



## Parental Leave

**1. Who is eligible for parental leave?**

A faculty (including associated faculty) or staff member who, a) becomes a new parent as defined under the policy and, b) holds a regular appointment of at least 75% FTE and c) has completed at least one year of service (equivalent to at least 1,560 hours of active pay status during the 12-month period immediately preceding the date of the birth or adoption event).

**2. Does an employee need to be in a regular appointment to be eligible for parental leave?**

Yes. An employee must be in a regular appointment of at least 75% FTE at the time of the birth or adoption event. Parental leave is not available to individuals in temporary or term appointments.

**3. Are bargaining unit employees eligible for parental leave?**

Yes. Bargaining unit employees are eligible if they meet the eligibility requirements established in the policy.

**4. How does an employee apply for parental leave?**

An employee must provide notice to the employee's own supervisor and [FML administrator](#) as far in advance as possible. Prior to using leave, the employee should submit an [eLeave](#) application (or [Application for Leave](#) form if the unit does not use eLeave) in conjunction with written documentation, pursuant to [Family and Medical Leave](#) (FML). In situations of domestic partnership, an employee must have a [Certificate of Domestic Partnership](#) on file with their department and the Office of Human Resources.

**5. How much notice should an employee give their department of their intent to use parental leave?**

An employee should give as much notice as possible so that the department can appropriately plan coverage and/or address workload issues.

**6. What happens to an employee's benefits while on parental leave?**

While on parental leave, the benefit coverage the employee is enrolled in at the time of the leave will continue, and any related employee contributions will continue to be deducted from the employee's pay.

**7. Will an employee continue to accrue vacation and sick leave while out on parental leave?**

Yes. An employee on parental leave, will remain in an active pay status, which allows for the continuation of vacation and sick leave accruals.

**8. How will an employee get paid if a holiday falls within parental leave?**

[Holiday Policy](#), 6.20 states an employee must be in an active pay status on the regularly scheduled workday immediately preceding the holiday to be eligible to receive holiday benefit pay. Because parental leave is considered active pay status, the employee is eligible to receive holiday pay during parental leave.

**9. What is the difference between parental leave and Family and Medical Leave (FML)?**

[FML](#) is an unpaid job protection benefit that is a federal entitlement program under the Family and Medical Leave Act (FMLA), and is available to eligible employees. Parental leave is a paid leave program offered by the university. Parental leave runs concurrently with FML. In other words, FML is the unpaid job protection and if eligible, parental leave is the pay the employee on FML receives for a portion of the FML event.

**10. How does parental leave work in combination with other leave benefits?**

**Family and Medical Leave**

Parental leave will run concurrently with [FML](#), to the extent that an employee has an equivalent amount of FML time available. In the instance where an employee does not have an amount of FML equivalent to the amount of the parental



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leave benefit, the parental leave benefit will still be granted to the employee. Additional time off beyond that available through parental leave or FML is subject to approval at the department's discretion.

#### **Sick Leave**

Parental leave must be exhausted prior to the use of sick leave for the purpose of the birth of a child. Parents (fathers, domestic partners, adoptive parents or parents using a surrogate) may not use sick leave in combination with parental leave for a birth or adoption event.

- Sick leave usage for a birth mother will be limited to the amount of FML time available to her after parental leave is taken into consideration, not to exceed six weeks or the employee's available sick leave balance if less than six weeks.
- Use of sick leave taken in conjunction with FML for the purpose of the birth of a child does not require medical necessity.

#### **Short-Term Disability**

Birth mothers who are enrolled in the [Short-Term Disability](#) (STD) program may use STD benefits in combination with parental leave.

- STD benefits may be used in lieu of sick leave and parental leave for the purpose of the birth of a child, but are only payable during the portion of the leave that is deemed medically necessary and after a 30-day waiting period. The STD benefit is normally payable from the fifth through the eighth week (dependent upon delivery method) following the birth of a child.
- Vacation leave may be used while receiving STD benefits.
- Sick and parental leave are considered deductible sources of income and will offset disability payments and the STD benefit will be reduced accordingly.
- Employees should coordinate the use of parental and sick leave for the purpose of the birth of a child, so that it occurs prior to and following the period during which STD benefits are payable.

