLA is a combined 12 weeks of leave. While on caregiver leave, vacation time will not be not be accrued. In addition, if you are out on any unpaid leave, vacation time will not accrue.

Upon request and approval from the Chief Financial Officer, employees may request an unpaid leave of absence for up to six (months) which includes the Clarkson caregiver time and the FMLA time.

**History**

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