



Family Leave for New Parents

Policy: HR101
 Responsible Executive: Vice President for
 Human Resources
 Responsible Office: Human Resources
 Approved by: Senior Planning Group
 Effective: 07/01/2017
 Last Revised: N/A

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Policy Statement

This Policy sets out the eligibility requirements, benefits provided, and procedures for faculty and staff to utilize birth recovery and parental leave at Johns Hopkins University (collectively “Johns Hopkins University Family Leave for New Parents” or “JHU Family Leave”).

Who Is Governed By This Policy

All members of the University community are governed by this Policy.

Purpose

Johns Hopkins University (“JHU” or “University”) recognizes the importance of balancing family, professional, and academic responsibilities faced by new parents and promoting the well-being of their families. Effectively integrating the professional and personal lives of University faculty and staff members is essential to maintaining a vibrant and productive academic community.

The University is supportive of accommodating faculty and staff members who are expecting a new child, and offers a variety of benefits to enable members of the University community to integrate their many roles.

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As described in more detail below, the University provides a paid leave benefit that supplements the minimum provisions of the Family and Medical Leave Act of 1993 (FMLA). For all eligible full-time and part-time faculty and staff members, the University provides six weeks of fully-paid, job-protected birth recovery leave immediately following the birth of a child for parents who give birth, and four weeks of fully-paid, job-protected parental leave for parents of all genders, including mothers, fathers, adoptive parents, and parents using gestational carriers. The 12-week leave entitlement under the FMLA will run concurrently with JHU Family Leave.

Definitions

Eligible Staff	<p>Staff members who have been employed by the University for at least one continuous year in full-time or part-time status immediately preceding the birth or placement of a child for adoption are eligible for JHU Family Leave benefits under this Policy, subject to the specific requirements for Birth Recovery Leave and/or Parental Leave. If a staff member has not fulfilled the one continuous year of employment requirement prior to the birth or placement of a child, then the staff member is not eligible for the JHU Family Leave benefit. The continuous year of employment includes periods of staff on paid or unpaid, approved leaves of absence immediately preceding the commencement of Birth Recovery and/or Parental Leave.</p> <p>Limited and casual staff are not eligible for JHU Family Leave benefits under this Policy. For complete position descriptions of full-time, part-time, limited, and casual employees, consult the Position Descriptions section of the Human Resources Policy Manual.</p> <p>Interns, Residents, and Postdoctoral trainees, fellows, and/or scholars are not covered under this Policy, and are encouraged to consult the New Child Accommodations for Full-Time Graduate Students and Postdoctoral Trainees Policy for information on parental accommodations.</p>
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Eligible Faculty	<p>Faculty members who have been employed by the University for at least one continuous year in full-time or part-time status immediately preceding the birth or placement of a child for adoption are eligible for JHU Family Leave benefits under this Policy, subject to the specific requirements for Birth Recovery Leave and/or Parental Leave. If the faculty member has not fulfilled the one continuous year of employment requirement prior to the birth or placement of a child, then the faculty member is not eligible for the JHU Family Leave benefit. The continuous year of employment includes periods of paid or unpaid, approved leaves of absence immediately preceding the commencement of Birth Recovery and/or Parental Leave. Additionally, faculty members must be committed to a contractual term expected to last longer than six months in order to be eligible for JHU Family Leave benefits.</p> <p>Faculty who demonstrate 50-75% effort, which generally equates to at least 19 hours, but less than 28 hours per week on a regularly scheduled basis for the University, are considered part-time faculty.</p> <p>Faculty who demonstrate 75% effort or more and work a minimum of 28 hour per week on a regularly scheduled weekly basis for the University are considered full-time faculty.</p> <p>Faculty include an individual with an official, contractual agreement connecting the individual to an academic title. The academic title represents a core function or a special affiliation in the academic areas of teaching and research. Such titles include, but are not limited to:</p> <ul style="list-style-type: none"> • Professorial titles (including modified titles of adjunct, acting, or visiting) • Professor of practice, associate professor of practice, assistant professor of practice (including modified titles of adjunct, acting, or visiting) • Clinical professor, associate clinical professor, assistant clinical professor (including modified titles of adjunct, acting, or visiting) • Instructor (including modified title of visiting) • Lecturer/senior lecturer (including modified title of visiting) • Research Associate <p>Note: Under this Policy, graduate student appointments, such as graduate teaching assistant and graduate research assistant, are not academic titles, nor are postdoctoral appointments such as intern, resident, scholar, trainee, or fellow.</p> <p>The Provost, Chair of the department, or designated dean shall certify the status of the individual requesting the Family Leave benefit(s).</p>
Child	Biological or adopted child, or stepchild.
Parent	<p>Biological, adoptive, or surrogate parent, or the domestic or marital partner of a biological or adoptive parent.</p> <p>For the purposes of confirming the family relationship, eligible faculty or staff must provide the University with a copy of one official document (birth certificate, hospital discharge papers, adoption paperwork, or pediatrician note) within 15 days of the birth or placement.</p> <p>Domestic or marital partners of biological or adoptive parents will be required to provide the University with documentation to confirm the existence of the partnership (e.g., marriage license, Johns Hopkins University Affidavit of Marriage/Domestic Partnership).</p>