#### **Vacation Leave**

Parental leave must be exhausted for the birth or adoption of a child prior to the use of vacation leave for that purpose, unless the employee has chosen to receive vacation while on STD benefits.

#### **Compensatory Time**

Parental leave must be exhausted for the birth or adoption of a child prior to the use of comp time.

#### **Unpaid Leave**

Parental leave must be exhausted prior to the use of unpaid leave, unless the employee is on unpaid leave for the purpose of receiving STD benefits.

### **11. How does parental leave work in combination with FML if a holiday falls during the period of leave?**

Parental leave is considered active pay status, thus the employee is eligible to receive holiday benefit pay on the day of the university holiday and does not need to request parental leave on that day; however, that day counts as a FML protected day.

### **12. Can parental leave be used prior to a birth or adoption event?**

Individuals may use parental leave prior to the birth or adoption event when leave is deemed medically necessary (e.g., bed rest due to pregnancy complications) or when required to fulfill legal obligations for an adoption. Both instances require appropriate documentation.

### **13. Can parental leave be used intermittently?**

Yes. Parental leave may be used intermittently prior to and during the first 12 weeks following the birth or adoption event. After this 12-week period, parental leave may be taken on an intermittent schedule with advanced notice, scheduling and departmental approval for up to one year from the birth or adoption event. The birth mother must submit medical documentation to support a return to work in cases where the birth mother chooses to return to work prior to the exhaustion of parental leave.



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**14. If both parents are employees at Ohio State, are they each eligible for the parental leave benefit? If so, can they take the leave at separate times?**

Yes, if both parents are eligible under the policy they will each receive the parental leave benefit. In addition, the policy states that the benefit is available for one year from the birth or adoption event, which enables the birth mother to use it right away and the birth father to use it later if they prefer.

**15. If an employee has a multiple birth or adopts more than one child at the same time will they receive a period of parental leave for each child?**

No. The parental leave benefit is available once per birth or adoption event, regardless of the number of children.

**16. If a person is a surrogate how much time are they eligible to receive?**

A surrogate mother is one who bears a child on behalf of another parent. Due to the act of giving birth, a surrogate mother, who meets the policy eligibility criteria, is eligible for up to 240 hours (six weeks, based upon an appointment of 100% FTE) for the recovery from childbirth.

**17. If a person uses a surrogate to have a child how much time are they eligible to receive?**

A person who uses a surrogate to have a child, who meets the policy eligibility criteria, is eligible for up to 120 hours (three weeks, based upon an appointment of 100% FTE) to care for and bond with the child.

**18. Will parental leave be granted to an employee who attains one year of service during a leave that has already commenced for the purpose of a birth or adoption?**

If an employee’s one-year anniversary date occurs during a leave that has already commenced for a birth or adoption event, the parental leave benefit will be granted, and will be pro-rated depending upon the date that the one-year anniversary occurs. The parental leave benefit will be calculated as follows:

Weeks of parental leave benefit	-	Weeks of leave already taken prior to 1-year anniversary date	=	Weeks of parental leave eligibility
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**For example:**

6 weeks of parental leave benefit	-	3 weeks of leave already taken prior to one-year anniversary date	=	3 weeks of parental leave eligibility
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**19. Is parental leave available for foster care placement?**

No. Parental leave does not apply to foster care placement. The employee may be eligible for FML and may use sick leave, pursuant to the Paid Leave Programs policy.

**20. Can parental leave be used for eldercare or to care for children other than those who are newborn or newly adopted?**

No. The benefit is only available for use as a parent of a newborn or newly adopted child.

**21. Is a new nine-month regular faculty member eligible to take parental leave at the end of the first nine months of the faculty member’s appointment?**

No. A nine-month regular faculty member must be in an active pay status for at least 12 months prior to the birth or adoption event and work at least 1,560 hours during that period to be eligible for parental leave.

