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Policy 8-002: School of Medicine (SOM) Parental Leaves of Absence

I. Purpose

To outline the University of Utah's School of Medicine (SOM) policy for parental leaves of absence and/or modified duties for the birth or adoption of children by benefit-eligible regular and auxiliary faculty. Any questions regarding this policy will be referred to your Department Chairman, the cognizant Associate Vice-President for Academic Affairs, and/or the cognizant Senior Vice-President.

II. Effective Date

The effective date of this policy shall be July 1, 2007. Current policies on Family and Medical Leave Act (FMLA) in [Policy and Procedures 5-200](#) and on probationary period extensions in [Policy 6-311](#) will remain in effect until June 30, 2007.

III. References

[Policy 5-200](#), Leaves of Absence (Health-Related)

[Policy 5-201](#), Leaves of Absence (Non Health-Related)

[Policy 6-311](#), Faculty Retention and Tenure of Regular Faculty

[Policy 6-315](#), Faculty Parental Leaves of Absence

[29 Code of Federal Regulations 825.100 et seq.](#), Family and Medical Leave Act Regulations

IV. Definitions

- A. "Academic year" is July 1 to June 30 for SOM faculty members on twelve-month appointments.
- B. "Adopted child" refers to a child under six years of age or a special needs child placed for adoption. "Special needs child" means a child under the age of 18 who is incapable of self-care on a daily basis because of a mental or physical disability that substantially limits one or more major life activities.
- C. "Annual salary" refers to the academic (base and negotiated) salary, as approved in the annual operating budget by the Office of the Senior Vice-President for Health Sciences. The compensation to a faculty member is for normal and expected working time and effort, not in excess of 100% of full-time, for all services performed under all assignments during the appointment period.
- D. "Clinical Incentive Pay (CIP)" refers to incentive pay for clinical activities. (See [Policy 5-204](#) 1. Medical Practice Plan for the University of Utah SOM Full-Time Faculty.)
- E. "Benefits" refers to discretionary and non-discretionary items such as health and long-term disability insurance, retirement contributions, etc. For the purposes of this policy, benefits will be based on the actual salary paid during the parental leaves period, as described in the next



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Date: March 12, 2007

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paragraph (Section III. F). Long-term disability insurance premiums and benefits will be based on the salary paid immediately prior to the parental leaves period. Faculty members are urged to review their benefits with the Human Resources Department at the University.

- F. "Parental Leaves Period" refers to the period of absence for parental leaves and/or modified duties for the birth or adoption of children by an eligible faculty member. The proposed period of leaves is a maximum of 12 weeks per occurrence, and no more than 24 weeks during a faculty member's employment with the School of Medicine. The faculty member may apportion the 24 weeks of total parental leaves of absence in any increment desired, not to exceed 12 weeks per occurrence.
- G. "Salary during the parental leaves of absence" is proposed to come from a mixture of three sources: sick leave (paid by the faculty member's home (primary) department, at current annual salary (refer to Section III.C); accrued at 1 day per month of employment), vacation leave (also paid by the faculty member's home (primary) department, at current annual salary (refer to Section III.C); maximum of 5 weeks), and "SOM Contribution" (refer to Section III.G).
- H. "SOM Contribution" refers to the School of Medicine's potential financial contribution during the period of absence for parental leaves, based on rank. The faculty member's home (primary) department will be responsible for the "SOM Contribution". The "SOM Contribution" is prorated based on FTE.
- I. "Domestic partner" definition will adhere to university guidance with definition provided by Human Resources.
- J. "Primary caregiver" means a faculty member who provides the majority of child contact hours during the faculty member's regular working hours for the leave period.

V. SOM Faculty Parental Leaves of Absence

A. Eligibility

Benefits under this policy are available to any regular or auxiliary faculty who is "benefits-eligible", and who either gives birth to a child or serves as the primary caregiver of her or his own newborn child or domestic partner's child, or of a newly adopted child, within the period for which the leave is sought.

This policy does not apply to birth mothers who do not anticipate becoming the legal parent of the child following birth. In such cases, the faculty member will be covered by sick leave and FMLA policies.

Modified duties under this policy shall begin no more than three (3) months prior to the birth/placement of a child and be completed no more than six (6) months following the birth/placement. Exceptions must be approved by the Department Chairman and cognizant Senior Vice-President.

