

PARENTAL LEAVE POLICY
for
Members of the Smith College Faculty

Smith College is committed to supporting faculty members by providing them with clear and reasonable options for managing their professional and parental responsibilities. In formulating its parental leave policy, the college affirms for its faculty, and indirectly for its students, a commitment to parents who seek to lead full professional, intellectual, and personal lives. A primary goal of the policy is to allow both the faculty member and the college the opportunity to maintain the integrity of the classroom and avoid placing undue burden on the individual or the department. The college recognizes that no policy can anticipate all eventualities; therefore, the policy leaves room for faculty members, departments, the provost/dean of the faculty, and Human Resources to tailor certain aspects of parental leaves to accommodate individual situations.

All provisions and applications of this policy are meant to be consistent with state and federal law, including the Family and Medical Leave Act.

Eligibility

Faculty members who have taught at the college for at least one year in a continuing faculty position of half-time or more are eligible for paid parental leave. In accordance with the college's medical and disability leave policies, additional medical leave will be granted if a birth mother is certified by her physician to be medically disabled either before or after a parental leave.

Faculty members who have taught at the college for less than one year, teach less than half-time, or hold a visiting position, are not eligible for paid parental leave. Such members may, however, qualify for unpaid parental or adoption leave, as required by law (see "Compliance with Federal and State Laws" below).

Terms and Conditions for Paid Parental Leave

Primary Caregiver Parent: A faculty member who is the primary caregiver parent of a birth child, or an adoptive child under the age of 5, will normally be excused from teaching, research, and administration during the semester the child arrives. If the arrival of a child occurs between semesters, the faculty member will normally be excused from teaching, research, and administration during the subsequent semester.

Non-Primary Caregiver Parent: A non-primary caregiver parent will normally be excused from teaching one course during the semester a child arrives or during the semester after a child arrives. In addition, the faculty member will be excused from all teaching, research, and administration for one week after the child arrives. The non-primary caregiver parent will be responsible for continuing her or his research and administrative duties.

Normally, if both parents are employees of Smith College, only one parent may take advantage of the benefit for primary caregivers.

The provost/dean of the faculty will compensate departments as necessary for courses not taught

by faculty members taking parental leaves.

Benefits: During the period of paid parental leave, the college will continue to make its normal contribution to a faculty member's benefits, which shall remain continuously in effect.

Sabbatical Credit: The semester in which a faculty member takes a paid parental leave will count in the accrual of sabbatical credit.

Terms and Conditions for Part-time Teaching and Unpaid Parental Leave

Part-time teaching: A faculty member who is the primary caregiver parent may be released from teaching one course each semester for up to two years following a standard parental leave, at prorated salary and benefits, except that full benefits will be provided if the part-time teaching occurs in the semester immediately following a paid parental leave. All semesters of part-time teaching will accrue sabbatical credit at a part-time rate.

Unpaid leave: In addition to the paid leave described above, the non-primary caregiver parent may request of Human Resources a leave of absence or reduced teaching load at a prorated salary during the year of a birth or adoption. Human Resources will evaluate such a request in consultation with the provost/dean of the faculty and the department chair or program director.

Faculty should consult with Human Resources regarding the management of benefits during a leave of absence or reduced teaching load. The accrual of sabbatical credit will be prorated to reflect the faculty member's actual teaching during this period.

Extension of probationary period

Tenure track faculty members who become parents during the probationary period will automatically receive a one-year extension of the probationary period. Tenure track faculty members who wish to decline the extension will notify the provost by March 1 in order to be considered for tenure in the fall of that calendar year. The policy of a one-year extension is applied for every child born or adopted during the probationary period. (See section III.D.3.d of the *Policy of Appointment, Reappointment, Promotion and Tenure*).

Other Work

Consistent with college policy, paid parental leave may not be used for purposes of salaried services elsewhere.

Application and Approval Process

A member of the faculty who anticipates a pregnancy or adoption occurring in his or her family will so inform her or his department chair or program director. Human Resources will be responsible for explaining parental leave options to the eligible member. The faculty member will then submit a Faculty Application for Parental Leave and an affidavit attesting to the faculty member's primary caregiver status, if applicable, to Human Resources, generally at least four months before the intended leave. If at any time it is determined that any information in a parental leave affidavit is not true, or if leave circumstances change and the faculty member is no longer qualified for paid parental leave, all benefits will cease, and the faculty member will be responsible to repay the value of any wages or benefits derived.

Birth mothers must also submit an Attending Physician's Statement directly to Human Resources. Human Resources is responsible for reviewing and approving the terms of all parental leaves.

Prior to returning to teaching, birth mothers must submit the Physician's Approval to Return to Work.

Notification

The provost/dean of the faculty will inform chairs of departments, directors of programs, and new members of the faculty, on an annual basis, of the provisions of this policy.

Compliance with Federal and State Laws

In accordance with the federal **Family and Medical Leave Act of 1993 (FMLA)**, the college provides eligible faculty and staff with up to 12 weeks of family and medical leave during any 12-month period. FMLA leave may be paid, unpaid, or a combination of paid and unpaid, depending on the circumstances and as specified in the policy. FMLA leave runs concurrently with other college-sponsored leave plans. For a complete description of the college's FMLA policy, please call the Office of Human Resources.

Male and female faculty who are not eligible for a Family and Medical Leave of twelve weeks to care for their child within one year of birth or adoption, but have worked at the College for at least three consecutive months may be entitled to the benefits of the Massachusetts Maternity Leave Act (MMLA). MMLA grants employees up to 8 weeks of unpaid leave incident to the birth or adoption of a child under three years of age, provided that s/he provides required notice of the departure date and intention to return to work. To be eligible for the 8 weeks of unpaid MMLA leave, a faculty member must be employed at least half-time and must have been employed for three months prior to the time of adoption or delivery. The college will continue to pay its share of the individual's benefit costs during such leave as long as the individual pays her share.

Federal law requires that pay for maternity be treated in the same manner as the college's disability or medical leave provisions. Therefore, a physician's certification is required to establish the beginning and the end of the period of leave due to maternity. A faculty member returning from approved maternity leave will be returned to the position she held prior to the leave or to a comparable position.

Lactation Accommodation Policy

http://www.smith.edu/hr/handbook_512.php

Smith College promotes a respectful and healthy work environment for all employees. In response to the 2010 amendment to the Fair Labor Standards Act, a regular employee may request time away from work to express breast milk following the birth of a child. Reasonable efforts will be made to provide a private room or other location in close proximity to the work area for this accommodation. Supervisors and/or Human Resources will ensure that employees are aware of these workplace accommodations prior to parental leave. Smith College will provide a breastfeeding employee a private space where she can express milk at work if she does not have a private and sanitary space in her department. The private room will include an electrical outlet for the use of an electric breast pump and be situated near a convenient water

source for washing hands and rinsing breast pump equipment. Departments are to ensure, to the extent reasonably possible, the availability of cold storage space. The employee may provide her own portable cold storage device or have access to a refrigerator located in the department or building. The time needed to express milk is paid time if it occurs during work hours. The expectation is that the employee can express milk during break periods and during lunch breaks. If additional time is needed, supervisors are encouraged to grant reasonable flexible scheduling to accommodate the need.

To request use of the private space, or for further inquiries, contact Human Resources at ext. 2270.

Office of the Provost/Dean of the Faculty
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