## Vacation Donation

**1. Should management try to “find” donors for employees in need?**

No employees should be solicited or approached to donate time. The policy is voluntary and donors should express interest in donating on their own. Management is not responsible for “finding” donors for employees in need. Department or Unit



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Human Resources can provide information about the policy, send reminders of the leave benefit and keep track of those who may be interested in donating leave for employees in need.

**2. Can a recipient start receiving donated vacation while they still have accrued leave time?**

Employees may initiate the request and approval process to receive donated vacation, but the time cannot be transferred nor used until the recipient's own leave balances have been exhausted.

**3. Can any leave time other than vacation be donated?**

No. Sick and comp time cannot be donated.

**4. What do I need to do to receive a donation of leave time (if I am eligible to receive it)?**

- The recipient must submit an [eLeave](#) application (or [Application for Leave](#) form if the unit does not use eLeave) to request unpaid leave. Refer to the policy for details about other supporting documentation that may be required.
- Once the unpaid leave is approved, the recipient must submit a second leave request, which will include the name of the donor(s) requesting the use of donated vacation.
- The recipient must sign a [Vacation Donation Recipient Agreement](#).

**5. Can vacation be donated from a sponsored research project (grant or contract)?**

No.

**6. What do I need to do to donate my accrued vacation to a fellow employee?**

- Meet with your college or unit human resource professional (HRP) and/or manager to review the guidelines for vacation donation.
- Sign a [Vacation Donation Donor Agreement](#).
- Talk to the recipient and/or HRP/manager to discuss.

**7. How can donated vacation be used in conjunction with childbirth, adoption and or foster care placement?**

A new parent must be on an approved unpaid leave of absence to be eligible to receive vacation donation that runs concurrently with [Family and Medical Leave](#). The recipient of vacation donation should use this benefit within the leave parameters dictated by one's physician and/or within 12 weeks of the birth event.

**8. Can I donate vacation to a spouse or relative in another college or VP unit?**

Only immediate family members can donate across college/VP units.

**9. My benefit service day/anniversary date is approaching, and I will lose some vacation. Can I donate excess vacation to a "bank" for future recipients?**

No. Donations must be made to specific individuals. There is no centralized bank that provides for storing donated vacation.

## Miscellaneous

**1. Can vacation leave be used prior to the exhaustion of sick leave?**

Sick leave must be used for the purpose intended according to the sick leave requirements. Sick leave must be exhausted prior to the use of vacation leave or vacation in lieu of sick leave. Vacation in lieu of sick leave should be taken in accordance with collective bargaining agreements and department attendance policies.

**2. If I leave Ohio State and then later (a few days/months/years later) decide to retire through OPERS/STRS/ARP, can I get a pay out of sick leave?**



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No. To receive the sick leave pay out, the employee must retire at the time they leave employment from Ohio State. Employees may not leave Ohio State without retiring through OPERS/STRS/ARP and later request a sick leave pay out.

- 3. What happens if my university pay is not sufficient to cover the employee contribution rate for all elected benefits?**  
If your pay is not sufficient to pay the employee contribution rates for all elected benefits (medical, dental, vision, etc.), you will be billed directly for the difference between those rates and the amount deducted from your pay. For more information, see [Benefits Continuation while on Approved Leave of Absence](#).
- 4. Where can I obtain additional information?**
  - Review [Paid Leave Programs](#) policy and the [Vacation, Sick and Other Leave](#) website.
  - Contact Human Resources [Employee and Labor Relations](#) via email ([hr-elr@osu.edu](mailto:hr-elr@osu.edu)) or phone (614-292-2800).
- 5. Where can I obtain additional information about Family and Medical Leave, disability benefits and coordinating my paid leave?**  
Contact [Integrated Absence Management and Vocational Services](#) (IAMVS) via email ([hr-integrateddisability@osu.edu](mailto:hr-integrateddisability@osu.edu)) or phone (614-292-3439).