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Parental Leave at BSU – What We Have and What We Need

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Parental Leave at Bridgewater State — what we have and what we need

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Faculty, librarians, administrators and staff at Bridgewater State University utilize the Family Medical Leave Act (FMLA) for many reasons—for their own health (medical leave), to take care of family members (family leave), and to have, adopt, or foster a child (parental leave.) FMLA guarantees 12 weeks of unpaid leave, however BSU policy allows employees to apply accrued sick leave to pay for some or all of the leave. Full-time faculty and librarians on medical leave continue to earn pay after using part of their accrued sick leave because they can tap into the sick bank—but those on family or parental leave cannot. Those on parental leave are contractually granted 10 paid days, but those on family leave are not. We need to do better than this.

Since August 2014, the National Science Foundation ADVANCE program has funded (grant #HRD-1409348) our inquiry into the importance of work-place flexibility for faculty in Science, Technology, Engineering and Mathematics (STEM), and Social Sciences (SS) at BSU. A predominant challenge to workplace flexibility (as well as work/life integration) for all faculty, librarians, staff, and administrators is BSU's lack of fully paid family and parental leave. BSU's team of researchers surveyed and interviewed full- and part-time STEM and SS faculty to explore how they create workplace flexibility within the boundaries of institutional requirements and policies, including how they manage family and parental leave. This article focuses on the parental leave component of our work.

Researchers and policymakers have consistently identified paid parental leave as a “best practice” for a successful workforce (www.worklifelaw.org/pubs/worklife_academia_FINAL.pdf). Paid parental leave improves worker productivity, retention,

loyalty and satisfaction (www.nationalpartnership.org/research-library/work-family/paid-leave/paid-leave-good-for-business.pdf). Because employee turnover is expensive, paid parental leave has either a neutral or positive effect on an institution's finances (<https://hbr.org/2011/01/paid-family-leave-pays-off-in/>).

Some of us can anticipate when we need parental leave, but for most it is difficult to time pregnancies or know when an adopted or foster child might join the family. Even faculty who do not need parental leave can be affected by BSU's policies and procedures. Department chairs often work with faculty to coordinate parental leave; other times, faculty may be asked to cover classes, advising, and committee work when a colleague is out; and part-time faculty are often hired to cover faculty on leave. As a result, parental leave is a campus-wide issue that concerns us all.

As part of our ADVANCE work we surveyed full-time faculty in our data pool and 74 colleagues responded to the following question: “To the best of your knowledge, without consulting sources, what is the family leave policy on campus?” Most respondents interpreted family leave as parental leave. Over half of the respondents (52%) had

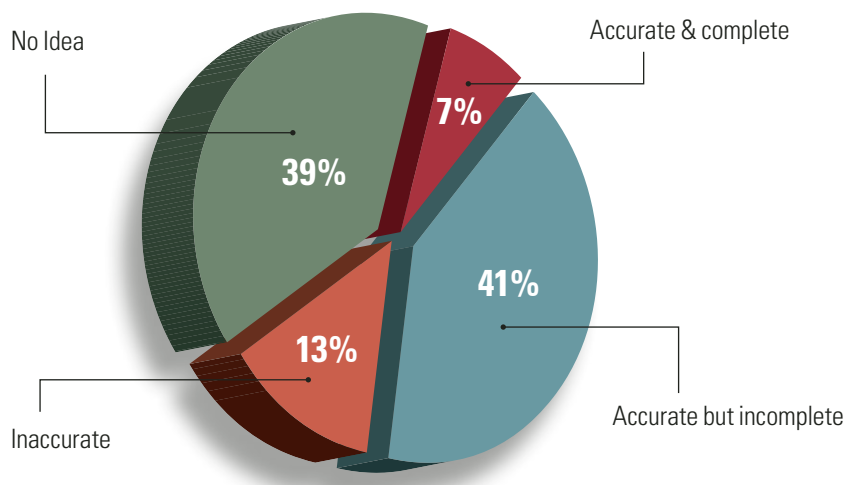


Figure 1. Q: To the best of your knowledge, without consulting sources, what is the family leave policy on campus?

no idea or had a completely inaccurate understanding of it, while 41% had a partially correct understanding, and 7% had a completely correct understanding (Figure 1).

