

Discussion of Parental Leave Proposal
and Alternative Benefit Proposal

Parental Leave Proposal

- The Commission on the Status of Women – with the endorsement of the Executive Committees of the Faculty & Staff Senates and the Great Places to Work Committee – proposed that the University of Louisville increase its parental leave allowance from three weeks to six weeks of paid leave for all regular full-time and part-time faculty and staff.
- The proposal cited faculty leave policies for selected benchmark institutions and the goals of the Great Places to Work Initiative to promote a more family-friendly work environment in support of expanding the parental leave allowance, but did not address cost issues in a material manner.

Discussion of Faculty Leave Issues

- There is general agreement among higher ed policies that recognize six weeks as a fairly standard period of time for faculty members to be absent from work due to the birth or adoption of a child; however, there is broad variation as to the extent that such time off is paid or unpaid.
- Among 17 UofL benchmark institutions, six institutions provide some paid leave for faculty, while 11 institutions provide only unpaid FMLA leave. Among institutions that provide paid leave, one institution provides two weeks, one institution provides four weeks, two institutions provide six weeks, and two institutions provide one full semester (15 weeks). [See enclosed survey.]
- There is some anecdotal concern that parental leaves among faculty are not uniformly approved and significant cultural variation among departments that may dissuade faculty in some departments from availing themselves of parental leave benefits.

Discussion of Staff Leave Issues

- Among 17 benchmark institutions, it is notable 16 institutions rely exclusively on unpaid FMLA leave benefits for parental leave for staff employees (in additional regular vacation and sick leave). Only one institution provides a separate paid parental leave benefit for staff employees, at two weeks.
- This illustrates the fundamental difference between the contractual relationships and leave policies for faculty and staff throughout higher education. Faculty contracts are denominated on the basis of teaching, research, and service outcomes with no formal vacation or sick leave policies. Staff contracts are denominated on the basis of time worked, with formal vacation and sick leave policies provided to account for time off.

Summary Observations

- The principal issue that needs to be addressed is providing a “floor” of six weeks of paid leave for faculty, who have no other leave accounts from which to draw to support the birth or adoption of a child.
- The principle of equitable treatment does not require that the University concurrently increase the duration of paid leave for staff employees, given that faculty and staff do not constitute “similarly situated employees” with respect to the terms and conditions of their employment relationship with the University and with respect to leave administration.

Alternative Benefit Proposal

- It is the opinion of the VPHR that it would serve institutional interests in supporting six weeks of paid parental leave for faculty upon the birth or adoption of a child – given that faculty have no established vacation or sick leave policies that would otherwise be available to augment the three weeks of paid parental leave.
- It is the opinion of the VPHR that staff employees should continue to receive three weeks of paid parental leave, supplemented as at present by accumulated vacation and sick leave.
- Significant concern has been voiced by the Staff Senate that staff members early in their tenure with the university have difficulty accumulating 15 days of paid leave to augment parental leave. With this concern in mind, it is the opinion of the VPHR that the University should adopt a policy to advance up to 15 days of vacation leave to staff employees, as needed, to afford staff employees the opportunity to be in paid leave status for up to six weeks upon the birth or adoption of a child (and without requiring that sick leave be exhausted).

Cost Considerations

- The University has not maintained historical records of the frequency or duration of paid time off for faculty parental leaves, so reliable cost estimates are not available. The U.S. birthrate is currently 13.9 per 1,000. Applied to UofL faculty, this could entail 22 leaves among full-time faculty and eight leave among regular part-time faculty per year. At an average faculty salary of \$104,000, this would suggest an annual cost of approximately **\$168,000 per year** to support an expansion of the leave benefit from three weeks to six weeks.
- At the current U.S. birth rate, the University can reasonably anticipate 52 parental leaves among full-time staff and three parental leaves among part-time staff per year. However, with no additional paid leave benefits proposed for staff employees, there would be no additional cost to the University.
- Currently, parental leave constitutes an “unfunded mandate” that may present difficulties for contract and grant activities, receipt supported activities, or clinical practices. Prior to adoption of an expanded parental leave policy, the University should determine whether it would be advisable to establish a funding mechanism from a centralized fringe benefit pool to back fill departments where replacement employees are typically employed during parental leaves.