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Parent Who Gives Birth	An individual who gives birth to a child.
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Policy**I. JHU Family Leave for New Parents – Eligibility Requirements**

Staff members who have been employed by the University for at least one continuous year in full-time or part-time status immediately preceding the birth or placement of a child for adoption are eligible for JHU Family Leave benefits under this Policy, subject to the specific requirements for Birth Recovery Leave and/or Parental Leave. If a staff member has not fulfilled the one continuous year of employment requirement prior to the birth or placement of a child, then the staff member is not eligible for the JHU Family Leave benefit. For faculty and staff members who have had an appointment as a full-time JHU postdoctoral trainee or a full-time graduate student immediately prior to their appointment as faculty or staff, their service as JHU postdoctoral trainees or graduate students shall count towards the one continuous year of service threshold requirement. For purposes of this Policy, “eligible full-time postdoctoral trainees” and “eligible full-time graduate students” are defined as described in the University Policy on New Child Accommodations for Full-Time Graduate Students and Postdoctoral Trainees

A faculty or staff member who has exhausted his or her FMLA leave entitlement may still receive the benefit of JHU Family Leave benefits under this Policy. This Policy does not change the terms or conditions of collective bargaining agreements.

In order to request leave under this Policy, eligible faculty and staff must submit a “Request for Leave” form to Birth-ParentalLeave@jhu.edu.

II. JHU Family Leave for New Parents – Specific Leave Benefit

For eligible faculty and staff, the University provides two types of JHU Family Leave: (1) Birth Recovery Leave and (2) Parental Leave.

A. Birth Recovery Leave

Parents who give birth and who meet the eligibility requirements for faculty or staff are entitled to six (6) weeks of fully-paid, job-protected Birth Recovery Leave immediately following the birth of a child. This Leave may be extended based on medical necessity; in no case will it exceed thirteen (13) weeks (after which time the person will be eligible for Long Term Disability). Birth Recovery Leave will run concurrently with the 12-week leave entitlement under FMLA. Birth Recovery Leave applies only to parents who give birth, regardless of method of delivery; must be taken immediately upon the birth of a child; and may not be taken intermittently.

Eligible parents who give birth will receive six (6) weeks of paid leave (or more, based on medical necessity), prorated for their work schedule. For example, an eligible parent who gives birth who was scheduled to work 32 hours per work week would receive 192 hours of paid Birth Recovery Leave (32 standard hours divided by 40 hours x 240 = 192 prorated leave hours).

Eligible parents who give birth who have elected the Short-Term Disability Plan (“STD”) will have their first two weeks of leave (the period before STD coverage begins) paid by JHU. For the four (or six) weeks following, the STD coverage will pay 60% of weekly salary up to \$1,000 and JHU will pay the balance of the salary. Eligible parents who give birth who have not elected STD will have all weeks of Birth Recovery Leave paid by JHU. All parents who give birth, regardless of whether they have elected STD, are responsible for contacting The Hartford at 800-303-9744 to report the delivery and establish eligibility for the Birth Recovery Leave.

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Parents who give birth to stillborn children and parents who give birth as a gestational carrier (i.e., surrogate parents) are entitled to birth recovery leave under this Policy.

