



## Staff Parental Leave Policy Effective 3/1/2018-Frequently Asked Questions

Updated 07/01/19

### **1. Why has the Staff Parental Leave policy been developed?**

Saint Louis University recognizes that employees may need to balance work obligations while expanding and caring for families. The University approved the Staff Parental Leave policy after receiving employee and committee feedback expressing a desire for support for staff family commitments as a facet of our Jesuit mission.

### **2. Who does the Staff Parental Leave policy impact?**

This policy applies to all regular, full-time staff at Saint Louis University, except for employees in a collective bargaining unit and employees of the Madrid campus.

### **3. I am a supervisor; how do I support my employees using this policy?**

Supervisors should guide staff to FMLA Source, call **877.GO2.FMLA (462.3652)** or log on to [www.fmlasource.com](http://www.fmlasource.com), for questions regarding eligibility or to apply for leave. In the majority of cases, staff will be FMLA eligible and will receive pay during the FMLA period through the Staff Parental Leave Policy.

Supervisors and time approvers will be responsible to make sure that anyone utilizing the benefit is tracking time appropriately. There may be times when an employee is not eligible for FMLA but will be eligible for three or six weeks of Staff Parental Leave and can take this time off.

### **4. How does the paid parental policy work when both parents are employees of Saint Louis University?**

When both parents eligible for paid parental leave and are employed at the University, they will combine their paid leaves not to exceed six (6) weeks per child. Married parents who are employed by the University, share one set of twelve (12) FMLA weeks for the birth or adoption of a child.

### **5. Is there a timeframe in which I must use the Staff Parental Leave time off?**

Parental Leave must be taken within the child's first year of life or the first year of the child's placement. If the staff member does not take the full paid parental leave time allowed during the first year of birth or placement, the remaining time off will be forfeited. Unused paid parental time is not saved and is not paid out.

### **6. How does the policy work if I have less than one year of service?**

There is no paid parental leave benefit for employees in their first year of service.



**7. How does the policy work if I have at least one year of service but fewer than two years of service?**

Staff members who have completed one year of continuous, full time service but fewer than two years of service prior to child's birth can take up to three (3) weeks of paid parental leave during the child's first year of life. Staff members who have completed one (1) year of continuous, full time service may take up to six (6) weeks of Parental Leave within one year of a child's placement through adoption.

**8. I have worked for SLU for more than two years and am expecting a child soon, how much Parental Leave am I eligible for?**

Staff members who have completed two (2) or more years of continuous service prior to the child's birth can take up to six (6) weeks of paid parental leave during the child's first year of life.

**9. I am adopting a child, how much Parental Leave do I qualify for?**

A staff member who adopts a child (17 years or younger) and who has completed at least one (1) year of continuous service can take up to six (6) weeks of paid parental leave during the first year of the child's placement.

## **FMLA and Parental Leave**

**1. Does the Parental Leave Policy replace the need to apply for FMLA?**

No. All SLU employees, with the exception of those on the Madrid campus, should apply for FMLA leave through FMLASource, call **877.GO2.FMLA (462.3652)** or log on to [www.fmlasource.com](http://www.fmlasource.com) when planning leave for the birth or adoption of a child. The Staff Parental Leave policy provides for paid leave for an eligible staff member during the FMLA leave period.

To be eligible for FMLA Leave an employee must have worked at SLU for at least 12 months and must have worked at least 1,250 hours during the 12-month period prior to the commencement date of any leave requested. Eligible employees with a qualifying condition for FMLA leave may take up to 12 weeks of FMLA in the appropriate 12-month period. Parental Leave provides for up to six weeks of paid leave during the approved FMLA period.

**2. I am eligible for six weeks of Parental Leave and for twelve weeks of FMLA Leave. Does that mean I can take a total of eighteen weeks of leave?**

No, FMLA leave for childbirth and bonding and Parental Leave cannot be combined to create eighteen weeks of consecutive leave during the child's first year of life or placement. FMLA and Parental Leave run concurrently. An eligible staff member cannot elect to take twelve weeks of FMLA and save six weeks of Parental Leave to use later in the year.



**3. Due to complications with my own health, I used twelve weeks of FMLA shortly before giving birth to my child. Can I still use Parental Leave?**

When an FMLA-eligible employee exhausts available FMLA leave prior to the delivery or placement of a child, the parent will be able to use Parental Leave once the child is born or placed. Parental Leave cannot be used prior to the child's birth or placement.

