1. **What is Parental Leave?**

Parental Leave is a leave assurance policy that can provide eligible regular staff with at least one (1) year of service a period of up to eight (8) weeks of leave for the birth or adoption of a child under the age of six during the first six (6) months following birth or final placement for adoption. It is described in the Campus Policy found at [http://www.president.umd.edu/policies/VII749A.html](http://www.president.umd.edu/policies/VII749A.html).

2. **How do I begin the process to apply for Parental Leave?**

Complete a Parental Leave Request form. This form can be found on the UHR website located at: [http://uhr.umd.edu/uhrform/parental-leave-staff](http://uhr.umd.edu/uhrform/parental-leave-staff). After completing the form, submit it to your supervisor or department head. They will complete their portion of the form and then sent it to Staff Relations at 2100A Chesapeake Building. Staff Relations will then advise you about your Parental Leave request.

3. **Will I be required to exhaust my own accrued leave if I take a paid Parental Leave?**

Yes. It is comprised of the employee’s Sick, Annual, Personal, Holiday and Compensatory Leave, which can be augmented, if the employee is eligible, by use of Advanced Sick Leave (ASL), Extended Sick Leave (ESL) and leave available to the employee from the Leave Reserve Fund (LFR) to achieve the eight (8) week period of paid leave. If the employee still does not have eight (8) weeks of paid leave, the University will make additional paid Parental Leave available.

4. **Who may be eligible for Parental Leave under this Policy?**

Regular staff with at least one (1) year of service are eligible for up to eight (8) weeks of leave for the birth or adoption of a child under the age of six during the first six (6) months following birth or final placement for adoption.

5. **Is the amount of leave time for Parental Leave pro-rated for an employee with a part-time appointment?**

Yes. A regular employee with an appointment FTE of .50 or more is eligible for paid Parental Leave. However, the allotment is pro-rated based on the employee’s appointment.
6. Are faculty covered under this Parental Leave Policy?

Faculty are covered under a separate policy that takes into consideration their different leave categories. For the faculty policy, refer to the Campus Policy http://www.president.umd.edu/policies/ii225a.html.

7. Are Contingent 1 and Contingent 2 employees, Student employees, or Graduate Assistants eligible for Parental Leave?

No. However, contingent employees may qualify for the protections of the Family and Medical Leave Act. For questions regarding the Family and Medical Leave Act, please contact Staff Relations at Extension 5-0001.

8. How many times can Parental Leave be used during an employee’s career at the University of Maryland, College Park (UMCP)?

Employees can use the eight (8) week paid Parental Leave provisions twice during their career at UMCP. However, it may not be used more than once in a 12-month period.

9. Under what circumstances can the Parental Leave provisions be used?

Parental Leave provisions can be used during the first six (6) months following the birth of a child or during the first six (6) months following the adoption of a child under the age of six (6).

10. A significant other/spouse has brought children into the relationship. Can Parental Leave be utilized during the six (6) months after they arrive in our family?

Only if you have legally adopted the child(ren) and the child(ren) is/are under age six (6) and it is during the six (6) months following the adoption.

11. My child, who is a minor, has a child. Although I have not adopted the child, I am principally responsible for the child’s care. Can I utilize Parental Leave?

You are not eligible for Parental Leave unless you legally adopt the child and the child is under the age of six (6), then you may take Parental leave during the six (6) months following the adoption.

12. How do the Parental Leave provisions work with my accrued leave (Sick, Annual, and Compensatory Time) and other leave provisions (Personal and Holiday)?
Under the Parental Leave provisions, you may use any of the other leave types you are eligible for up to a total maximum of eight (8) calendar weeks in the following order: Sick Leave, Annual Leave, Personal Leave, Holiday Leave and Compensatory Time.

13. Previously, I could only use Sick Leave until I was medically released (if applicable) or during the thirty (30) workdays immediately following the birth or final adoption of my child, whichever was later. How has that changed with the Parental Leave provisions if I go on Parental Leave?

You can now use up to eight (8) weeks of accrued leave and any other leave you may be eligible for in accordance with the Parental Leave Policy.

14. Does Sick Leave need to be used first when on Parental Leave?

Yes. The order in which leave is used is stated on the Parental Leave request form beginning with Sick Leave.

15. When on Parental Leave does one category of accrued leave need to be exhausted before utilizing another category?

Yes. All of the leave available for use in one category will be utilized before moving on to the next leave category to attain the eight (8) weeks of paid Parental Leave. The order of leave usage is as follows: Sick Leave, Annual Leave, Personal Leave, Holiday Leave, Compensatory Time, Advance Sick Leave, Extended Sick Leave, Leave Reserve Fund, and paid Parental Leave.

16. I want to use as much of my Sick Leave as I can, but I do not have eight (8) weeks of accrued Sick Leave. How would that work if I were on Parental Leave?

If you did not have sufficient accrued Sick Leave, you would then begin using the next available category. For example, if you had only 20 days of accrued Sick Leave, once that leave is exhausted, you would begin using your accrued Annual Leave. If your Annual Leave is exhausted, you then move to Personal Leave and so forth.

17. If after using all of my leave available for use—Sick, Annual, Personal, Holiday Leave and Comp Time—I still did not get to eight (8) weeks of paid Parental Leave?

Following the exhaustion of all of your accrued leave available for use, you would apply for Advanced Sick Leave while on Parental Leave. Depending on your length of service, you can get up to 15 days for each year of service with a maximum of sixty (60) work days of Advanced Sick Leave.
18. **Advanced Sick Leave creates a debt that must be repaid, so what happens if I choose not to use Advanced Sick Leave?**

Employees on Parental Leave must get their maximum allowable Advanced Sick Leave before they can proceed to the other leave types available.

