

# Paid Parental Leave

HR-05-65



## About This Policy

**Effective Dates:**

04-14-2017

**Last Updated:**

04-02-2018

**Responsible University Administrator:**

Vice President and Chief Financial Officer

**Policy Contact:**

[IU Human Resources](#)

[askHR@iu.edu](mailto:askHR@iu.edu)

## Scope

This policy applies to staff employees appointed at 30 hours or more per week in a benefits-eligible staff position, and have been continuously employed in a 30 hours or more per week benefits-eligible staff or faculty position for at least one year (12 months).

## Policy Statement

1. Paid Parental Leave is provided to an eligible staff employee, following a birth or adoption of a child, in recognition of the importance of work/life balance and offering parents the opportunity to bond with their new child.
2. Eligibility for Paid Parental Leave is determined using the following criteria. Both criteria must be met at the time of the birth or adoption in order to be eligible.
  - a. The employee is appointed at 30 hours or more per week in a benefits-eligible staff position at the time of the birth or adoption.
  - b. The employee has been continuously employed in a 30 hours or more per week benefits eligible staff or faculty position for at least one year (12 months) at the time of the birth or adoption.
3. An eligible staff employee will be provided up to 6 weeks (240 hours) of Paid Parental Leave following the birth of a newborn or newly adopted child.
4. Paid Parental Leave is available for births and adoptions that take place following the policy effective date of April 14, 2017.
5. An eligible staff employee may receive Paid Parental Leave a maximum of twice during their career at Indiana University.
  - a. The limit of two Paid Parental Leaves during an eligible staff employee's career at IU applies regardless of any breaks in service.
6. Paid Parental Leave will run concurrently with FMLA leave, if the employee meets the eligibility requirements of the FMLA. The concurrent use of Paid Parental Leave and FMLA leave will decrease, in whole or in part, the amount of FMLA leave available to an employee.

## Procedure

1. **Paid Parental Leave**

- a. Paid Parental Leave will be provided to an eligible staff employee who is the birth mother, biological father, adoptive mother or adoptive father.
  - i. If both parents are eligible staff employees, each parent may receive up to 6 weeks (240 hours) of Paid Parental Leave.
  - ii. Surrogate mothers and sperm donors are not eligible for Paid Parental Leave.
- b. The amount of leave is prorated based on the employee's FTE at the time of the leave.
- c. Paid parental leave will be paid at 100 percent of the employee's base pay rate.
- d. Multiple births or adoptions that occur at the same time (for example, the birth or adoption of twins) does not increase the length of Paid Parental Leave provided.
- e. The Paid Parental Leave may be taken upon the birth or adoption of a child under the age of 18.
  - i. When the adoption is in the legal process, the Paid Parental Leave may begin from the point the child is placed with the eligible staff employee (granted custody) for the purpose of adoption.
  - ii. If the adoption involves a child who is incapable of self-care because of a mental or physical disability the age limit of 18 may be waived.
- f. The Paid Parental Leave must be taken within 6 months following the birth or adoption.
  - i. Any Paid Parental Leave remaining at the end of the 6 months is not banked for later use or paid out, and cannot be combined with any future Paid Parental Leave.
- g. The Paid Parental Leave will end immediately if the employee no longer meets the criteria for eligibility.
  - i. For example, if the employee transfers to an ineligible position, or the employee separates from the University while on Paid Parental Leave.
- h. The Paid Parental Leave may be taken continuously, intermittently, or on a reduced schedule basis.
  - i. Intermittent or reduced schedule leave requires the approval of the eligible staff employee's department.
  - ii. Taking the Paid Parental Leave on an intermittent or reduced schedule basis does not extend the 6 months after the birth or adoption in which the leave must be taken.
  - iii. An employee must follow department's procedures for requesting time off and calling in absences when on intermittent or reduced schedule Paid Parental Leave. Failure to do so may result in the Paid Parental Leave not being approved for those days.

## **2. Concurrent with the Family Medical Leave Act (FMLA) leave**

- a. Paid Parental Leave will run concurrently with FMLA.
- b. An employee on Paid Parental Leave who meets the eligibility requirements of FMLA will be placed on FMLA leave at the start of the Paid Parental Leave or during it, should FMLA eligibility occur during the Paid Parental Leave.
- c. The concurrent use of Paid Parental Leave and FMLA leave will decrease, in whole or in part, the amount of FMLA leave available to the employee.