### **Caregiver Sick Leave**

**1. What is caregiver sick leave and how does it interact with paid parental leave?**

Caregiver sick leave allows a staff member to use up to 10 days (80 hours if 1 FTE) in a calendar year of the employee's accrued sick leave to miss work to care for a sick relative. The relationships covered by Caregiver Sick are found in Section 7.4 of the [Staff Sick leave policy](#). An employee can use Caregiver sick leave to be paid during approved FMLA leave provided the family member is a parent, spouse or child and has a serious health condition. Caregiver Sick leave can also be used outside of FMLA to care for a relative later in the year.

**2. I have missed work to care for a relative who is not a relative covered by FMLA. Can I use Caregiver Sick Leave to be paid during my absence?**

Yes, the Caregiver Sick Leave policy allows an employee to use some of his or her accrued sick leave to care for relationships that FMLA does not cover such as in-laws, step-parents and adult children not covered by FMLA. Be sure to review section 7.4 of the [Staff Sick Leave policy](#) to determine if your caregiving relationship qualifies.

**3. Is Caregiver Sick Leave protected leave similar to FMLA?**

No, Caregiver Sick Leave is not protected time off and is subject to department approval. Leave time can be denied in the interest of business needs of the departments. An employee cannot use Caregiver Sick Leave if the employee does not have sufficient sick leave to draw from.

**4. Can I use FMLA to care for my adult children?**

FMLA defines a child as a son or daughter under 18 years old. Eligible employees may use FMLA to care for adult children (18 years or older) when the adult child is "incapable of self-care because of a mental or physical disability" at the time FMLA leave is to commence.

### **Time Entry Examples:**

- A. Employee delivers baby on 1/1/19. She has a normal delivery and her FMLA medical certification form states she needs six weeks of recovery post-delivery. She has enough accrued sick leave to cover this time. She has requested to use the full 12 weeks of FMLA.

Option 1: The first six weeks of the employee's timesheet/leave report as "FMLA-Sick" which pulls from the employee's accrued sick leave. The remaining six weeks are entered as Parental Leave. No time is taken from her vacation leave balance.



Option 2: Employee may opt to use Parental Leave during the first six weeks, however, once she is no longer incapacitated, she cannot use sick leave for the second half of the FMLA leave.

- B. Employee is eligible for 3 weeks of parental leave because she has been employed at SLU more than 1 year but less than 2 years. She has a normal birth and requires six weeks of recovery time and requests to use the full 12 weeks of FMLA for recovery and bonding with baby. How could her time entry go?

Because she has not been at SLU for enough time to accrue six weeks of sick leave to cover her full period of incapacity, her time entry would go: three weeks of FMLA-Sick (sick leave calculated for purposes of this example), 3 weeks of paid parental leave, use of FMLA-Vacation until exhausted, with the remainder of the 12 weeks of FMLA leave as unpaid.

OR

FMLA-Sick, FMLA-Vacation until exhausted, paid parental leave, provided she uses the paid parental leave concurrent with her FMLA leave. You must exhaust all options before using unpaid leave.

- C. Employee takes 6 weeks of FMLA leave at the time of the baby's birth. She uses FMLA-Sick for her period of incapacity post-delivery. She returns to work after six weeks. She hasn't used parental leave yet and hasn't exhausted the full 12 weeks of FMLA available to her during baby's first year. When baby is 6 months old, employee applies to use the remainder of her FMLA and is paid from paid parental leave during this leave period. Has she exhausted her FMLA?

Yes, by the time the baby is one, mom has exhausted her 12 weeks of FMLA for this leave reason/period. Additionally, mom has used her parental leave appropriately, even though she took two different consecutive leave periods during the year.

Common Caregiver Leave Scenarios:

- A. Your baby gets sick but you have already exhausted all your paid parental leave. Could you use caregiver sick leave to care for the baby?

Yes, if the baby becomes ill after the paid leave is exhausted it would be appropriate to use available caregiver sick leave.

- B. Dad employee dad takes 12 weeks off to care for a six-year-old child who had surgery. Can he use caregiver sick leave to run concurrently with applicable FMLA?

Yes, the University preference is to have caregiver sick leave run concurrently with applicable FMLA. Dad should use the two weeks of caregiver sick leave to be paid prior to taking unpaid leave. Dad can't take 12 weeks off under FMLA and go unpaid and then elect to add two more weeks of leave at the end with caregiver sick leave, totally 14 weeks away. This explanation aligns with our requirement that employees exhaust all available paid leave sources prior to going unpaid.