

Standard Practice Guide Policies

Paid Maternity (Childbirth) and Parental Leaves

201.30-
6

Applies to: All Regular Faculty and Staff, except those represented by a bargaining unit, and Postdoctoral Research Fellows

This SPG is effective September 1, 2018. A special eligibility period will apply for new parents who added children to their families shortly before the new benefits took effect. Eligible faculty and staff who welcomed a new child between July 1 and August 31, 2018, may request up to six weeks of parental leave to use within one year of September 1, 2018 -August 31, 2019. Maternity leave is available for births that occur on September 1, 2018, or later.

I. Policy

To support the University of Michigan's commitment to faculty and staff as they balance family, professional and academic responsibilities, the university is committed to providing paid time off for birth mothers and other parents that supports both the physical recovery associated with birth and also provides bonding time with children new to the family. For that purpose, the university provides paid maternity (childbirth) leave and paid parental leave.

II. Paid Maternity (Childbirth) and Parental Leaves¹

A. Maternity (Childbirth) Leave – Birth mothers are eligible for up to six weeks (240 hours with a full-time appointment) of paid time off for physical recovery immediately following birth.

1. Eligibility: Effective upon hire for regular staff, regular instructional faculty, research faculty, librarians, curators and archivists and postdoctoral research fellows subject to the rules of the sponsor or grant regarding payment for the leave period.
2. Scheduling: This time must be taken as a single block of time.

3. Availability: Immediately following childbirth.

B. Parental Leave – All parents, including birth mothers who take maternity (childbirth) leave, are eligible for up to six weeks (240 hours with a full-time appointment) of paid time off to bond with a newborn, newly adopted or newly fostered child, or child for whom legal guardianship has been appointed.

1. Eligibility for parental leave is effective six months from hire:

- for all regular instructional faculty
- for postdoctoral research fellows subject to the rules of the sponsor or grant regarding payment for the leave period
- for all regular (including Medical School) staff¹ and research faculty, librarians, curators and archivists with at least a 20% appointment
- for hospital and health center staff with at least a 50% appointment.

2. Scheduling: Parental leave is intended to be taken as a single, continuous block of time. Units must allow a single block of time if requested, and scheduling the time is at the discretion of the department. Parental leave not taken in a single block may be requested but requires departmental approval. Units may establish scheduling guidelines for intermittent use of this time so as not to interfere with the operations of the unit.

3. Availability: Parental leave is available for use within one year of the event. Eligible faculty may choose to take parental leave in lieu of one semester of modified duties (see, e.g., SPG 201.93).

III. Definitions

- A. Parent: Faculty or staff member who is legally responsible for the child: including birth mother, father, non-birth parent, adoptive and foster parent, and legal guardian.
- B. Birth mother: Any person who gives birth.
- C. Event: The arrival or placement of a newly born, adopted or fostered child, or child for whom legal guardianship has been appointed.
- D. Legal Guardianship: Court appointed responsibility for the care and custody of a minor child.

IV. Paid Maternity (Childbirth) and Parental Leave Overview

	Maternity (Childbirth) Leave	Parental Leave
Who will use the leave?	Birth mother	All parents (including birth mother) and legal guardians of children

What is the purpose?	Physical recovery from childbirth	Bonding with a new child
How long is the leave?	Up to 6 weeks (240 hours with a full-time appointment)	Up to 6 weeks (240 hours with a full-time appointment)
When is the leave available to use?	Immediately following childbirth	Within 12 months of the birth or placement for adoption, foster care or legal guardianship (with scheduling subject to department approval)
How often may the leave be used?	With each birth event	With each birth or adoption event; once every 12 months for foster care and legal guardianship events
When does eligibility begin?	Upon hire	Upon completing 6 months of service*
Who is eligible to take the leave?	See Section II.A. above	See Section II.B. above
*Birth or placement with parents must take place after the employee completes six months of service to be eligible for parental leave.		

