



## **VII-7.49(A) UNIVERSITY OF MARYLAND POLICY ON STAFF PARENTAL LEAVE AND OTHER FAMILY SUPPORTS**

(Approved by the President January 1, 2013; Amended and approved on an interim basis by the President September 19, 2019)

### **I. Purpose & Eligibility Period**

This policy is intended to support eligible staff in balancing professional and family demands during and after the addition of children to the family (by birth, adoption, foster parenting, and/or legal guardianship) through a combination of measures to promote a family-friendly environment. These measures include:

- a. A period of paid Parental Leave of twelve (12) work weeks;
- b. Availability of lactation facilities.

The term “Parental Leave” is used in this Policy to refer to the entirety of the paid leave period available to eligible staff to care for children new to the family. Up to twelve (12) work weeks of Parental Leave is available through a combination of paid leave charged to a staff member’s accrued leave balance and/or Assured Parental Leave provided by the University.

Parental Leave shall be available on a continuous basis during a six (6) month period surrounding the addition of a child (or children) to the family.

### **II. Assured Parental Leave**

Regular staff employees shall be assured a period of up to twelve (12) work weeks (i.e., sixty (60) continuous workdays, or 480 hours) of paid Parental Leave to care for a new child (or children), as follows:

- A. **Nature of Leave:** During the Parental Leave period, staff shall use any accrued and available annual leave pursuant to USM BOR Policy VII-7.00 Policy on Annual Leave for Regular Nonexempt and Exempt Staff Employees; personal leave pursuant to USM BOR Policy VII-7.10 Policy on Personal Leave for Regular Nonexempt and Exempt Staff Employees; observed holiday leave pursuant to USM BOR Policy VII-7.30 Policy on Holiday Leave for Regular Nonexempt and Exempt Staff Employees; and/or discretionary paid administrative leave that is granted during the Parental Leave period for institutional closures. If none of these categories of leave is available to the employee, supplemental leave days (referred to as “Assured Parental Leave”) shall be provided to the employee by the institution to attain the twelve (12) work weeks of paid Parental Leave. No institutional work-related duties are required of the staff member by the University while on Parental Leave.

- B. **Interaction of Leave with the Family and Medical Leave Act (FMLA)**

All leave taken during the Parental Leave period (annual, personal, holiday, administrative, and/or Assured Parental Leave) shall run concurrently with any available FMLA leave (“FML”) per Section IV of USM BOR Policy VII-7.50 Policy on Family Medical Leave for Nonexempt and Exempt Staff Employees, if the staff member is also eligible for FML under USM BOR Policy VII-7.50. Both policies shall be administered concurrently.

C. **Applicability:** The twelve (12) work weeks of paid Parental Leave is available on a continuous basis during a six (6) month period surrounding either:

1. The birth of a child;
2. The recent placement of a child under the age of six (6) for adoption; or
3. The assumption of other parenting responsibilities, such as foster parenting or legal guardianship of a child under the age of six (6).

D. **Eligibility:** Parental Leave applies to regular staff employees with appointments of at least 50% FTE or greater. Assured Parental Leave is available upon written affirmation that the staff member will be the child’s primary caregiver during the period in which Assured Parental Leave will be used.

1. Parental Leave shall be pro-rated for eligible part-time staff.
2. If a child’s parents are both employees of UMD, each may be eligible for paid Parental Leave up to the twelve (12) work week maximum, as follows:
  - a. Both parents may concurrently use accrued annual, personal, and holiday leave for Parental Leave; and
  - b. At the time that a staff member takes Assured Parental Leave, after exhausting their own accrued annual, personal, or holiday leave, they must be acting as the child’s primary caregiver. In some cases, there will be two UMD parents eligible for Parental Leave. Both UMD parents may use Parental Leave simultaneously by alternating between the use of Assured Parental Leave and their own accrued leave, as long as both parents are not the primary caregiver for the same day.
3. A regular staff member shall be eligible for Parental Leave after six (6) months of continuous employment with the institution.
4. A staff member shall be eligible for Parental Leave under this policy on one (1) occasion in a 12-month period, and up to three (3) separate occasions during the duration of their employment with the University System of Maryland (irrespective of job category). Any additional periods of Parental Leave require the approval of the President, or the President’s designee.
5. The employee must have a satisfactory record of sick and safe leave usage and satisfactory work performance.

6. Parental Leave for staff must be used continuously; it is not available on an intermittent basis.

### **III. Supports for Nursing Mothers**

The University shall provide space at reasonable locations on campus where staff who are nursing mothers may breastfeed or express milk.

- A. The areas must be shielded from view and free from intrusion by others.
- B. A bathroom or restroom may not be designated as a lactation area.
- C. The space may be a private area in a larger room, or a private room that is reliably made available for nursing mothers whenever needed but may otherwise be used for different functions.
- D. The area shall be equipped with seating, a table or other flat surface, an electrical outlet, and nearby access to a sink.
- E. Staff who are not assigned an office or other private space should give advance notice to their supervisor or department head to request access to an area suitable for breastfeeding or expression of milk.
- F. The requirement for lactation facilities and their availability for the purpose of breastfeeding a child are subject to University policies governing the circumstances when children of employees may be present in the workplace.
- G. Staff may use current break and/or lunch periods for this purpose. Supervisors are encouraged to work with their staff who need support.

### **IV. Protections for Staff**

No staff member shall be discriminated against or otherwise experience reprisals in any appointment, evaluation, promotion, or other employment-related process as a result of utilizing the Parental Leave benefit and other supports provided under this policy.

### **V. Implementation**

- A. Staff must apply for Parental Leave by making a request to their supervisor or department head using the institution's application form available from University Human Resources ([www.uhr.umd.edu](http://www.uhr.umd.edu)). To minimize hardship of the department/unit, staff should notify their supervisor or department head at least two (2) months in advance of expected use, including the anticipated date of birth or placement of a child for adoption, foster care, or legal guardianship.

- B. The supervisor or department head will review and forward the form to University Human Resources Office of Staff Relations for verification of eligibility and computation of available paid leave and Assured Parental Leave that may be granted to meet the twelve (12) work week paid Parental Leave period.
- C. For assistance with this or any staff policy, please contact University Human Resources Office of Staff Relations at 301.405.0001.