Meeting Synopsis

1. Call to order
2. Review of the minutes from November 2, 2018, January 4 and February 1, 2019
3. Discussion of questions we want to ask Dr. Cameron
4. Discussion: paid family leave (Cheryl Cameron, Vice Provost for Academic Personnel)
5. Discussion of previous proposed legislation put forth by FCBR
6. Possible steps forward?
7. Good of the order
8. Adjourn

1. Call to order

The meeting was called to order at 11:00 a.m.

2. Review of the minutes from November 2, 2018, January 4 and February 1, 2019

Due to a lack of quorum the Council Analyst will set up an electronic vote.

3. Discussion of questions we want to ask Dr. Cameron

The council discussed and prioritized the following topics:

- Current family leave policy and new policy for faculty members
  - 90 day clock associated with parental or medical leave
- LGBTQ status – could the University collect this data?

4. Discussion: paid family leave (Cheryl Cameron, Vice Provost for Academic Personnel)

Cheryl Cameron, Vice Provost for Academic Personnel, attended the council and answered questions from council members.

A member asked about current and future family leave policies at the University. Cameron explained that faculty members have had 90 calendar days of sick leave (not family or parental leave). Faculty members, unlike staff, do not accrue leave. The 90 days of sick leave is for major medical events, and faculty members are not required to account for missing work for minor illnesses such as a cold. Faculty members who give birth may use their 90 days of sick leave to recover (the duration is determined by a healthcare provider). Faculty members who are not on contract during the summer quarter do not have paid sick leave.
A member asked if there was a standard policy for faculty and staff who need to work remotely. Cameron responded that faculty members do not track time and that she could not speak on staff policies. Academic Personnel leaves remote working policies up to a local determination and is not micromanaged (centrally) for faculty members. Another member asked if there are guidelines (centrally) that inform faculty members of their options to work remotely. Cameron responded that to her knowledge that information is not centrally based because the nature of remote work varies.

Another member commented that LGBTQ status for faculty, to the council’s knowledge, is not counted by the University. The council is concerned that faculty members within this group may miss out on benefits. The member asked if it was possible to add an optional question to the affirmative action questionnaire or another survey. Cameron responded that the University does not track sexual orientation status at this time. The University gathers information based on federal reporting obligations and state benefits obligation and sexual orientation status is not required. Cameron responded that there is a standing survey but those questions are generally asked at the time of hire.

A member asked again if Cameron could comment on the new family leave policy. Cameron responded that the University has received general guidance but the state is still writing these rules. The program will offer up to 12 (possibly 16) weeks of family and medical leave. The maximum payment a state employee could receive is $1000 per week. Faculty member may be eligible to receive this benefit during the summer or if they have exhausted sick leave through the University (unclear at this point).

Cameron recommended that if the council has more questions that she could help connect them to a state representative. Cameron also offered to forward council questions to the state.

5. Discussion of previous proposed legislation put forth by FCBR

The chair shared proposed legislation that the Faculty Council on Benefits and Retirement put forth last year (Exhibit 1).

6. Possible steps forward?

The chair asked the council members what next steps they want to take. Past council discussions have included service loads and paid family leave. The council members proposed the following:

- The chair will reach out to someone from Facilities for an update on wellness rooms/lactation stations (possibly Mike McCormick)
- How faculty members are utilizing the remote work policy – especially for faculty members with families
- Negotiation trainings
- Potential cross collaboration with FCBR – chair will reach out to Stephan Siegel.

7. Good of the order

Nothing was stated.

8. Adjourn

The meeting was adjourned at 12:30 p.m.
Minutes by Lauren Hatchett, lehatch@uw.edu, council analyst

Present:  
**Faculty:** Robin Angotti (chair), Elizabeth Umphress, Tyler McCormick, Whasun Chung, Judy Chen  
**Ex-officio reps:** Lynly Beard, Arwa Mokdad, Wendy Star  
**Guests:** Cheryl Cameron

Absent:  
**Faculty:** Angelisa Paladin, Sarah Prager, Mariam Moshiri, Margo Bergman, Carrie Brennan, Tyler McCormick  
**Ex-officio reps:** N/A  
**President’s designee:** Susan Camber

**Exhibits**  
Exhibit 1 – Proposal_Leave_fcbrmin_052217.pdf
Class B Legislation
Faculty Code and Governance
Policies: Terms & Conditions, Chapter 51
Faculty Leave and Vacations

Rationale:

Leave policy for non-birth parents among UW Faculty

All professional and classified staff at UW—mothers and fathers, birth and non-birth parents—get paid leave to care for their newborn or newly placed adopted or foster children. At many of our peer public universities, all faculty members get paid parental leave to care for the faculty member’s child after birth, adoption or foster placement. However, among UW faculty, birth mothers get paid leave only to accommodate their “temporary disability due to pregnancy, childbirth or recovery”. UW faculty who are non-birth parents can only avail themselves of unpaid leave to care for their healthy newborn or newly placed adopted or foster children.