Overall, this shows full-time faculty have a low level of awareness and understanding of the family and parental leave policy. On one level this may make sense. Perhaps respondents haven't needed to use it recently (or ever), and therefore hadn't looked into it. But what if you are a department chair and a member of your department needs to take parental leave? Or you are approached by a pregnant pre-tenured faculty member for advice about leave? We all should know what the parental leave policy is or where to go to easily find that information.

What is the parental leave policy we have now?

The current MSCA contract stipulates that full-time faculty can take unpaid family leave (including parental leave) for up to a year. Upon the birth, adoption, or fostering of a child, paid parental FMLA leave is available for 10 days, with an additional 10 weeks of unpaid FMLA leave. Full-time faculty can use their personal days and accrued sick days as a mechanism to be paid for up to an additional 10 weeks of parental leave. In contrast, a faculty member on medical leave can claim up to two years of paid leave from the sick bank after using all of their accrued sick days. The sick bank *cannot* be used for family or parental leave.

Faculty who do not have enough accrued sick days and who cannot afford to take unpaid time must find other ways to manage their parental leave during the 12 weeks afforded by FMLA. Some faculty simply use their 10 paid days before returning to work, relying on colleagues to cover their classes, advising, and committee work in their absence. Others take on alternative professional responsibilities

during their otherwise unpaid weeks, with some teaching online courses at the same time. None of these choices are ideal because none of them are actual leave—the faculty member still has to work full-time for weeks while caring full-time for a child. Depleting accrued sick leave could also have implications for future illnesses.

Why does paid parental leave matter at BSU?

Faculty, administrators, and students alike face a number of challenges with BSU's current parental leave policy. One pressing issue is that pre-tenure faculty, who are demographically the most likely to have new children joining the family, often do not have enough accrued sick days to cover a 10-week absence. It takes faculty members a full year to accrue 10 sick days; at that rate, it would take five years to accrue enough sick time to cover 10 unpaid FMLA weeks, assuming faculty have not already used any accrued sick days. Without enough accrued sick days, faculty must return to work or take the remaining time unpaid and not work. Many people cannot afford to take unpaid leave and thus are forced to negotiate an alternative workload during this time of parental need. This approach impacts not only individual faculty members who need the leave, but also their colleagues who step in to cover classes and other professional responsibilities and department chairs and administrators who need to manage schedules, hire part-time faculty, and evaluate faculty on leave in shortened terms. Students may also face multiple faculty members with different expectations and styles in the classroom within the same course.

Furthermore, a significant issue with these solutions is that they are arranged on a case-by-case basis and depend strongly on the knowledge and support of the faculty member, the department chair, and the administrators who sign

off on the final arrangements. Making these arrangements can be even more precarious for pre-tenure faculty, who may have less knowledge of the options available or any precedent set by previous colleagues in their situation, and may worry about the impact a leave could have on the tenure process. Our conversations with faculty members revealed that vastly different options were presented to different faculty members facing the need for parental leave, raising questions of equity and social justice.

Consider this scenario. Jane is a full-time faculty member who has completed her third year at BSU and is going to have a baby two weeks into the Spring semester of her fourth year. By the time she is scheduled to have the baby, assuming she has not used any sick days, she will have accrued approximately 35 days, or seven weeks, of sick leave (10 days per year for the first three years, about five from half of her fourth year.) Given a 14-week semester, she could work the first two weeks of the semester (assuming no early delivery or pregnancy complications), have other faculty members (either part-time faculty for pay or full-time faculty for overload credits) cover her classes while she utilizes the two weeks of paid leave granted by the contract and her seven weeks of accrued sick leave. This leaves three weeks in the semester – does she take the rest of the semester unpaid? Does she return to the classroom with a nine-week old at home and cause disruption in her classrooms by switching professors in the middle of her courses? Or does she try to arrange for alternative work during those remaining weeks, which is not always available and can be difficult to negotiate? An ideal answer would be that she receive the entire semester as paid leave. That option would be the least disruptive to her students, the most just for her colleagues, and the most supportive of Jane and her family.

