

## Parental Leave Policy

### *Background & General Recommendations\**

In response to President Carothers' request for a revised policy regarding parental leave, a review of relevant literature, existing URI policies, and policies at other universities was conducted during academic year 2003-2004. This document summarizes the results of that research, outlining several research-based recommendations for creation of the new policy.

Since 1966 the percent of doctoral recipients who are women has risen from 12 percent to 42 percent, yet at universities, women disproportionately hold more staff and academic personnel positions compared to men and disproportionately fewer faculty positions compared to men (Mason & Goulden, 2002). This is due, in part, to the demands placed on professional women who have children/family responsibilities. The effects of family and work pressures placed on women are potentially devastating. For example, ACADEME reports that 59% of married women with children indicated they were considering leaving academia (Mason & Goulden, 2002). This statistic can be seen in light of the of the repeated finding that women in academia have higher turnover rates than men (see for example Tolbert, Simons, Andrews, & Rhee, 1995; Brown & Woodbury, 1995). The lack of policy that ensures paid leave for family care-taking needs is one of the most widely cited reasons for female discontent and high turnover rates (Georgia Institute of Technology, 1998). Over the next few decades, institutions that have family friendly policies will be able to attract the most qualified men and women. As a result, the URI ADVANCE Program and, the President's Commission on the Status of Women, and the Women's Equity Committee suggest the following recommendations in order to provide optimal flexibility and choice in regards to paid and unpaid parental leave options.

### **RECOMMENDATION 1**

*URI will revise its current maternity leave policy*

**Rationale:** The current policy is dated May 1989 and does not acknowledge the Family and Medical Leave Act of 1993. The FMLA provides up to 12 weeks of job-protected unpaid leave within a 12-month period for both men and women for the birth and care of an infant or an adopted child, care of an immediate family member (including parents) with a serious health condition, or a worker's own serious health condition. The FMLA covers private, state and local government employees and some federal workers who have worked at least 1250 hours for an employer in the previous 12 months in a workplace with at least 50 employees. Furthermore, the Rhode Island Parental and Family Medical Leave Act provides for an unpaid leave for 13 consecutive weeks in any two calendar years for parental leave, including adoption. Although family leave is referred to in AAUP contractual article 21.5.1, FMLA and Rhode Island PFMLA are not. Neither the PFMLA nor the FMLA is mentioned in the Human Resources procedural manual. URI policy must reflect the FMLA and the Rhode Island Parental and Family Medical Leave Act. While it is clear that the Board of Governors' policy and individual collective bargaining agreements provide for at least 6 months leave without pay (but with health benefits), URI policy should reflect FMLA and Rhode Island PFMLA.

A recent petition drafted by URI professors Sharon Hartman Strom and Wendy W. Roworth note that both the Human Resources maternity leave policy, as well as the AAUP contractual agreement have several flaws and are open to varied interpretation. According to this petition, several female faculty have reported that some Chairs, Administrators and Deans at URI have denigrated pregnant women and that pregnant women have confronted obstacles when attempting to utilize sick leave for maternity leave under the purview of the current URI maternity leave policy. There should be a clarification of how a request for parental leave is approved and how arrangements for resumption of work are coordinated. Faculty members should make the request for parental leave to the Department Chair, who will approve the leave in cooperation with the Dean.

**\* Please note that these are recommendations only and should not be taken as existing policy resources, although we sincerely hope that they will be implemented shortly.**

Arrangements for return from leave with duties other than teaching (see Recommendation 4, below) should be arranged with the Chair, in consultation with who will report the arrangements to the Dean and the Provost.

### **RECOMMENDATION 2**

*URI will expand its current maternity leave policy offered solely to females to a parental leave policy offered to both males and females and will be sensitive to one-parent families and other family structures/arrangements.*

**Rationale:** The birth/adoption of a child profoundly affects both new parents. “Maternity” assumes women not only bear, but are the primary caretakers of children. Additionally, children are best served if both mothers and fathers are involved in child-rearing tasks. Strictly relying on maternity leave suggests that paternity is not equally valuable and it forces families to make gendered choices. The overwhelming majority of fathers state that they have too little time to spend with their children, but express a strong desire for increased involvement with their families (Polatnick, 2000). Many fathers report that workplace cultures that ignore their family lives and allow inflexible schedules and leaves are primary disincentives to involvement in child rearing (Prokos, 2002). Furthermore, if benefits are offered solely to childbearing females, this is called discrimination and leaves the university legally vulnerable. The policy must also acknowledge and accommodate alternate family structures such as same-sex partners, one-parent families, and other unmarried partners.