19. **What if an employee chooses not to take Advanced Sick Leave?**

While the employee may still be eligible for unpaid Family and Medical Leave, they would not be eligible for additional paid leave under the Parental Leave provisions.

20. **What if Advanced Sick Leave still is not enough to attain the eight (8) weeks of Parental Leave?**

You would first use any leave you had accrued during the time you were on Advanced Sick Leave. Then you would apply for Extended Sick Leave to continue your paid Parental Leave. The amount you can obtain in this leave category is also based on your length of service. If you still require additional paid leave and are eligible, you would apply for leave under the Leave Reserve Fund.

21. **Is this leave in addition to the twelve (12) weeks I may be eligible for under the Family and Medical Leave (FML) provisions?**

Employees or their departments may choose to have the Parental Leave count towards the FML allowance.

If FML provisions are invoked, this does not provide twelve (12) additional weeks of leave above the 8 weeks. The 8 weeks are included as part of the 12 week FML period.

22. **Can my department put me on Parental Leave if I do not apply for it?**

No. Only employees can request to be placed on Parental Leave.

23. **If I invoke FML, does that mean I get twelve (12) weeks of paid leave regardless of my leave balances?**

No. FML (Family Medical Leave) does not provide for any additional leave above your own personal accrued leave you are otherwise eligible to use. FML does afford you other protections and benefits up to twelve (12) weeks per calendar year. For more information about Family Medical Leave, contact Staff Relations on extension 5-0001.
24. Would using Parental Leave allow me to take my Sick Leave to recover from the birth of my child and then combine it with four (4) weeks of my personal accrued leave to get a total of twelve (12) weeks guaranteed by the FMLA?

Parental Leave is period of leave assurance that guarantees eight weeks of paid leave following the birth of a child, which would include your recovery. However, you can only get paid leave beyond your eight (8) weeks of Parental Leave by use of accrued Annual Leave, Personal Leave or Compensatory Leave.

25. Do I get eight (8) weeks of Parental Leave and twelve (12) weeks of FML for a combined total of 20 weeks leave?

No. Parental Leave guarantees eight (8) weeks of paid leave, during the first six (6) months following the birth or adoption of a child (under age 6). This may concurrently run with FML. If Parental Leave and FML run concurrently, after exhausting the eight (8) weeks of Parental Leave you still have job protection for your remaining FML balance of (4) weeks. However, you would only be paid if you had accrued leave available for use for the remaining hours of FML.

26. My department or I would prefer not to take my eight (8) weeks of Parental Leave all at once, instead having me work a reduced work schedule or taking the leave intermittently. Is that permissible?

No. While an employee does not have to take the full eight (8) weeks of Parental Leave, it cannot be taken intermittently nor can it be taken as part of a reduced work schedule. Parental Leave must be taken in a single period. The employee may still take leave intermittently under the FMLA provisions, but they would not be eligible for the special leave provisions of Parental Leave.

27. My department and I would prefer I take Parental Leave when my child has his/her first birthday and that I take time intermittently. Is this permitted if both the employee and department agree?

No. The time must be taken in a single block and must be completed during the six (6) months following birth or final placement of a child under final placement for adoption.

28. My spouse and I both work for the University and we are adopting a child under the age of six. Can we take our Parental Leave at the same time?

Yes. Both employees are eligible to take their full Parental Leave at the same time.
29. Does my supervisor need to do any special coding while I am on Parental Leave?

Once your Parental Leave request is approved, your PHR Creator/Approver will need to enter the Parental Leave information (Start/Stop) on your PHR appointment on the Extended Leave screen.

Then during your Parental Leave period, you or your supervisor can enter any accrued leave (sick, annual, personal, comp time), as well as Advanced Sick Leave, Extended Sick Leave, Leave Reserve, or Parental Leave that you are eligible for.

30. How do I complete my timesheet while on Parental Leave?

Both you and your supervisor will have access to complete your time records while you are out on Parental Leave.

You or your supervisor will need to record your leave on your time record that you have available and are eligible for in the following order: Sick Leave, Annual Leave, Personal Leave, Holiday Leave, Compensatory Time, Advance Sick Leave, Extended Sick Leave, Leave Reserve Fund, and paid Parental Leave. Time Entry Notes should also be entered on the Time Record to indicate the leave that is used during the Parental Leave period.

It is also important to note that the paid Parental Leave type is only permitted after you have first used all your earned/eligible leave and only during the Parental Leave period that has been recorded on your PHR appointment.

31. What if I don’t actually fill out a Parental Leave form and have it approved?

You will not be afforded the benefits of Parental Leave or receive protection from the Parental Leave Policy.

32. Can a supervisor prohibit a properly made Parental Leave request from an eligible employee or require them to take it at another time?

No.

33. I do not qualify for Parental Leave. Does that mean I cannot take time off when my child is born or adopted?

Staff should contact Staff Relations on extension 5-0001 to discuss what options may be available.
34. My wife had a baby so I took a few days of Annual Leave off at that time. Now, three months later, I want to take eight (8) weeks of Parental Leave. Is there any problem with this?

No, as long as you are eligible to take Parental Leave and it is within the six (6) month period.

35. When I give birth, I will have enough personal accrued leave (sick, annual, and personal) to cover my entire absence until my doctor releases me. Will this count as one of my two Parental Leave periods?

No. If you only use your personal accrued leave until you are medically released and you do not request Parental Leave, your recovery period will not be considered “Parental Leave.”

36. I am legally married to a person of the same sex. Since we have married, my spouse has given birth/fathered a child we will raise. Do I qualify for Parental Leave?

Yes. Both spouses are considered to be the “parents” of any child born of one of the spouses during the marriage. It does not matter whether it is a same-sex marriage or an opposite-sex marriage.