V. Other Paid Leave Options

A. Paid maternity (childbirth) leave specifically covers paid time off for the physical recovery from childbirth. For absences related to pregnancy or prenatal care:

1. Eligible faculty and staff may use extended sick time and/or available short-term sick, depending on the circumstances. (Please note that hospital and health center staff must use one week of Paid Time Off (PTO) before beginning extended sick time.) Hospital and health center staff who are not eligible for extended sick time may use PTO.
2. Campus and Medical School staff who are not eligible for extended sick time may use short-term sick time or vacation.

B. The six-week paid maternity (childbirth) leave is a separate, standalone leave. It is intended to supplement a birth mother's other applicable paid leave options (e.g., extended sick, short-term sick, vacation, PTO) in the event her physical recovery exceeds six (6) weeks. For example, a birth mother who requires the typical eight week physical recovery period for a cesarean birth would use six weeks of maternity (childbirth) leave and may take two more weeks from available extended sick, short-term sick, vacation, or PTO, or may tap into parental leave if eligible. A birth mother is not required to use parental leave for her physical recovery. In the event a birth mother's physical recovery time exceeds both the six-week paid maternity (childbirth) leave and other available paid leaves, the birth mother may choose to use

the parental leave to provide additional paid time for both physical recovery and bonding time.

- C. Parental leave is intended for bonding. If parents wish to extend the amount of paid time off to spend with children new to the family, they may utilize available vacation or PTO. In addition, unpaid child care leave is available for up to one calendar year from the child's date of birth, adoption, foster care placement, or appointment of legal guardianship.
- D. For those **not** eligible for paid parental leave, the use of short-term sick time is available for bonding with a new child to the new home in the year following the child's birth or arrival due to adoption, foster care placement, or legal guardianship.
- E. For those who are eligible for parental leave, the option to use short-term sick time to bond with a new child in the year following the child's birth or arrival in the home is not available.

VI. Procedures for Requesting Leaves

- A. Faculty and staff should begin discussions with their departments to plan for maternity (childbirth) and parental leaves as soon as possible. Maternity (childbirth) leave must be used as a single block of up to six weeks (240 hours) of paid time off immediately following childbirth.
- B. Supervisors must make every effort to approve a faculty or staff member's request to take parental leave as a single block of up to six weeks (240 hours) of paid time off. Units may establish additional guidelines about scheduling parental leave.
- C. For timekeeping and payroll purposes, leave requests:
 - 1. For those in central timekeeping systems (staff, research faculty, librarians): Leave requests will be processed by each campus and Michigan Medicine. Please see hr.umich.edu/parental-leave for more information.
 - 2. For those not in central timekeeping systems (faculty and post-doctoral research fellows) - Contact the department chair, department administrator or human resources representative in accordance with unit guidance.

VII. Limitations and Exclusions

- A. Part-time Staff Members: Proportional amounts of paid maternity (childbirth) and parental leaves are available to part-time staff members who are scheduled to work 20% (8 hours a week) or more. Hospital and health center staff may require a 50%
- B. Eligibility: Eligibility for parental leave requires six months of service, which is defined as service from the latest date of hire. Times of absence and layoffs are not considered breaks in service for this purpose.

C. While on Unpaid Leaves:

1. Due to prenatal absence for pregnancy complications: If a pregnant employee is absent due to pregnancy complications, and in an unpaid status due to ineligibility for extended sick time and lack of other paid time, she will have access to paid maternity (childbirth) leave (240 hours for a full time appointment) once she gives birth.
2. If an employee is on an unpaid leave, unrelated to pregnancy, such as a seasonal leave of absence or a RIF, and the event occurs during the leave: the employee is not eligible for maternity (childbirth) and parental leaves. However, if the employee returns to work, the following applies:
 - The birth mother has access to maternity (childbirth) and parental leaves if she returns to work within 12 weeks of event. The time available will be adjusted to account for the event date and the return to work (e.g., if the birth was four weeks prior to the scheduled return to work, the mother will have two weeks of paid maternity (childbirth) and six weeks of paid parental leave available).
 - Parental leave is available if employee returns to work within 6 weeks of event. The time available will be adjusted to account for the event date and the return to work (e.g., if the event was four weeks prior to the scheduled return to work, the employee will have two weeks of paid parental leave available).