Only one University of Utah faculty member in a family unit will qualify for parental leaves of absence and/or modified duties for a given instance of childbirth or adoption.

B. Notification

The eligible faculty member should notify her/his department chair of a request for modified duties as soon as possible, and normally no later than three (3) months prior to the start of the expected modified duties. The request for an extension to the pre-tenure probationary period or post-tenure review process must be initiated before a review begins. A [Parental Leave application form](#) is available.

- C. **Modified Duties During Parental Leaves of Absence.** During the period of parental leave, the faculty member may choose to be fully absent from the SOM workplace or the faculty member may choose to continue some professional activities (e.g., meeting students, doing research, participating in hiring or RPT decisions) during this period. The modified duties may be assigned, through negotiation with the department chairman, for up to 12 weeks per occurrence of parental leave, and no more than 24 weeks total during the eligible faculty member's employment with the SOM. Any subsequent requests will be subject to the approval of the Department Chairman and cognizant Senior Vice President.

Parental leaves under this policy are in addition to paid or unpaid (FMLA) sick leave for which the faculty member may be otherwise eligible (e.g. sickness associated with or not associated with pregnancy). Eligible faculty members may in addition qualify for unpaid leave under the FMLA during the same period but only in connection with a serious health condition.

Other leaves taken or scheduled to be taken by an eligible faculty member shall not preclude parental leaves under this policy. Correspondingly, parental leaves taken or scheduled under this policy shall have no bearing on decisions regarding other leave for an eligible faculty member, provided adequate coverage for their faculty duties are maintained.

- D. **Compensation Sources During Parental Leaves of Absence**

The parental leaves period may be drawn from sick and/or vacation leave accruals, as well as from the SOM Contribution, as outlined in Section III, G and H. Sick leave and vacation accruals are paid at the annual salary level, as outlined in Section III, G. A faculty member may choose to receive the SOM Contribution exclusively for each parental leaves of absence occurrence, as outlined in Section III, H.

12 Weeks (Maximum per occurrence)		
Sick Leave	Vacation Leave	SOM Contribution

The faculty member who requests parental leaves of absence chooses among the three sources (one of three, two of three, three of three sources of salary).

If a portion of the faculty member's compensation is received from

grants or contracts, that portion of compensation must be based on actual effort performed for the award. All award requirements must be met.

E. Adjustments to Tenured or Tenure-Eligible Appointments

Upon request, an eligible faculty member will automatically receive a one-year extension on her or his timetable for RPT or post-tenure reviews. Faculty members are not expected to maintain normal scholarly productivity during an extension granted under this policy. A faculty member may receive this extension no more than twice. Any subsequent requests will be subject to the approval of the Department Chairman and cognizant Senior Vice-President.

F. Unanticipated Events

Not all events surrounding pregnancy, childbirth, adoption, and the health of a young child can be fully anticipated by this policy. Requests for exceptions to this policy should be directed to the Department Chairman and cognizant Senior Vice-President.

G. Obligation to Return

The obligation to return to university service following the leave, applicable to other leaves under [Policy 6-314](#), Section. 9. B, applies to this policy as well.

VI. Relationship to Other Policies

This policy does not preclude a department from providing similar benefits to other faculty members. A department can give more extensive benefits for parental leaves as long as this is consistent throughout the department. If any other University policy is inconsistent with the provisions herein, this policy shall govern.

VII. Policy Review

The implementation and the fiscal impact of this parental leaves policy will be reviewed in two (2) years from the date of passage. The report will be given to the Academic Senate. Concerns should be reported to the Dean of the SOM and cognizant Senior Vice-President.

VIII. Contacts:

Policy Owner: Questions about this Policy and any related Rules, Procedures and Guidelines should be directed to the Dean of the School of Medicine.

Policy Officer: Only the Sr. Vice President for Health Sciences or his/her designee has the authority to grant exceptions to this Policy.

IX. History

History of Policy 8-002. Renumbered as Policy 8-002 September 2008, formerly PPM 8-8.2.

A. Current Version: Revision 1

Approved by the Academic Senate February 5, 2007.

Approved by the Board of Trustees March 12, 2007 to take effect March 12, 2007.

[Legislative history of Revision 1](#)

B. Past Versions

1. [Revision 0](#): Effective dates: July 1, 2006 to March 11, 2007.

[Background information PART 1 for Revision 0](#)

[Background information PART 2 for Revision 0](#)

Outdated