

School of Education
Parental Leave Guidelines for Birth or Adoption
March 2017 – revised July 2018

The goal of the School of Education (SoE) Parental Leave Guidelines for Birth or Adoption is to create a family friendly, supportive workplace. These guidelines address parental leave for faculty and 9- month instructional staff, including the birth parent, foster parent, the parent of an adopted child, or the birth parent's partner as permitted under the federal Family Medical Leave Act (FMLA), Wisconsin Family & Medical Leave Act (WFMLA) and UW-Madison Unclassified Personnel Policies and Procedures Ch. 16.03.

Under the federal Family Medical Leave Act (FMLA) most faculty and staff are eligible for 12 weeks (or 480 hours) of unpaid leave in a fiscal year. The term, "leave," means a period of time, paid or unpaid, when the faculty or staff person is relieved from ALL work obligations (e.g., teaching, research, advising, and service). Whether that leave is full time (100%) or part-time (any percentage less than 100%), the individual has no workplace responsibilities associated with that leave time. The 480 hours of leave¹ guaranteed by FMLA can be taken continuously, all at once (100% leave for 12 weeks), or can be used to be relieved from some, but not all, of a person's work obligations over the fiscal year (e.g. 50% leave for 24 weeks), as long as the cumulative time used is no more than 480 hours. Depending on how much has been accrued, faculty and staff may apply accrued sick leave to some or all of those 480 hours to convert unpaid leave into paid leave. (Note that there are implications to benefits coverage when opting for leave without pay, so faculty and staff and Departments should consult with the divisional HR representative prior to arranging leave to determine impacts.)

The UW Policy recognizes that faculty and staff with instructional obligations who need parental leave due to birth or adoption face particular challenges. The SoE Policy does not differ from the UW-Policy, but builds on it by addressing that difficulty.

First, **the SoE encourages departments to consider assigning alternate activities of comparable time to replace a portion of the parent's typical teaching assignment.** Examples of alternative duties include, but are not limited to, activities related to program improvement, online conversion or course development, departmental self-study, and assessment of departmental student learning outcomes.

Second, when faculty or instructional staff are assigned alternate activities in lieu of

¹ For faculty/staff who give birth, it is expected that sick leave is used for any portion of time in which the faculty/staff member is unable to perform research, teaching (or alternative duties), advising, and service duties (e.g. if the faculty member gives birth on a Wednesday and is in the hospital until Friday during the contract year, those 3 days must be taken as sick leave). It is typical for birth mothers to use approximately 6 weeks of leave as medical leave for her own medical condition while she is unable to work (though the actual amount varies by individual). She may also use up to an additional 6 weeks of leave to care for the child. In both cases, accrued sick leave may be used in order to have paid leave.

teaching, the SoE commits to paying for instructional replacement for one semester of courses (up to two courses) during the first academic year affected by the birth or adoption. Instructional replacement will be funded by the SoE at actual cost to the Department, up to a maximum of \$6000 per course.

It is important that the leadership of the Department fully support the faculty/staff member in their choice. Some individuals will want to be fully released from duties for a period of time (e.g. on leave). Others will prefer to continue to work in some capacity. The School of Education values faculty/staff member choice, and to the extent possible, encourages Departments to support faculty/staff members fully in their preferences regarding parental leave and/or alternative work assignments.

In order to determine when and how a faculty or staff person anticipating birth or adoption would like to construct parental leave and/or an alternative work assignment, it is important to consider the following questions:

- Would the parent like to be completely relieved from work obligations and, if so, for what period of time?
- Are there times when the person would prefer to be partially relieved from work obligations (e.g. some percentage less than 100% leave) and, if so, what specific job responsibilities and what percentage of time?
- When during the year would the leaves (full or partial) be preferred to occur?
- Would the person like to use accrued sick leave in order to be paid for the time off?
- Is the person interested in committing to alternative activities to replace teaching obligations?
- What alternative activities to replace normal work obligations would benefit the department?
- Is the department interested in taking advantage of the SoE's commitment to provide funds for course replacement for up to 2 courses for a semester for someone assigned alternative activities?

These are the questions that should be explored by the faculty or staff member in consultation with the department chair and the divisional HR representative. The Assistant Dean for Human Resources is also available to consult on the options available. Faculty or staff requesting leave or an accommodated alternative work assignment should meet with the department chair as soon as possible to make appropriate plans.