D. Foster parents and legal guardians are eligible to take parental leave once within a twelve-month period.

E. A qualifying adoption or foster care placement is one in which the child is under the age of eighteen, or eighteen years of age or older and incapable of self-care due to a physical or mental disability.

F. A staff member returning from a maternity (childbirth) leave may be required to provide a physician's statement releasing the staff member to return to work, and noting restrictions, if any.

G. An employee's absence may be partially or completely covered by the FMLA during these paid leaves.

H. Return to Work:

- Upon completion of paid maternity (childbirth) and parental leaves employees will return to their same position.
- Failure to report for assignment at the conclusion of these leaves without requesting and receiving an unpaid medical or unpaid medical/childcare leave may be considered a resignation.

- I. **Holidays:** Staff members who are on maternity (childbirth) leave or parental leave on a day observed by the University as a holiday will be considered observing that holiday. They will not be charged maternity (childbirth) leave or parental leave on that day.
- J. **Termination and Layoffs:** Eligibility for paid parental leave ceases on the effective date of a termination or layoff (i.e., the last day of work). Staff members recalled to active employment from layoff status will again be eligible for the benefits provided by this plan (see SPG 201.72).
- K. **Retirement:** Staff members may elect to terminate regular employment while on paid maternity (childbirth) and/or parental leave and receive instead any retirement benefits for which they are eligible.
- L. **Transfers:**
- A staff member transferred to a position providing eligibility under different rules will assume the eligibility rules of the new unit (20% staff appointment vs 50% appointment for hospital and health center staff), including transfer to or from positions covered by collective bargaining agreements.
 - A transfer to another position providing eligibility for these leaves will not affect the staff member's balance of available time.
- M. **Compensation:** Staff members and eligible faculty will receive their regular compensation while taking maternity (childbirth) and parental leaves. The rate of pay will be their regular rate at the time of absence, plus shift premium, if applicable, multiplied by the number of hours of paid maternity (childbirth) and parental time scheduled and used.
- N. **Absence from Work:** If a staff member or eligible faculty member is absent from work during the period of physical recovery after having exhausted her allotted paid maternity (childbirth) leave, but has not met the eligibility requirements for extended sick time pay or paid parental leave, she will, by default, be paid out of her short term sick pay, and then vacation accrual if any is available. At the staff member's request, excused absence without pay may be considered during that period.
- O. **Faculty and staff cannot receive pay in lieu of time off.**
- P. **Pyramiding –** Maternity (childbirth) and parental leave will not be “pyramided” (i.e., paid twice for the same type of leave for the same eligible event). Note: multiple births (e.g., twins, triplets, etc.), and multiple children adopted, fostered or assigned guardianship are considered one event. An employee may not have more than one period of paid maternity (childbirth) and/or paid parental leave for the same child (e.g., previously fostered or assigned guardianship).
- Q. **There is no payout of unused paid maternity (childbirth) or paid parental leave.**

VIII. For more information, visit hr.umich.edu/parental-leave
(<http://hr.umich.edu/parental-leave>)

[1] The paid maternity (childbirth) and parental leaves are separate from paid leaves available under “sick” and other policies (e.g., SPG 201.11-0 and SPG 201.11-1).

File Attachments

Printable PDF of SPG 201.30-6, Paid Maternity (Childbirth) and Parental Leaves
(http://www.spg.umich.edu/sites/default/files/policies/201x30-6_2.pdf)

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Staff Human Resources, Academic Human Resources, or Michigan Medicine Solution Center

Related Policies:

Modified Duties for New Parents (/policy/201.93)

Sick Leave Plan – Academic Appointments (/policy/201.11-1)

Sick Time Pay (/policy/201.11-0)

Unpaid Leaves of Absence (/policy/201.30)

Unpaid Leaves of Absence (Instructional) (/policy/201.30-1)

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