

## **PARENTAL LEAVE OF ABSENCE (LOA) PROCEDURES FOR BASIC SCIENCES NON-TENURE TRACK, (Educator and Research Track) FACULTY:**

### **Origination**

- Parental LOA requests for Non-Tenure Track Faculty originates with the faculty member requesting the Parental LOA.
- If possible, begin the Parental LOA process **three (3) months or as soon as is reasonably possible, prior to the requested leave date**, to allow time for the request to be processed in a timely manner.

### **General Guidelines and Benefits**

- Faculty requesting parental LOA must meet with their departmental HR lead for guidance in applying for the Family and Medical Leave Act (FMLA). For *Faculty Manual* details on FMLA leave, click **here** and go to: Part IV Faculty Benefits, Chapter 4: Leaves of Absence, Section C: Family Leave (FMLA and TMLA), Number 1.
- FMLA is **unpaid** leave for a period up to twelve (12) weeks.
- Under FMLA, a full-time faculty member who becomes the parent of a child, or whose spouse becomes the parent of a child, either by childbirth or through adoption of a minor child, shall be entitled to a leave of up to twelve (12) weeks.
- The benefits afforded faculty under the parental leave policy are intended to be consistent and not in conflict with the rights afforded under FMLA.
- Any leave taken under the parental leave policy is intended to count as and run concurrent with FMLA leave, and any written agreement should clearly state that intention.
- In accordance with the *Faculty Manual*, a faculty member requesting a parental leave of absence shall receive salary and benefits for up to six (6) weeks. This six (6) week paid leave will count toward and will run concurrent with any of the twelve (12) weeks of leave used that are afforded by FMLA.
- Under the Tennessee Maternity Leave Act (TMLA), full-time faculty members with at least twelve (12) months of continuous employment at Vanderbilt and who gives birth may be entitled to obtain unpaid parental leave through TMLA for a period of up to four (4) months. For the *Faculty Manual* details on TMLA leave, click **here** and go to: Part VI Faculty Benefits, Chapter 4: Leaves of Absence, Section C: Family Leave (FMLA and TMLA), Number 2.

### **Guidelines for the faculty member requesting the Parental LOA:**

1. Meet with the departmental HR lead to discuss the process to apply for FMLA/TMLA and to discuss the Parental LOA procedures.
2. Apply for FMLA/TMLA, with the University HR Office.
  - Submit the required documentation to the University HR Office, <https://hr.vanderbilt.edu/fmla/faculty.php>.
  - After review, the University HR Office will communicate the eligibility decision to the departmental HR lead.
  - The departmental HR lead will notify the faculty member and the assistant to the chair **the** faculty member's FMLA eligibility.
3. While working with the departmental HR lead, keep the assistant to the chair up-to-date as you progress through the FMLA and Parental LOA process.
4. Research track faculty should meet with their PI to discuss the terms of the Parental LOA.
5. Educator track faculty should meet with their department chair to discuss the terms of the Parental LOA.
6. A letter detailing the terms of the Parental LOA agreement should be drafted, signed and dated by the faculty member and the PI or department chair. The letter/memorandum should include statements addressing the following:
  - Certification by the faculty member that the purpose of the leave will be to serve as the primary caregiver for that child during the period of leave.
  - Certification that the leave period will not be used to actively pursue other employment opportunities or to work full- or part-time for another employer.
  - The anticipated start and end dates of the leave period.

- A statement indicating the Parental LOA will run concurrent with any FMLA/TMLA approved leave.
  - A statement indicating the Parental LOA is a period of 6-weeks paid leave.
  - A commitment to return to active status for at least an equivalent period to that of my paid Parental LOA immediately following the time off.
  - Indicate whether the full amount of FLMA/TMLA leave will be taken.
  - If applying for FMLA/TMLA, inform the PI that the Department HR lead will notify him/her of any and all eligibility decisions received from the University HR Office regarding FMLA/TMLA.
  - If applicable, check with your grant manager for guidance related to effort reporting during your leave.
7. A copy of the signed & dated letter/memorandum agreement must be sent to the assistant to the chair and the departmental HR lead.

#### **Departmental HR Lead Actions**

1. HR procedure
  - Instruct the faculty member to apply for FMLA/TMLA.
  - The university HR office will notify the departmental HR lead of the FMLA eligibility.
  - The departmental HR lead will send a letter to the faculty member with notification of the FMLA/TMLA eligibility decision.
  - The departmental HR lead will send copies of the notification letter to the assistant to the chair.
2. Parental LOA process
  - Instruct the faculty member on the Parental LOA process.
  - If they have not already done so, remind the faculty member to inform the assistant to the chair of their intentions in applying for FMLA/TMLA and for a Parental LOA.
  - Remind the faculty member to talk with the assistant to the chair to schedule a meeting with their PI or department chair to discuss the terms of the Parental LOA agreement.
  - Provide the faculty member a template letter, that can be modified, to outline the terms of the parental LOA agreement (the faculty member can also obtain this template letter from the assistant to the chair).
  - Remind the faculty member to submit a copy of the signed and dated Parental LOA agreement to the departmental HR lead and the assistant to the chair.

#### **Assistant to the Chair Actions - Parental LOA**

1. Review with the faculty member their responsibilities in processing the Parental LOA:
  - Inquire if they have scheduled a meeting with the departmental HR lead to discuss the University HR FMLA/TMLA process.
  - Inquire if they have scheduled a meeting with their PI or department chair to discuss the terms of the Parental LOA agreement.
  - Provide the faculty member a template letter, that can be modified, to outline the terms of the arrangement (the faculty member may have already obtained this template letter from the department HR lead).
  - Remind the faculty member to submit a copy of the signed and dated Parental LOA agreement to the assistant to the chair and the departmental HR lead.

#### **Minimum Required Documents submitted by the Department to the Dean's Office Staff for Parental LOA**

1. A letter from the department chair, addressed to the dean, or the dean's designee, requesting the Parental LOA.
2. A copy of the signed and dated Parental LOA agreement between the faculty member and their PI or department chair.
3. A copy of the letter received from the departmental HR lead of the FMLA eligibility decision from the university HR office.
4. Any other documentation deemed applicable by the department.

**Final Process – Parental LOA**

The assistant to the chair will submit the required documents to the dean's office staff for administrative review. After final review the dean, or the dean's designee will make a decision. Upon final approval the dean's office staff will forward the Parental LOA approval letter to the assistant to the chair for distribution to the faculty member and PI or department chair. The dean's office staff will copy the letter to the departmental HR lead and update the Parental LOA information in the Faculty Information System (FIS).

**Faculty Manual, Part VI: Faculty Benefits; Chapter 4: Leaves of Absence.**

See Section B, Parental Leave, Part 9, Schools of Medicine and Nursing Section C, Family Leave (FMLA and TMLA), Part 1 and 2 of the *Faculty Manual*.

(<https://www.vanderbilt.edu/faculty-manual/part-vi-faculty-benefits/ch4-leaves-of-absence/>)

**Human Resources Webpage:**

<https://hr.vanderbilt.edu/fmla/faculty.php>