To correct this inequity for non-birth parents among the UW faculty, the Faculty Council on Benefits & Retirement (FCBR) recommends amendments to Chapter 51 of the Faculty Code and Governance (FC&G). The amendments would extend paid leave benefits to UW faculty who are non-birth parents, allowing them to care for children after birth, adoption, foster care placement, or assumption of primary custodial care.

In addition, the FCBR recommends an update of the UW faculty leave policies (laid out in Chapter 51 of the FC&G and last revised in 1996) to reflect the statutory requirements of the Washington State Family Care Act (FCA) of 2002.

In the following sections, we provide highlights of the (a) current parental leave policy for UW faculty, (b) the policy for UW Professional and Classified Staff, (c) the parental leave policy at peer institutions and (d) the language of the proposed amendments to Sections 51-01 and 51-11 of the FC&G.

A. Parental Leave for UW faculty

UW faculty leave benefits around birth or adoption of a child are as follows:

- Female faculty members can use up to 90 calendar days of paid faculty sick leave “because of temporary disability due to pregnancy, childbirth, or recovery therefrom”, with “appropriate documentation from a physician to evidence illness or disability.”

- Under the Washington State Family Care Act (FCA), an employee can use paid leave to care for a spouse with a pregnancy-related disability, while the spouse is under “continuing treatment by … a provider of health care services”2. {The FCA also allows employees to use available paid sick leave to care for a sick minor child; for a spouse, registered domestic partner, parent, parent-in-law, or grandparent with a serious or emergency health condition; or for a sick adult child who is incapable of self-care because of a physical or mental disability3.}

- UW faculty members who are non-birth parents can take unpaid leave, for up to 6 months or two successive quarters, to care for a newborn or newly adopted or placed child if taken within 12

1 http://www.washington.edu/admin/rules/policies/FCG/PTCCH51.html
2 http://www.lni.wa.gov/WorkplaceRights/LeaveBenefits/FamilyCare/LawsPolicies/FamilyCare/default.asp
3 In the FCA, “Child” means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis who is: (a) Under eighteen years of age; or (b) Eighteen years of age or older and incapable of self-care because of a mental or physical disability
months of the child’s birth or placement. During this leave, the University pays the employer-paid portion of health benefits coverage for up to 12 weeks, as required by FMLA⁴.

B. Parental Leave for UW professional and classified staff⁵

The University of Washington provides parental leave for all professional and classified staff—mothers and fathers, birth and non-birth parents. The amount of parental leave time “to bond with newborn or newly placed adopted or foster child” ranges from 4 months (for professional, contract/classified and temporary staff) to 6 months (for classified/non-union staff). Staff members are allowed to take parental leave at any time during the 12 months following the child’s birth, adoption, or placement.

Professional and Classified staff can receive pay during parental leave using any of their accrued paid leaves, such as sick leave (up to 30 days in most cases), annual leave, personal holiday leave, holiday credit, compensatory time, or discretionary leave (professional staff only). Staff members also have the option to take leave without pay.

C. Faculty Parental Leave policies at peer public Universities

Many of our peer public universities offer parental leave to non-birth parents. We provide a sampling of the policies below (the full comparison with all GCS institutions is in Appendix 1):

- The University of Colorado offers 18 weeks (paid) leave for 9-month faculty to care for the faculty member’s child within twelve months of the birth, adoption, or foster care placement of the child, using accrued sick leave. If the faculty member exhausts all accrued sick leave before the end of the eighteen-week period, then they may continue the leave for the remainder of the period at half pay with full benefits. Faculty on 12-month contracts can get up to 6 months leave.

- The University of Massachusetts offers 1 semester paid leave, using sick leave (and then sick leave bank) to cover the time.

- The University of Maryland offers 8 weeks of paid Parental Leave, creditable first to sick and personal leave, with balance supplemented as needed to reach 8 weeks.

- Rutgers in New Jersey offers 8 weeks of paid release time for non-birth faculty.

- The University of California offers 1 quarter of "active service-modified duties" to non-birth parents. For teaching faculty, the modification of duties is either partial or full relief from teaching. For other academic appointees, the modification of duties is a reduced workload.

D. Proposed amendments to Sections 51-01 and 51-11 of the FC&G

To promote equity among faculty who are birth and non-birth parents, equity across all UW employees, and to stay competitive with our peer public universities, the University of Washington should extend paid parental leave to UW faculty who are non-birth parents. This can be done using the existing sick leave benefit, as is the case at many peer institutions and with professional & classified staff at UW.