As a related topic covered under the Rhode Island PFMLA, we recognize the importance of clearly delineating the conditions under which family leave applies to elder care. With an aging URI faculty due to fewer hires, within the more general context of an aging society, elder care will become a long-term issue for everyone.

### **RECOMMENDATION 3**

*URI will establish a parental leave policy that includes at least 6 weeks of PAID parental leave, separate and independent from accrued sick leave. Parents can choose to take this paid parental leave either before or after using accrued sick leave. New parents should be able to use all of their paid and unpaid options without having to continually provide justification and/or documentation for doing so. Ultimately, new parents should be able to request several paid and unpaid leave options that do not erase sick leave.*

**Rationale:** Offering paid leave to parents is in accordance with recent AAUP recommendations (Statement of Principles on Family Responsibilities and Academic Work, 2002-2003). Women with access to paid leave work later into pregnancy, are less likely to work during the birth month, and start work sooner once the infant is at least 2 months old (Joesch, 1997). This surprising finding can be attributed to a family friendly environment that encourages women to return to their job after birth, rather than to quit or choose between work and family, which ultimately results in shorter interruptions of work. The University of Minnesota, the University of California, the University of Massachusetts at Amherst, North Carolina State University, University of Michigan State University, and Boston Penn State University, among others, all have at least six weeks paid parental leave. Many other universities, such as the University of Massachusetts at Amherst, In recognition of this and setting an example for other universities to follow, Duke University, and Iowa State University, have, or are developing, policies that include provides an entire semester of paid parental leave.

Parenting is long term and additional options need to be incorporated to account for this responsibility. This paid leave needs to be separate from sick leave. The current URI maternity policy suggests that women may use accrued sick leave time as the only option for paid maternity leave. Depleting personal sick leave for maternity leave places women faculty at a greater health risk compared to male faculty. Under our policy recommendations, parents could still utilize accrued sick leave either before or after the birth/adoption of a child if they so choose. Six weeks of paid leave accounts for postpartum biological recovery only, however. Most physicians agree that 10 to 12 weeks is required for recovery from childbirth and early childhood care. Therefore, the use of accrued sick leave for parenting does not need to be documented by a physician and utilization of accrued sick leave should be seen as an additional parent’s choice. to follow general guidelines.

### **RECOMMENDATION 4**

*The new family/parental leave policy will include a Reduced Workload component as well as a Full-Time Active Service with Modified Duties option.*

**Rationale:** The current URI AAUP contractual article 21.5.2 mentions a reduced workload option, but it is unclear who decides whether or not the request is granted and the duties and salary of the faculty member on reduced workload status. It is also unclear whether or not this applies to both males and females and under what conditions (e.g., only childbearing or for other family-related issues as well). Furthermore, the AAUP recognizes that not all parents wish to have a reduced workload upon return to work. As a result, the AAUP recommends that all parental leave policies include provisions for full time active service

with modified duties. Although we understand the unique challenges of coordinating parenting and workloads within a university setting (e.g., returning in the middle of a semester when teaching courses would be impossible), faculty members nonetheless need clearly articulated alternatives for returning to work presented to them.

### **RECOMMENDATION 5**

*The new family/parental leave policy will include a tenure-track stop provision. Using this provision will not penalize the faculty in any way.*

**Rationale:** Junior faculty often struggle during the probationary years as assistant professors before tenure. This struggle coincides with the time period in which many women choose to start families. A national study from the University of California at Berkeley found that women's chances for tenure are greatly reduced if they have children (Mason & Goulden, 2002). This study found that women who have babies within 5 years of earning a PhD are 30% less likely than women without babies to ever receive a tenure-track position. Only 56% of women with babies earned tenure within 14 years of earning a PhD. This is compared to 77% of men who had children early in their career who went on to earn tenure, and 71% of men with no children who earned tenure. This can be seen as an example of institutional discrimination.

