

Paid Parental Leave for University Staff Employees

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Policy Type [University](#)

Contact Office [Benefits and Leave Center](#)

Oversight Executive

Vice President and Chief Human Resources Officer

Applies To Academic Division and the College at Wise.

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Reason for Policy

The University is committed to providing a work environment that is supportive of employees' work and personal life obligations. In demonstration of this commitment, the University has established paid parental leave in recognition of the benefits to employees and their families for meaningful bonding time upon the birth or placement of a child.

This policy describes the circumstances in which paid parental leave may be taken including for pregnancy loss, procedures for taking paid parental leave, documentation requirements, coordination with other types of leave,

reinstatement issues, and other matters related to paid parental leave.

Definition of Terms

Adoption

Description The act of legally and permanently assuming the responsibility of raising a child as one's own.

Child

Description

A newborn biological child, child conceived through surrogacy, or a newly placed adopted, foster, or custodial child under the age of 18.

Custodial Care

Description

A placement authorized by a judgment, decree, or other order of a court providing for the legal and physical custody of a child.

Family Medical Leave Act (FMLA)

Description

Provides an employee up to 12 workweeks of unpaid leave during a 12-month period for family or medical leave and ensures the employee is reinstated to the same or an equivalent position following the leave period in accordance with FMLA guidelines.

Foster Care

Description

The act of temporarily assuming the responsibility of daily care and supervision for a child removed from their birth family home due to issues endangering their health and/or safety.

Full-Time Equivalent (FTE)(1)

Description

The ratio of the total number of hours of a full-time position in comparison to the hours on a less than full-time position.

Parent (1)

Description

A natural parent or a new adoptive parent who is the legally recognized biological, adoptive, foster, or custodial parent.

University Staff Employees (University Staff)

Description

Those salaried, non-faculty employees hired on or after July 1, 2006, and those salaried non-faculty employees and administrative and professional faculty electing to participate in the UVA Human Resources System established by the Board of Visitors under the authority granted by the *Restructuring Act* and the *Management Agreement*. (The term "University Staff Employee" includes all three categories of University staff employees - Operational & Administrative, Managerial & Professional, and Executive & Senior Administrative.)

Policy Statement

The University provides paid parental leave to eligible University staff employees (University staff) following (1) birth, adoption, foster, or custodial care of a child under the age of 18, in recognition of the importance of the opportunity to bond with the child; or (2) pregnancy loss. Paid parental leave may be used for temporary arrangements made through local departments of social services with the intent of reuniting the child with their birth family, if possible.

As is the case with all University policies, the University has the exclusive right to interpret or modify this policy.

1. Eligibility:

University staff must meet the following criteria, all of which must be met as of the date that the child is born or placed through adoption, foster, or custodial care:

- Has been employed by the University and/or the Medical Center for at least one continuous year (12 months), part-time or more, in either a benefits-eligible University or Medical Center staff position, graduate student employee position, or benefits-eligible post-doc position.
- Is employed in a benefits eligible position upon the birth, adoption, or placement of a child. (Note: If the adoption involves a child who is incapable of self-care because of a mental or physical disability, the age limit of 18 may be waived.)
- Is the biological, foster, or adoptive parent.

Paid parental leave will end immediately if the University staff employee no longer meets the criteria for eligibility (e.g., if the University staff employee voluntarily or involuntarily transfers to an ineligible position or separates from the University while on paid parental leave).

An employee who adopts a spouse's or partner's child(ren) is eligible for this benefit if the child is newly placed in the shared family residence.

If both parents are University staff and meet the eligibility criteria listed above, they are each eligible for the paid parental leave benefit.