While Jane is not a real BSU faculty member, her story is familiar to faculty on campus. Our qualitative interviews with 49 full-time faculty members showed the real-life impacts of the current parental leave policy. One faculty member who was considering single parenthood noted: “I didn’t find a way . . . to have a child or adopt a child within the system that we have here.” Another emphasized the problems with changing professors partway through a course, saying “it doesn’t serve the students well, to have two different instructors per class, it doesn’t serve the faculty well, it’s just . . . a bad experience . . . a bad experience categorically for everybody involved.”

Based on our ADVANCE research, it is clear that our parental leave policy is insufficient and even detrimental to our students and faculty. So what is the solution? What would be possible at a public institution, especially during difficult fiscal times? The answer to that may lie in the kinds of paid parental leave our peer institutions and other state agencies provide.

While investigating policies of other state agencies in Massachusetts, we found that some provide paid leave without requiring employees to deplete their sick days. For example, as of May 11, 2015, the Massachusetts Attorney General’s Office offers 30 days of paid parental leave for its employees (www.mass.gov/ago/docs/hr/parental-leave-policy.pdf) and as of June 3, 2015, the Massachusetts Treasurer’s office offers up to 12 weeks of paid parental leave (www.mass.gov/treasury/about/media-pubs/treas-press-rel/2015/goldberg-announces-12-week-paid-parental-leave-policy.html). In addition, all tenure-track faculty at University of Massachusetts campuses at Amherst and Boston are granted an entire semester of paid parental leave (umassmsp.org/msp_contract; <https://www.uml.edu/>

HR/Labor-Relations/Faculty-Labor.aspx). At UMass, faculty are also allowed to tap into the sick bank for parental leave, which our contract does not allow.

How can BSU do better and what do we need?

Imagine that we had a paid semester of parental leave at BSU. It would not solve every problem related to parental leave, but it would significantly reduce the burdens caused by our current policy. With the simple addition of allowing faculty to donate additional time to the sick bank and granting faculty access to the sick bank for parental leave, we could provide that option with little or no cost to the university. But we would also need to create a campus culture where faculty know all of their parental leave options and how to utilize them.

Department chairs who are knowledgeable about parental leave options are vital to this work, as they may be the first contact point for faculty members regarding parental leave needs. One benefit of parental leave in particular is that faculty often have several months to plan ahead for the leave. But even with that additional time, if faculty and administrators do not know what the options are, people in need may not know either. Montana State University has addressed this problem by supporting a faculty member to serve as a Family Advocate who helps all employees and students navigate their university’s policies and programs and serves as a first stop for questions about everything from where the nursing rooms are to “family and medical leave across the lifespan” (www.montana.edu/provost/family-advocates.html).

BSU also needs to foster supportive departmental cultures and find ways to manage the advising and committee work of faculty on leave without overburdening their colleagues. Given

that we have a talented pool of part-time faculty, perhaps they could be compensated not only to teach courses but also to take part in other departmental work, like advising or committee deliberations.

Can BSU do better with regard to parental leave? We hope so. The ADVANCE team has been working with various stakeholders on campus, including MSCA leadership, Human Resources, and President Clark, who are all in support of expanding paid parental leave on campus. An important aspect of our conversations is that paid parental leave should apply to *everyone* who utilizes FMLA—faculty, librarians, staff, and administrators. Family leave is just as important as parental leave, as caring for family members can affect any of us at any time. Research demonstrates there could be little financial impact on BSU with great benefit to the entire campus community. We should rally around an improved family and parental leave policy. Movement on these issues is imperative and change can happen not just through a formal BSU policy that aligns with the contract but also through contract negotiations. We are eager to have your input and support as we work toward a positive and socially just change around parental and family leave.

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