

## Claremont McKenna College Staff Parental Leave Policy

### Purpose:

Parental leave is designed to provide partial paid time off for regular CMC staff members following the birth, adoption or foster placement of a child, in order to care for said child. Parental leaves for the birth or adoption of a child are limited to one leave per event for each regular CMC staff member. Multiple births (e.g., twins, triplets) and the adoption of more than one child through a single adoption proceeding, in each case, is deemed to be one "event." Parental leave for the placement of a foster child in the staff member's home is limited to one event during a person's employment with CMC. The placement for foster care of more than one child through a single foster placement or proceeding is deemed to be one "event." Parental leave may be taken by either parent.

### Effective Date:

This policy is effective: December 6, 2002

### Eligibility:

Regular staff working 75% or more time, of either gender, with 12 months of continuous service, including 1,250 hours of service during the 12-month period prior to commencement of the leave are eligible for this benefit. Employees on a leave of absence that is not provided by federal or state law and temporary employees are not eligible for this benefit. If both parents are employed by Claremont McKenna College they are requested to take their parental leaves at different times so that both are not out at the same time.

### Leave Options for the Birth or Adoption of a Child

Employees are entitled to choose one of the following benefits in the case of a birth or adoption event:

1. A maximum of 12 weeks paid leave compensated at 75% of the staff member's regular salary. Staff will be expected to return to work no later than 12 weeks from their **date of departure**.
  - o **Employees Not Disabled By Pregnancy.** If available, an employee who is not disabled by pregnancy must augment the 75% pay with earned, unused vacation to approximate no more than 100% of regular pay.
  - o **Employees Disabled By Pregnancy.** For employees disabled by pregnancy, short-term disability (VDI) benefits will be paid during the pregnancy disability leave in addition to the 75% of regular salary. This will provide employees taking pregnancy disability leave with approximately 100% of their regular salary during the pregnancy disability period. At the end of the pregnancy disability leave, salary will continue at 75% of regular salary for the duration of the parental leave (i.e. the period remaining after the disability period but before the expiration of 12 weeks). While on leave, employees disabled by pregnancy are required to coordinate accumulated, unused sick leave to augment the combined parental leave pay and short-term disability benefits to approximate no more than 100% of regular pay. If the employee disabled by pregnancy does not have any sick leave available, the employee may use accrued but unused vacation to augment the combined parental leave pay and short-term disability pay.
2. Staff may take up to 20 workdays (4 work weeks) of paid Parental Leave to care for the employee's newborn, or adoptive child and/or to assist with the birth or with the placement of the adoptive child. Pay will correspond to the staff person's regular salary. Paid Parental Leave

under this option must be taken in a minimum of one week increments. Employees are not required to exhaust vacation or sick leave during Paid Parental Leave under this option.

### **Leave Options for the Foster Placement of a Child**

Staff members are entitled to parental leave benefits under this policy once during their employment with CMC to care for the foster placement of a child in his or her home (or more than one child through a single placement or proceeding). If, however, any such foster placement results in the adoption of the child (or all children placed in the home through a single placement or proceeding), the adopting staff member will not be precluded from:

- taking parental leave benefits under this policy for one subsequent foster placement arising during the staff member's employment with CMC; and
- taking parental leave benefits under this policy associated with any such adoption **provided that** no parental leave benefits were taken in connection with the earlier foster care placement.

Nothing contained herein shall be deemed to limit or restrict parental leave benefits provided for under applicable state or federal law including, without limitation, parental leave benefits provided under state law for foster care placement on multiple occasions.

Staff members are entitled to choose one of the following benefits **once** during their employment in the case of a foster care event:

1. A maximum of 12 weeks paid leave compensated at 75% of the staff member's regular salary. Staff will be expected to return to work no later than 12 weeks from their **date of departure**. If available, an employee must augment the 75% pay with earned, unused vacation to approximate no more than 100% of regular pay.
2. Staff may take up to 20 workdays (4 work weeks) of paid Parental Leave for the placement of a foster child in their home. Pay will correspond to the staff person's regular salary. Paid Parental Leave under this option must be taken in a minimum of one week increments. Employees are not required to exhaust vacation or sick leave during Paid Parental Leave under this option.

### **Time Requirements, Proof, and General Provisions under State and Federal Law**

Any leave under Options 1 or 2 must be concluded within the 12-month period following the birth, adoption or foster placement event. Evidence of the birth, adoption, or foster placement event will be required. This is commonly a birth certificate or appropriate court documents. The pay the staff person receives will correspond to the individual's normal rate of pay for that period and will be subject to all standard withholdings and authorized deductions. In all these options, it is assumed that the staff member will try to make himself or herself available for advice and assistance should the need arise.

### **Statutory Leave**

Employees are also entitled to up to 12 work weeks of unpaid leave per year under the Family Medical Leave (FMLA) and the California Family Rights Act (CFRA) for the birth, adoption or placement for foster-care of a child. To be eligible for FMLA and CFRA, the employee must have at least one year of service at CMC and have provided at least 1,250 hours of service prior to the leave. Employees who are disabled by pregnancy may also be entitled to up to four months of unpaid leave under the

California Pregnancy Disability Leave law (PDL), as required by law. An employee's time off under CFRA will not run concurrently with time off under PDL, however, an employee's time off under FMLA will run concurrently with time off under CFRA or PDL, whichever has been used first. All paid time taken off under the Staff Parental Leave Policy will run concurrently with any applicable statutory leaves (FMLA, CFRA & PDL). The provisions of the Claremont McKenna Family & Medical Leave policy apply to any time off due to family or medical leave (including pregnancy disability leave and leave for the birth of the child, as defined by the policy), even if that period of time is also covered by the Staff Parental Leave Policy.

### **Notification**

To apply for a parental leave of absence under the Staff Parental Leave Policy or any other state mandated leave of absence for child bonding, you must give your supervisor and Human Resources as much advance notification of your absence as possible, but not later than four months prior to the expected beginning of the leave or as soon as the date of the need for leave, when it is less than four months. You will also be required to provide your expected return to work date. Evidence of birth, adoption, or foster-care placement will be required before leave is granted.

### **Benefits**

Benefits will continue during the parental leave period. The employee will continue to be responsible for his/her portion of the premium payment. Retirement benefits will continue as well, but the College's contribution to the retirement plan will be based on the amount of salary actually paid. Employees will not accrue vacation time or accumulate sick leave benefits for the duration of the leave.

### **Return to Work**

Staff are required to return to work upon the completion of their leave. Failure to return from an approved parental leave will be considered a voluntary resignation.