2. Leave Amount/Usage:

Eligible University staff are to receive up to eight weeks (320 hours) of paid parental leave. The amount of paid parental leave is prorated based on the University staff employee's full-time equivalency (FTE) at the time the leave is used. Paid parental leave shall be used within six months of the birth or placement of a child for any one or more of the following reasons:

- Care and bonding with a newborn child during the period immediately following birth.
- Care and bonding with a child placed with the employee through adoption, foster care, or a legal custodial arrangement.
- Allow the parent who gave birth time to recover from childbirth and/or medical conditions related to childbirth.

When the adoption is in the legal process, paid parental leave may begin from the point the child is placed with the eligible University staff employee (granted custody) for the purpose of adoption. Paid parental leave will generally commence immediately following the adoption of a child.

Eligible University staff shall charge paid parental leave in one continuous eight-week period. Paid parental leave may not be used on an intermittent basis. Paid parental leave shall only be used once per child and only once within a 12-month period. One paid parental leave benefit is available per University staff employee, per birth, adoption, or placement event. Multiple births or adoptions that occur at the same time (for example, the birth or adoption of twins) does not increase the length of paid parental leave provided.

Unused paid parental leave is forfeited six months from the date of the birth/placement and cannot be banked for later use.

University staff who are not eligible for paid parental leave on the date of birth, adoption, or placement may become eligible during the following six months and access paid parental leave once eligibility requirements are met.

Unused paid parental leave is not compensable (paid out) if the University staff employee:

- No longer meets the criteria for eligibility as set forth in Section 1. Eligibility.
- Separates from employment. Paid parental leave ceases on the effective date of a termination or layoff (i.e., the last day of work). University staff recalled to active employment from layoff status will again be eligible for the benefits provided under this policy.

Each week of paid parental leave is compensated at 100% of the University staff employee's regular, straight-time pay. Paid parental leave will be paid on the University's regularly scheduled pay dates.

Paid parental leave terminates at the conclusion of the foster or custodial care placement or within six months of the placement, whichever comes first.

3. **Pregnancy Loss:**

Paid parental leave is available for a University staff employee who meets the criteria in [Section 1. Eligibility](#) and is the parent who:

- experiences a pregnancy loss, or their surrogate experiences a pregnancy loss, at 20 weeks gestation or later is eligible for four weeks of paid parental leave.
- loses an infant during birth or whose infant survives for a short period of time following birth, including birth through a surrogate, is eligible for eight weeks of paid parental leave.

4. **Coordination with Other Available Leaves/Benefits:**

a. **Coordination with FMLA:**

- i. University staff using paid parental leave are afforded the remaining job protection under FMLA for an absence up to a total of 12 weeks (480 hours). They may charge personal leave (paid leave) or take leave without pay (LWOP) to cover the additional absence.

- ii. Paid parental leave is available to eligible University staff on the date of the birth, adoption, or placement of a child regardless of the start of the FMLA period.
- iii. Paid parental leave is not available for reasons covered by FMLA other than birth, adoption, foster, or custodial care of a child under age 18.
- iv. Paid parental leave shall run concurrently with FMLA leave.
- v. If the amount of FMLA leave available is less than the amount of paid parental leave to be taken, paid parental leave will still be granted as specified in this policy without regard to the existence of the individual's available FMLA leave.

b. Coordination with Short-Term Disability Insurance:

Paid parental leave will operate exclusively and independently of short-term disability insurance.

c. Coordination of Paid Parental Leave with Other University Leaves:

- i. Leave Accruals – University staff employee paid leave accruals will continue while on paid parental leave.
- ii. Paid parental leave shall not be counted against an eligible University staff employee's paid leave accrual.
- iii. Holidays – If an official University holiday occurs during paid parental leave, the University staff employee will receive paid parental leave pay in lieu of holiday pay.

d. Coordination with Bereavement Leave:

In addition to paid parental leave, bereavement leave is available for a University staff employee who meets the criteria in [HRM-013.04: Bereavement Leave for University Staff Employees](#), Section 1. Bereavement leave shall run consecutively with paid parental leave.

e. Coordination with Group Health Insurance:

The University will continue to pay its share of the cost of eligible University staff's group health insurance during paid parental leave. Eligible University staff's share of the premium will be deducted from their pay in accordance with normal practice.