Please direct questions or comments to Sam Connally, Vice President for Human Resources, at sam.connally@louisville.edu or 502-852-3698.

Survey of Parental Leave Policies among UofL Benchmark Institutions

Benchmark Institution	Parental Leave Staff	Parental Leave Faculty
SUNY at Buffalo	FMLA used in conjunction with various accruals. Allowed 7 mos. unpaid leave for child care.	FMLA used in conjunction with various accruals. Allowed 7 mos. Unpaid leave for child care.
Stony Brook University	FMLA used in conjunction with various accruals. Allowed 7 mos. unpaid leave for child care.	FMLA used in conjunction with various accruals. Allowed 7 mos. Unpaid leave for child care.
Temple University	FMLA used in conjunction with various accruals.	FMLA used in conjunction with various accruals. Work Load Modification: Eligible faculty are entitled to elimination of teaching duties for up to 1 academic semester.
University of Alabama	FMLA used in conjunction with various accruals.	FMLA used in conjunction with various accruals.
University of California - Irvine	FMLA used in conjunction with various accruals. Californian Family Rights Act provides 3 addtl mos. of unpaid leave for child care/bonding.	Childbearing Leave is granted for 6 wks w/pay. The faculty mbr is also on leave w/pay for the remainder of the qtr as active service/modified duties runs concurrently w/childbearing leave. Birth mother is entitled to an addtl qtr of leave. FMLA runs concurrently.
University of California - San Diego	FMLA used in conjunction with various accruals. Californian Family Rights Act provides 3 addtl mos. of unpaid leave for child care/bonding.	Childbearing Leave is granted for 6 wks w/pay. The faculty mbr is also on leave w/pay for the remainder of the qtr as active service/modified duties runs concurrently w/childbearing leave. Birth mother is entitled to an addtl qtr of leave. FMLA runs concurrently.
University of New Mexico	FMLA used in conjunction with various accruals.	FMLA used in conjunction with various accruals.
University of Cincinnati	FMLA used in conjunction with various accruals.	FMLA used in conjunction with various accruals. Child Rearing LOA w/o pay up to 1 yr. Yr not considered toward tenure. Fringe benefits included except retirement for 10 wks (1 acad qtr)
University of Illinois - Chicago	Parental Leave granted with pay for up to 2 wks immediately following the birth of a child or placement of an adopted child. Counts toward the FMLA entitlement.	Parental Leave granted with pay for up to 2 wks immediately following the birth of a child or placement of an adopted child. Counts toward the FMLA entitlement.
University of Iowa	FMLA used in conjunction with various accruals.	FMLA used in conjunction with various accruals. Adoption 5 days of paid leave.

University of North Carolina - Chapel Hill	FMLA used in conjunction with various accruals.	Parental Leave: A 9 mo. faculty mbr (teaching) would be allowed a full semester of paid leave within 12 months of birth. A non-teaching fac. mbr would be allowed up to 15 weeks of paid leave. Counts in FMLA time.
University of Pittsburgh	FMLA used in conjunction with various accruals.	Parental Leave: Faculty mbrs may receive 4 work wks of paid leave within 1 cal. yr of birth. This is in addition to medical & family leave.
University of South Carolina	FMLA used in conjunction with various accruals.	FMLA used in conjunction with various accruals. Eligible for modified duties for equivalent of 1 semester.
University of South Florida	FMLA used in conjunction with various accruals.	Parental Leave: Instructional faculty will be eligible for up to 19.5 contiguous wks or 1 semester of paid parental leave. Non-instructional faculty will be eligible for up to 3 months of contiguous of paid parental leave.
University of Utah	FMLA used in conjunction with various accruals.	FMLA, disability leave & resulting modification of duties is available for eligible faculty.
Virginia Commonwealth University	FMLA used in conjunction with various accruals.	FMLA used in conjunction with various accruals.
Wayne State University	FMLA used in conjunction with various accruals.	FMLA used in conjunction with various accruals.