

## **I. Policy: Parental Leave for Service Personnel**

### **1.0 Policy Statement**

Ball State University offers up to twenty-six (26) weeks of leave to eligible service employees for the birth, adoption, or foster care placement of a child. The purpose of Parental Leave is to promote work life balance by providing eligible parents with the time needed to recover from childbirth, to care for and bond with their child, and/or to balance their professional and work obligations while adjusting to their new family environment. This policy provides for both paid and unpaid Parental Leaves.

### **1.1 Eligibility**

- 1.1.1 This benefit is available to full-time and part-time service employees. Temporary, substitute, and casual service employees are not covered by this policy but may be eligible for Family Medical Leave Act (FMLA).
- 1.1.2 To be eligible for paid parental leave, an employee must be appointed to a full-time, benefit eligible position and been employed by the University for twelve (12) continuous months when the parental leave period begins. An employee who attains twelve (12) months of service within six (6) weeks immediately following the birth or adoption of a child will be eligible to receive a pro-rated amount of paid parental leave.

### **1.2 General Leave Provisions**

- 1.2.1 Parental leave may be used for birth, adoption, or foster care placement of a minor child. The adoption of a child by a new spouse is excluded from this policy.
- 1.2.2 The University provides for a maximum of twenty-six (26) weeks of parental leave on either a full or half-time continuous basis to be used within one year immediately following the birth or adoption of a child. Parental leave may not be taken on an intermittent basis. Taking leave on a half-time basis will not extend the twenty-six (26) week limit. The twenty-six (26) week limit commences with the first day of parental leave used (paid or unpaid). Multiple births or adoptions do not increase the amount of paid parental leave or extend the twenty-six (26) week limit for that event.
- 1.2.3 Parental leave is divided into two categories: paid parental leave and unpaid parental leave. Parental leave runs concurrently with the FMLA, as available. If any provision of this policy conflicts with the FMLA, the FMLA will control.
- 1.2.4 If both parents are employed by Ball State, they may take the parental leave concurrently or at separate times. Each may request up to twenty-six (26) weeks of parental leave (paid/unpaid).

- 1.2.5 Service employees who elect to take parental leave on a half-time basis will work one-half day each day they are normally scheduled. Alternate working schedules must be pre-approved by Human Resources and the appropriate Associate Vice President.
- 1.2.6. An employee may not work for pay during the leave of absence unless prior written approval has been obtained; otherwise, the employee will be considered to have resigned from the University as of the effective date of such employment.

### **1.3 Paid Leave Provisions**

- 1.3.1 Eligible employees are entitled to a maximum of six (6) weeks of paid parental leave following the birth or adoption of a child. Paid parental leave is paid at 100% of the employee's regular pay. An employee may not receive both short-term disability and paid parental leave for the same period of time. If the employee is approved for short-term disability at any point, any overlap between short-term disability and paid parental leave will result in the appropriate reduction or repayment of paid parental leave to ensure the employee does not receive more than 100% of the employee's regular pay. A birth mother is not eligible to use paid parental leave after the period of incapacity/short-term disability (e.g. may not take 6 weeks STD, then 6 weeks paid parental leave).
- 1.3.2 Paid parental leave must be used within six (6) months immediately following the birth or adoption; except that paid parental leave may commence prior to the event when deemed medically necessary or required to fulfill the legal requirements for the adoption. The use of paid parental leave prior to the birth or adoption of a child must be pre-approved by Human Resources.
- 1.3.3 Once paid parental leave commences, the time must be used on a full-time continuous basis.
- 1.3.4 If an official University holiday occurs during the employee's paid parental leave, paid parental leave will be applicable rather than holiday pay. Paid parental leave not used in accordance with this policy will be forfeited. Unused balances will not be paid out.
- 1.3.5 In the case of a stillborn child, the birth mother may be eligible for a maximum six (6) weeks of paid parental leave and the non-birth parent up to two (2) weeks of paid parental leave which must be taken immediately following the birth and is provided in lieu of funeral leave.

## **1.4 Unpaid Leave Provisions**

- 1.4.1 Unpaid parental leave may be taken on a full-time or part-time continuous basis and is normally unpaid. An employee may elect to use Paid Time Off (PTO) as available, but is not required to do so.
- 1.4.2 Unpaid parental leave may be taken when paid parental leave is exhausted or in the case of a foster care placement. Eligibility for parental leave due to foster care placement will begin on the date of placement of a child and will end on the last day of the twelfth (12<sup>th</sup>) month following the date of the placement of the child.

## **1.5 Continued Eligibility for Benefits**

- 1.5.1 Employees on parental leave retain benefits, but must make arrangements to pay for their portion of premiums if they are on unpaid leave.
- 1.5.2 If the employee fails to return to work at the university on or before the expiration of the parental leave, the employee will be considered to have resigned from the university. If the employee fails to return to work at the university at the end of the leave and work for a period of time equal to the length of the leave that was not covered by FML, he or she must repay the portion of the benefit costs paid by the university during the non-FML portion of the parental leave.

## **1.6 Requesting Parental Leave**

Requests for parental leave should be made as far in advance as possible, but generally not less than thirty (30) days before the leave commences. All requests for parental leave and supporting documentation must be submitted in writing to University Human Resource Services. All requests for parental leave must be approved by University Human Resource Services. All requests for parental leave beyond what is available through the Family Medical Leave Act must be approved by the appropriate department head and Associate Vice President.

## **1.7 Effective Date**

This policy takes effect on July 22, 2017 and applies to births or adoptions that occur on July 22, 2017 or after that date.