To enable the above we recommend the following:

1. Changing the title of Section 51-01 from “Faculty Sick Leave” to “Faculty Sick and Family Care Leave.”

⁵ http://hr.uw.edu/ops/leaves/parental-leave/
2. In Section 51-01.A, adding the clause: “to care for a biological, adopted, or foster child, legal ward, or any other child under the age of 18 for whom the faculty member stands in loco parentis, within twelve months of the birth, adoption, foster care placement, or assumption of parental responsibility.” This clause would extend to all UW faculty—mothers and fathers, birth and non-birth parents—a paid parental leave benefit.

3. Effecting minor amendments in the rest of Chapter 51 that would follow from the above changes.

Further, to update the current UW Faculty leave policies to reflect the statutory requirements of the Washington State Family Care Act, we recommend the following additional change:

1. In Section 51-01.A, replacing “to care for a child of the faculty member under the age of 18 with a health condition that requires treatment or supervision” with “to care for the faculty member’s child or family member in accordance with the provisions of the Washington State Family Care Act of 2002.” This expanded definition would reflect the requirements of the Washington State Family Care Act.
Section 51-01 Faculty Sick and Family Care Leave

A. In the case of an illness or disability of a faculty member, his or her salary shall be continued for a period not to exceed 90 calendar days. Faculty sick and family care leave may be taken to care for a child of the faculty member under the age of 18 with a health condition that requires treatment or supervision, or because of temporary disability due to pregnancy, childbirth, or recovery therefrom:

- to care for the faculty member’s child or family member in accordance with the provisions of the Washington State Family Care Act of 2002 and any other relevant state or federal legislation;
- because of temporary disability due to pregnancy, childbirth, or recovery therefrom;
- to care for a biological, adopted, or foster child, legal ward, or any other child under the age of 18 for whom the faculty member stands in loco parentis, within twelve months of the birth, adoption, foster care placement, or assumption of parental responsibility.

B. Applications for faculty sick and family care leave shall include appropriate documentation from a physician to evidence illness; or disability; or birth, adoption, foster care placement, or assumption of parental responsibility.

C. Subsection A of this section applies only to periods during which the faculty member is entitled to receive salary from the University. Faculty sick leave salary continuation may not exceed 90 days during the period July 1 to June 30, except that a leave begun prior to July 1 that continues beyond that date shall not exceed 90 days with respect to the cause illness or disability for which such leave was granted.

Section 51-11 Family Leave

A. Upon written request a faculty member shall be granted a family leave of absence without pay for the following reasons: to care for the faculty member’s child; to care for the faculty member’s spouse, parent, or other family member who has a serious health condition; or because of a serious health condition that makes the faculty member unable to perform his or her job (after exhaustion of the faculty sick and family care leave benefits referred to in Section 51-01 above). The period of leave shall normally not exceed six calendar months or two successive academic quarters. An extension beyond this period must be approved by the Provost.

B. A request for family leave should be made to the department chair (or dean of an undepartmentalized school or college) as soon as reasonably possible, and, when the reason for the leave is foreseeable, not less than 30 days prior to the date such leave is scheduled to begin. Requests for family leave resulting from medical conditions shall include appropriate documentation from a physician.

C. Pursuant to the Family and Medical Leave Act of 1993, when, after exhaustion of sick and family care leave benefits, family leave is taken for purposes of caring for the employee’s newborn or newly adopted or foster child; to care for the employee’s spouse, son, daughter, or parent who has a serious health condition; or for a serious health condition that makes the employee unable to perform his or her job (after exhaustion of sick leave benefits), the faculty member may be eligible for paid medical benefits for up to 12 weeks from the initiation of the leave. To receive such benefits, a faculty member requesting family leave must notify the Office of the Provost. The faculty sick and family care leave policy described in this section fulfills the University’s obligation under the Family and Medical Leave Act of 1993 and the benefits described in this section are not additive thereto.

Endorsed by the Faculty Council on Women in Academia June 12, 2017
### Appendix 1 – Parental Leave Comparison for GCS Peer Institutions