## **3. Proper notice and request for Paid Parental Leave by employee**

- a. An employee should, initially, notify his or her department of their intention to request Paid Parental Leave. The employee should provide the department with the anticipated timing and duration of the leave.
- b. To receive Paid Parental Leave, the employee must complete the , and submit the form to IU Human Resources for review and approval at least 30 days prior to the start of the leave. It is understood that under some circumstances it is not feasible to provide 30 days' notice. In these cases, the employee must provide notice as soon as practicable.
  - i. If the employee is also eligible for FMLA leave, this will also be noted on the Paid Parental Leave Request Form. No additional FMLA forms are required for the use of the Paid Parental Leave.

- ii. The employee must also note whether they intend to use the Paid Parental Leave continuously, intermittently or on reduced schedule. Any request for intermittent or reduced schedule leave requires the approval of the employee's department.
- c. In addition to the the eligible staff employee will also be required to provide IU Human Resources with documentation within 30 days following the birth or adoption.
  - i. For the birth of a child – appropriate birth documentation, such as a birth certificate or hospital birth confirmation.
  - ii. For the adoption of a child – appropriate adoption documentation, such as a custody or adoption order.

#### 4. University Benefits during Paid Parental Leave

- a. The university benefits (such as, medical, dental, retirement, time off accruals, etc.) that the employee is enrolled in will continue while the employee is on Paid Parental Leave.
- b. If a university holiday occurs during the Paid Parental Leave, the employee will receive holiday pay in lieu of a Paid Parental Leave day in accordance with the [Holiday policy](#).

#### 5. Coordination of Paid Parental Leave with other university paid and unpaid time off

- a. Paid Parental Leave may be used in conjunction with a variety of paid and unpaid leaves such as PTO, vacation time, income protection time (sick time), compensatory time, and discretionary leave of absence.
- b. Paid Parental Leave must be used entirely before other forms of paid and unpaid leave may be used after the birth or adoption.
- c. Any time off prior to the birth or adoption or beyond the up to six weeks of Paid Parental Leave must be requested separately, either:
  - i. By completing the appropriate FMLA request form, if the employee is eligible for FMLA and has FMLA leave available, or
  - ii. If the employee is not eligible for FMLA or has no FMLA remaining, by requesting the use of accrued paid time off (PTO, income protection, vacation, comp time) or leave without pay subject to the discretion of the department.

#### 6. Reinstatement

- a. At the conclusion of the Paid Parental Leave, the employee will return to the same position held at the time the leave began or to an equivalent position with equivalent pay, benefits, and working conditions. Provided the employee can perform the essential functions of the position.
- b. An employee on a Paid Parental Leave is still subject to a reduction in force (RIF) or reassignment that would have occurred otherwise had the employee been working.
- c. A fitness for duty may be required should the employee experience a serious health condition during the Paid Parental Leave.
- d. The University's obligation to reinstate the employee to the same or equivalent position ceases if and when the following take place:
  - i. The employment relationship would have ended if the employee had not taken Paid Parental Leave.
  - ii. The employee informs the University of his or her intent not to work at the end of the Paid Parental Leave.
  - iii. The employee fails to return to work at the end of the Paid Parental Leave.

## Sanctions

Managers, supervisors, and employees who violate this policy are subject to disciplinary action, up to and including termination.

## History

**April 2018**

Updated wording to help clarify when the eligibility criteria must be met.

**May 2017**

This is a new policy.

**Related Information**

[Paid Parental Leave FAQs](#)

[Family and Medical Leave Act \(FMLA\) Rights policy](#)

[Discretionary Leave of Absence policy](#)

[Holidays policy](#)

[Income Protection Time \(Sick Time\) policy](#)

[Paid Time Off \(PTO\) for PA policy](#)

[Paid Time Off \(PTO\) for PB policy](#)

[Time Off Accruals during Absences policy](#)

[Vacation Time policy](#)

**Related Forms**

[Staff Paid Parental Leave Request Form](#)