B. Parental Leave

Parents who meet the eligibility requirements for faculty or staff are entitled to four (4) weeks of fully-paid, job-protected Parental Leave. Parental Leave can be used intermittently in full-day increments within the first 12 months after the birth or placement of a new child, based on a schedule that is prearranged and preapproved by the parent's supervisor, using the procedures below (e.g., every Friday off for 5 months). The Parental Leave benefit is designed to make it possible to maintain the parent's existing employment status and to facilitate their return to full participation in professional and/or scholarly work in a seamless manner.

Parental Leave applies equally to birth and non-birth parents of any gender. For eligible parents who give birth who choose to utilize Parental Leave, Parental Leave shall begin after Birth Recovery Leave has been exhausted. For all eligible parents, Parental Leave will run concurrently with the 12-week leave entitlement under FMLA. For adoptive parents, Parental Leave benefits are available if the child being adopted is under age 12.

Eligible faculty or staff will receive four (4) weeks of paid leave, prorated for their work schedule. For example, an eligible parent who was scheduled to work 32 hours per work week would receive 128 hours of paid Parental Leave (32 standard hours divided by 40 hours x 160 = 128 prorated leave hours).

In order to demonstrate eligibility for Parental Leave, eligible faculty or staff will have to provide the University with a copy of one official document (birth certificate, hospital discharge papers, adoption paperwork, or pediatrician note) within 15 days of the birth or placement.

Exceptions/Exclusions

Postdoctoral trainees (interns, residents and postdoctoral fellows or scholars), employees of the Applied Physics Laboratory, and Johns Hopkins Emergency Medical Services. ro

Policy Enforcement

Violations	<p>Johns Hopkins University prohibits discrimination on the basis of any characteristic protected by applicable law, including discrimination on the basis of pregnancy.</p> <p>Any faculty or staff member who believes that he or she has not been treated equitably under the provisions of this Policy, or has experienced retaliation because of seeking or obtaining leave under this Policy, may contact the Office of Institutional Equity, Human Resources, or the appropriate divisional Dean.</p> <p>Failure of University faculty, staff, agents or offices responsible for providing the JHU Family Leave in accordance with this Policy and other applicable University, divisional, and unit policies, procedures, and applicable federal, state, and local laws or otherwise failing to follow the procedures outlined in this Policy is an explicit violation of this Policy.</p>
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Procedures

Faculty and Staff Birth Recovery Leave	Refer to the Benefits website at: http://benefits.jhu.edu/leaves-disability/birth_recovery_leave.cfm
Faculty and Staff Parental Leave	Refer to the Benefits website at: http://benefits.jhu.edu/leaves-disability/parental_leave.cfm

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Related Resources

University Policies and Documents
Johns Hopkins University Human Resources Policy Manual
Johns Hopkins University Family and Medical Leave Policy
Johns Hopkins University Sick Leave Policy
Faculty Parental Leave Guidelines
Johns Hopkins University Adoption Assistance Policy
Policy Regarding Reasonable Break Time for Nursing Mothers
Breastfeeding Support Program
University Forms and Systems
Parental Leave Request Form
Adoption Assistance Form
Breastfeeding Support Program Registration Form
Faculty and Staff Request for Reasonable Workplace Accommodation Form

Contacts

Subject Matter	Office Name	Telephone Number	E-mail/Web Address
Policy Clarification and Interpretation	Human Resources Business Services	443-997-2157	http://hrnt.jhu.edu/index.cfm HRBusinessServices@JHU.edu
Requesting Faculty and Staff Workplace Accommodations	Office of Institutional Equity	410-516-8949	http://oie.jhu.edu/ada-compliance/faculty-staff-workplace-accommodations/index.html

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Disclaimer**DISCLAIMER**

This manual does not constitute an express or implied contract and its provisions are not intended to be contractually binding.

Each staff member's employment is terminable at will, and each has the right to end employment with the University at any time for any reason and the University reserves this same right.

Reservation of Rights

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The University retains all managerial and administrative rights and prerogatives entrusted to it and conferred on employers inherently and by law. These include, but are not limited to: the right to exercise judgment in establishing and administering policies, practices and procedures, and to make changes in them without notice; the right to take whatever action is necessary in the University's judgment to achieve Hopkins' goals; and the right to set the standards of productivity and services to be rendered, etc. Failure of the University to exercise any such prerogative or function in a particular way shall not be considered a waiver of the University's right to exercise that prerogative or function in the future or to preclude it from exercising that prerogative or function in some other way.