

# INDIANA UNIVERSITY

## PAID FAMILY LEAVE POLICY FOR ACADEMIC APPOINTEES

### General Statement

Indiana University supports an environment that offers solutions to the complex issues academic appointees face in balancing their work and family commitments. Family leave provides eligible academic appointees with up to twelve weeks of fully paid leave,<sup>1</sup> as needed for either or both of the following events:

- the birth or adoption of a child by the academic appointee or the academic appointee's spouse or domestic partner,
- the primary care of an eligible family member with a serious health condition.

Family leave is not intended to be a supplemental pay plan. It is a policy which allows for an academic appointee to take necessary time off from work without undue financial hardship. People may need six weeks, or they may need twelve weeks, depending on their situation. It is expected that paid leave periods will vary by need and circumstance and may extend across semesters. An appointee should not be expected to perform duties while on leave, to make up time/work, or to be on call in clinical settings. The leave is intended to relieve the appointee of responsibilities so he or she may attend to the family need. Family leave is separate from and in addition to sick leave. (See *Relationship to Sick Leave Policy*) Leave taken pursuant to this policy shall count as all or part of the federal Family and Medical Leave Act requirement

### Eligibility

Both 10 and 12 month academic appointees are eligible for family leave after two years of continuous full-time Indiana University service. Visiting, adjunct, part-time and post-doctoral appointees are not eligible for family leave.

### Eligible Family Members

The definition of an eligible family is spouse, domestic partner, parent, dependent child, or dependent child or parent of the appointee's spouse or domestic partner.<sup>2</sup>

### Leave Frequency

Academic appointees may take family leave up to twice every five years,<sup>3</sup> but the appointee must return to full-time service for at least one fall or spring semester between leaves. Appointees in non-teaching appointments must return for at least five months. Family leave for the birth or adoption of a child must be concluded within twelve months of the birth of the child or the date on which the child is placed in the physical custody of the academic appointee. The first week of any family leave begins the period for calculating both the twelve weeks and five-year eligibility period.

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<sup>1</sup> Twelve weeks of fully paid leave replaces 15 weeks of partially paid leave in the prior policy. Twelve weeks is the required allowance under the FMLA. The FMLA itself does not require that the leave be paid. Staff are able to accrue paid time off so that some or all of their FMLA leave is paid. This policy addresses the fact that academic employees have no means of accruing paid time off.

<sup>2</sup> Based on the staff FMLA policy.

<sup>3</sup> Twice in five years is more flexible than once every three years, the previous policy. This flexibility may be particularly useful in leaves following the birth or adoption of children.

### **Short Term Absences**

Short term absences of three weeks or less should continue to be arranged informally within a department.

### **Break Periods & Vacation Time**

All semester breaks (*i.e.*, Thanksgiving, Winter and Spring breaks) count in the leave period. For persons on twelve-month appointments, any accrued vacation time for which an appointee is eligible does not count in the total twelve-week eligibility period.

### **Flexibility and Teaching Assignments<sup>4</sup>**

(1) When a proposed leave under this policy would prevent an appointee from carrying out his or her regular teaching responsibilities in two consecutive semesters, he or she must reach an agreement with the relevant academic unit that meets the needs of both the appointee and the academic unit. Agreements may include a reduced teaching schedule in one or more semesters, partial-semester teaching schedules, additional non-teaching duties, or a combination of paid and unpaid leave. Appointees and academic units are encouraged to be creative and flexible in developing solutions that are fair to both the individual and the University.

(2) All agreements must be committed to writing, signed by the appointee and the head of the relevant academic unit, and approved by the Dean of the Faculties or Vice Chancellor of Academic Affairs. It shall be the responsibility of the Dean of the Faculties or Vice Chancellor of Academic Affairs to ensure that all agreements entered into are entirely voluntary and fair to both the appointee and the University.

### **Relationship to Sick Leave Policy**

Sick leave is intended to cover periods of time when the appointee is sick or medically unable to perform the duties associated with a position. Pregnancy is treated as any other temporary medical condition for the purposes of granting sick leave. Sick leave, including pregnancy, is separate from family leave.

### **Tenure Clock**

As with sick leaves, the tenure clock stops during a family leave unless the academic appointee requests otherwise. Failure to perform duties during the leave period shall not be considered in the evaluation for reappointment, tenure, promotion, or merit pay.<sup>5</sup>

### **Implementation**

The Dean of the Faculties or Vice Chancellor of Academic Affairs shall provide information, interpretation, documentation, and enforcement of this policy on each campus. The Dean of the Faculties or Vice Chancellor of Academic Affairs shall annually provide a report on the utilization of this policy to the agenda committee of their respective campus faculty councils and shall be available to answer questions of the council concerning the policy.<sup>6</sup>

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<sup>4</sup> Since leaves rarely match conveniently with semesters, the successful implementation of this policy will require flexibility and even creativity. The prior version of this section implicitly recognized that fact. The current version seeks to be more direct, and to provide the additional protection to appointees of requiring a written, signed agreement and approval by the campus administration.

<sup>5</sup> Are there other important decisions that should be listed here?

<sup>6</sup> The objective of this sentence is to retain accountability on enforcement and a regular opportunity to raise concerns with implementation, without creating more new procedures or committees than necessary.