<table>
<thead>
<tr>
<th>Peer Institutions</th>
<th>Birth Mother</th>
<th>Non-birthing Parent</th>
<th>Comparison to UW</th>
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</table>
| **UW**            | - 90 days **paid** disability leave for childbirth pregnancy or recovery.  
- Additional **Unpaid** Family Leave up to 6 months or 2 quarters to care for newborn or newly adopted or foster child | - 90 days **paid** sick leave only to care for minor child *with health condition needing treatment or supervision*  
- **Unpaid** Family Leave up to 6 months or 2 quarters to care for new child | N/A |
| **UC Boulder**    | - **18 weeks (paid)** leave to care for the faculty member's child within twelve months of the birth, adoption, or foster care placement of the child, using accrued sick leave.  
- If the faculty member exhausts all accrued sick leave before the end of the eighteen-week period, then they may continue the leave for the remainder of the period at half pay with full benefits.  
- **12 month Faculty:**  
  - 6 months of parental leave, during which time they may use accrued sick leave, accrued vacation leave, and/or leave without pay to care for member’s child within 12 months of the birth, adoption, or foster care placement | **Substantively more generous for both, birth mother and non-birthing parent** |  
| **UC Denver**     | 9 month Faculty:  
- **18 weeks (paid)** leave to care for the faculty member's child within twelve months of the birth, adoption, or foster care placement of the child, using accrued sick leave.  
- If the faculty member exhausts all accrued sick leave before the end of the eighteen-week period, then they may continue the leave for the remainder of the period at half pay with full benefits.  
- **12 month Faculty:**  
  - 6 months of parental leave, during which time they may use accrued sick leave, accrued vacation leave, and/or leave without pay to care for the member’s child within 12 months of the birth, adoption, or foster care placement |  |  

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<thead>
<tr>
<th>Institution</th>
<th>Paid Parental Leave Details</th>
<th>Unpaid Parental Leave Details</th>
<th>Remarks</th>
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<tbody>
<tr>
<td>UMd, College Park</td>
<td>8 weeks paid Parental Leave, creditable first to sick and personal leave, with balance supplemented as needed to reach 8 weeks</td>
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<td>Substantively more generous for non-birthing parent</td>
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<td>UMd, Baltimore</td>
<td>Runs concurrently with 12 weeks unpaid FMLA, can use accrued sick leave to cover</td>
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<td></td>
<td>8 weeks paid Parental Leave, creditable first to sick and personal leave, with balance supplemented as needed to reach 8 weeks</td>
<td>Runs concurrently with 12 weeks unpaid FMLA, can use accrued sick leave to cover</td>
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<tr>
<td>UMass Amherst</td>
<td>1 semester paid leave, must use sick leave and then sick leave bank to cover</td>
<td>1 semester paid leave, must use sick leave and then sick leave bank to cover</td>
<td>Substantively more generous for both</td>
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<td>Runs concurrently with 12 weeks unpaid FMLA</td>
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<tr>
<td>UC, Davis</td>
<td>Paid Childbearing Leave, 6 weeks or greater with medical approval</td>
<td>Unpaid FMLA 12 weeks</td>
<td>Slightly more generous for both</td>
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<tr>
<td>UC, Irvine</td>
<td>Unpaid Pregnancy Disability Leave up to total of 4 months</td>
<td>1 quarter ASMD (if 50% parental responsibility)</td>
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<tr>
<td>UCLA</td>
<td>Runs concurrently with unpaid FMLA 12 weeks</td>
<td>Unpaid Parental Leave up to 1 year</td>
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<tr>
<td>UCSD</td>
<td>Remainder quarter ASMD</td>
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<td></td>
<td>1 additional quarter ASMD</td>
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<td></td>
<td>Unpaid Parental Leave up to 1 year</td>
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<td>Rutgers, New</td>
<td>6 weeks paid Recuperative Leave</td>
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<td>Substantively more generous for non-birthing parent</td>
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<td>Brunswick</td>
<td>8 weeks paid Release Time</td>
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<tr>
<td>Rutgers Camden</td>
<td>8 weeks unpaid FMLA</td>
<td>8 weeks paid Release Time</td>
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<td>Rutgers Newark</td>
<td>Runs concurrently with 12 weeks unpaid FMLA</td>
<td>Runs concurrently with 12 weeks unpaid FMLA</td>
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<td>RNJMS</td>
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<tr>
<td>University of</td>
<td>Paid disability 6+ weeks with medical authorization</td>
<td>12 weeks unpaid FMLA</td>
<td>Similar to UW</td>
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<td>Connecticut</td>
<td>Unpaid Parental Leave 6 months (continued eligibility for health insurance)</td>
<td>Unpaid CT State Statute 5-248a 24 weeks, runs concurrently</td>
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<td>Runs concurrently with 12 weeks unpaid FMLA</td>
<td>Unpaid Parental Leave 6 months (continued eligibility for health insurance)</td>
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<tr>
<td>University of</td>
<td>Paid short term disability up to 6 months, with medical authorization</td>
<td>3 weeks paid Parental Leave</td>
<td>Substantively more generous for both</td>
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<td>Virginia</td>
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<td>9 weeks unpaid Parental Leave</td>
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<td>3 weeks paid Parental Leave</td>
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