*“Raising a child takes 20 years, not one semester. American women, who still do the vast majority of child care, will not achieve equality in academia so long as the ideal academic is defined as someone who takes no time off for child-rearing. With teaching, research, committee assignments, and other responsibilities, pre-tenure academics commonly work many hours of overtime. Defining job requirements in this way tends to eliminate virtually all mothers, so it is not surprising the percentage of tenured women in U.S. colleges and universities has climbed so slowly” (Drago & Williams, 2000).*

In an effort to create greater work place flexibility for parents, Mason and Goulden (2002) and others (e.g. Drago & Williams, 2000) recommend that universities provide the option of part-time tenure track positions for early child-raising years, with re-entry rights to full-time positions. Resume gaps would have to be discounted when considering tenure and require a different way of viewing traditionally linear tenure clocks. Some universities have already begun to implement innovative part-time solutions. For example, a grant from the Alfred P. Sloan Foundation at UC Berkeley is aiding in the process of implementing a policy package that would include part-time tenure track positions for faculty at this university. Oregon State University has allowed couples to create one full-time position by each taking a part-time tenure-track position. Although we recognize that not all parents desire to work part-time, with many choosing to work full-time, these are just a few examples of how choices and flexibility can benefit faculty members and the institution.

### **RECOMMENDATION 6**

*Any policy change must be accompanied by a dissemination component that aims at educating faculty about policies and benefits, changing discriminatory norms, and facilitating uniform implementation across disciplines.*

**Rationale:** These recommendations need to be clear policy agreements rather than simple informal/negotiated practices“ (A Study on the Status of Women Faculty in Science at MIT, 1999). “On some campuses an implicit model of total dedication still exists, requiring faculty members to demonstrate that work is one’s primary, even sole, commitment.” (A Study on the Status of Women Faculty in Science at MIT, 1999). Thus, it becomes a problem of changing norms. These issues are not issues to be dealt with at an individual level. Institutional changes need to be implemented in order to resolve these family-centered challenges cited by overwhelming numbers of faculty. The MIT report, A Study on the Status of Women Faculty in Science at MIT (1999) recommends: 1) make the policy on parental leave and tenure clock uniform throughout the school, and make the policies widely known so that they become routine; and 2) take steps to change the presumption that women who have children cannot achieve equally with men or women who do not have children.

Creative techniques can be utilized for the dissemination of this information. For example, the University of California at Davis’ Women’s Resources and Research Center has published a web page about issues of maternity leave. It contains personal accounts of 28 women faculty, as well as the web link for the official handbook pages addressing the policy.

Human Resources at URI could potentially assist employees who are planning on taking family leave in several ways. For example, a Family/Parental Leave Specialist trained in university policies should be available to assist employees, deans, and directors to ensure consistent interpretation and use of the policy. The employee would contact this person for any potential concerns or questions during family leave. If necessary, this specialist could mediate any policy disagreements between faculty, Department Chairs and/or Deans. Dissemination would include making the Family/Parental Leave policy available on-line and distributing brochures to all department offices and employees. Evaluation of the effectiveness of the policy should

be developed and employees should be asked to fill out a survey within six months of return to full-time employment. An important part of this evaluation will be benchmarking where improvements still need to be made.

### **RECOMMENDATION 7**

*Related practices such as child care and dual earner couples must be taken into consideration.*

**Rationale:** Revising the parental leave policy is only an initial step toward creating a family friendly climate URI. In our ultimate goal of creating climate change, other child/family friendly policies must be explored in relationship to parental leave. For example, UC Berkeley incorporates leave for day care and school functions into their policy for school activities such as PTA meetings, parent/teacher conferences, or field trips. Eight hours per month can be taken for such events. Other advocates recommend subsidized childcare for students, faculty and staff in need. Access to child care on the URI campus is currently being assessed, but much more effort and support needs to be focused on this concern. It is difficult for new parents to come back to work without adequate child care, which is extremely limited at URI (as evidenced by the extensive waiting list of over 300 at the campus' only child care center), as well as in the community.

Additionally, women are often asked to choose between their families and their careers. Women with PhD's are far more likely to marry partners who have advanced degrees than are men and are more likely to defer to a spouse's career than are men (Mason & Goulden, 2002). Lack of appointments for dual earning couples again forces gendered choices in terms of career and family. The URI math department explains the difficulty in retaining female faculty due to deferment to their spouses' careers and parenting responsibilities as the "two-body" problem. Whenever possible, dual career families should be accommodated. Hiring dual career partners, providing progressive parental leave and child care policies will increase the likelihood of both people staying.

### **RECOMMENDATION 8**

*Policy change must include all faculty and staff.*

**Rationale:** A recent UC Berkeley study (Mason & Goulden, 2002) found that females are over represented in staff and academic personnel (lecturers, adjunct, research, and other non-ladder rank faculty) positions when compared to their male counterparts. Policy change, therefore, must eventually address these two crucial populations.

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