

## BARUCH COLLEGE: PAID PARENTAL LEAVE FACT SHEET

This Fact Sheet is based upon the 2007-2010 collective bargaining agreement and subsequent side agreements between the City University of New York (“CUNY”) and the Professional Staff Congress (“PSC”) which are available at the CUNY and PSC websites.

### **Paid Parental Leave Defined:**

Leave without the loss of pay may be *taken immediately upon the birth or adoption of a child* (adopted at up to five (5) years of age) for a period of up to eight (8) continuous weeks, *except* as stated below:

1. For the birth mother who has taken approved *temporary disability leave* related to childbirth pursuant to Article 16 of the PSC/CUNY, paid parental leave shall commence upon the *expiration* of the approved *temporary disability leave*;
2. Leave may be taken prior to the birth when deemed *medically necessary* for the birth mother and the birth mother does not have sufficient temporary disability to cover the period;
3. Leave may be taken *prior to the adoption* of a child when necessary to fulfill the legal requirements for adoption; and
4. Couples in the bargaining unit who work in the same department at the same college may take consecutive leaves, not concurrent leaves for a combined total of 14 weeks, not 16 weeks. Neither parent may take more than 8 weeks. A couple may appeal to the President of the College for permission to take the leave concurrently. The President’s decision is final.

**Eligibility:** Full-time employees with a minimum of one year of service with CUNY at the time of birth or adoption, except that persons employed as substitutes without an underlying regular annual appointment are not eligible. Teaching faculty who have completed two continuous semesters of teaching and become parents during the period of annual leave will be eligible.

**How to Apply:** All eligible employees must complete paid parental leave applications available at the Baruch College website on the Human Resources page.

**Frequency of Leave:** One paid parental leave is available per birth or adoption. The number of children born per birth or adopted at one time does not increase the length of paid parental leave. (Twins do not result in 16 consecutive weeks of leave.)

**Notice:** The employee must provide notice of intent to the department chair or unit head and the Director of Human Resources by filing an application form at least ninety (90) calendar days *prior* to the expected birth or placement for adoption, or if the placement for adoption date is not known ninety (90) days in advance, as soon as it is known.

**Service:** The period on paid parental leave will count towards service, except:

1. Employees eligible for tenure, a Certificate of Continuous Employment (“CCE”) or a Certificate of Continual Administrative Service (“13.3b status”) may elect to have the leave period serve as a bridge if the leave is taken within the first six (6) years of employment (four (4) years for CLT series employees and Lecturers);
2. Election for the bridge of service instead of the having the leave count towards service cannot be made in advance of the birth or adoption;
3. Written notification of the bridge election must be made to the department chair or unit head and the Director of Human Resources within 90 calendar days following the birth or placement for adoption; and
4. Once an election is made, it is *irrevocable*.

*Example of a “bridge” for a faculty member:* In the case of an untenured faculty member who takes paid parental leave during the first 6 years of service (4 years for CLT series employees and Lecturers), the paid leave will count towards tenure (continuation of service), unless the faculty member elects to stop the tenure clock and re-activate the tenure clock upon the return from paid leave (the service is “bridged”). *The span of the bridge is one full year.* Thus, if a faculty member takes paid parental leave in the Fall and elects a bridge, the tenure clock does not re-activate until the following Fall.

**Please note** that this election is not available to those faculty and staff in the categories above on or after June 1<sup>st</sup> of the year preceding the academic year (faculty and CLT series) or the fiscal year (HEO series employees) during which a tenure, CCE, or 13.3b decision will be made.

Paragraphs 2 to 4 above regarding election apply to eligible Instructors who take paid parental leave during the first four (4) years of employment except that the election is no longer available on or after June 1<sup>st</sup> of the fourth year of Instructor service.

**Benefits:** Eligible employees on paid parental leave will continue to be eligible for all applicable benefits.

**The Family and Medical Leave Act:** Paid parental leave will run *concurrently* with leave available to an employee under the Family and Medical Leave Act.

**Holidays/Intersessions:** Any holidays and/or (for faculty) intersessions (excluding the period of annual leave for full-time teaching members of the faculty as defined by Article 14.1 of the CUNY/PSC collective bargaining agreement) that occur while an employee is on paid parental leave do not extend the period of leave. They are counted as part of the leave.

**Non-reappointment:** If an employee’s reappointment ends while the employee is on paid parental leave, the employee is not entitled to payment for any unused portion of the leave beyond the period of appointment.

**Expiration of Paid Parental Leave Mid-Semester (Faculty):**

An eligible member of the teaching faculty whose paid parental leave expires mid-semester may return either to teaching or administrative duties for the balance of the semester at the discretion of, and as assigned by, the Department Chair upon consultation with the employee.

**Six-Credit Course Release for Eligible Faculty Members:**

An eligible faculty member may request a reduced teaching workload in the form of a six-credit course release in lieu of eight (8) weeks of paid parental leave. Approval of this request must be in the form of an agreement between CUNY, the PSC, and the eligible faculty member, because it is a modification of the March 19, 2009 Paid Parental Leave Agreement, as amended by the parties on September 2, 2009, and December 9, 2011. An eligible faculty member who is contemplating this option must follow the application and notification procedures outlined above.

*Prepared by Stephanie Vullo, Executive Counsel and Labor Designee, Baruch College, as revised September 18, 2014*