5. Requesting Additional Time Off:

A University staff employee may request additional time off to be charged against accrued paid leave or as authorized LWOP. The extension of paid parental leave requires the approval of the employee's immediate supervisor. These situations will be handled on a case-by-case basis. Contact Employee Relations for assistance if the request for paid parental leave was denied by the supervisor.

6. Benefits Continuation and Contributions:

Because University staff remain in full pay status during approved paid parental leave, the University will continue to pay the employer portion of previously elected benefits during paid parental leave and University staff will remain responsible for the employee portion. University staff will continue to earn service credit and will have retirement contributions paid by the University during the approved paid parental leave.

7. Certification of Eligibility for Paid Parental Leave:

Documentation of the birth, adoption, or placement is required prior to approval of paid parental leave. Official documents that will be considered include but are not limited to:

- Report of Birth
- Birth Certificate
- Order of Parentage
- Adoption Order
- Certified DNA test results
- Custody Order
- Foster Care Placement Agreement

Documents provided should show date of birth, adoption, or date of placement, if adoption or placement was other than the date of birth.

8. Reinstatement:

Except as provided in the following paragraph, the University staff employee will be reinstated to the same position held when paid parental leave began or to an equivalent position with equivalent pay, benefits, and other terms and conditions of employment, provided the University staff employee can perform the essential functions of the position.

The University's obligation to restore the University staff employee to the same or an equivalent position ceases if and when the:

- Employment relationship would have terminated if the University staff employee had not taken paid parental leave.
- University staff employee informs the University of their intent not to return to work at the expiration of the paid parental leave.
- University staff employee fails to return to work at the expiration of the paid parental leave period. The failure to report back to work at the end of the scheduled leave may be considered a voluntary resignation.

9. University Staff Employee Responsibilities:

Eligible University staff are strongly encouraged to plan in advance for when they expect to use paid parental leave and communicate such plans to their supervisor so as to facilitate the necessary departmental work planning.

10. Confidentiality:

All medical information relating to paid parental leave, whether oral or written, including FMLA medical documentation, shall be kept confidential to the maximum extent possible.

11. Support for Pregnancy, Childbirth, Related Medical Conditions, and Nursing Parent:

In compliance with federal and state law, University staff are afforded protections against employment discrimination related to pregnancy, childbirth, and related medical conditions. On request and following proscribed procedures, the University will make reasonable accommodations to University staff who are limited due to pregnancy, childbirth, and related medical conditions, except where an undue hardship would be imposed on the University.

12. Compliance with Policy:

Failure to comply with the requirements of this policy may result in disciplinary action up to and including termination or expulsion in accordance with relevant University policies.

University staff must comply with all leave request procedures, absent unusual circumstances. Failure to do so may be grounds for delaying or denying the University staff employee's request for paid parental leave.

Questions about this policy should be directed to the [Benefits and Leave Center](#).

Procedures

[Requesting University Leave](#)

Related Information

[HRM-013.01: Paid Leave for University Staff Employees](#)

[HRM-013.04: Bereavement Leave for University Staff Employees](#)

[HRM-038: Faculty Leaves](#)

Medical Center Policy: [Leaves of Absence](#)

[Va. Code Ann. § 2.2-1210](#)

Major Category [Human Resource Management](#)

Next Scheduled Review Saturday, April 24, 2027

Revision History

Clarified adoption of a spouse/partner's child and this benefit 4/24/24; Added surrogacy to definition of Child and Section 3, added Bereavement Leave to Section 4 3/6/24; Corrected Section 4.c. 10/26/23; Revised 11/16/21.

Supersedes Policy Text

HRM-049: Paid Parental Leave for University Staff Employees.

Approved By Executive Vice President & Chief Operating Officer

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