

**VII—7.49 Policy on Parental Leave and other Family Supports for Staff  
(Approved by the Board of Regents, June 22, 2012)**

**I. Purpose**

This policy is intended to support USM staff in balancing professional and family demands during and after the birth or adoption of a child through measures to promote a “family-friendly” environment on each USM campus. These measures include the establishment of a minimum assured period of paid parental leave of eight (8) weeks and the availability of lactation facilities on each campus.

**II. Assured Minimum Parental Leave**

Each eligible staff employee shall be assured a period of up to eight (8) weeks (i.e., forty work days) of paid parental leave to care for a new child, as follows:

- A. **Nature of Leave:** The parental leave period will consist of any form of annual, sick, personal, holiday or leave reserve fund leave accrued or otherwise available to the employee under USM policies, to be supplemented as necessary by the institution with additional paid leave days to attain an eight (8) week period of paid parental leave.
  
- B. **Applicability:** The eight (8) week paid leave assurance will be available during a six (6) month period surrounding:
  - 1. The birth of a newborn;
  - 2. The recent adoption of a child under the age of six (6); and
  - 3. At the discretion of the institution’s President or designee and subject to any limitations established by the institution, the assumption of other parenting responsibilities, such as foster parenting or legal guardianship of a child under the age of six (6).
  
- C. **Eligibility:** At a minimum, the paid leave assurance will apply to regular staff employees, upon written affirmation that the employee will be the child’s primary caregiver during the parental leave period.
  - 1. Institutions may offer assured minimum paid leave to other categories of staff as a matter of institution policy.
  - 2. Leave shall be pro-rated for eligible .50 or greater Full Time Equivalent staff.
  - 3. If a child’s parents are employed by the same institution, both may be eligible for paid parental leave up to the eight (8) week maximum as follows:
    - a. Both parents may use accrued annual, sick or personal leave concurrently with the birth of a child or adoption of the child under age six (6);
    - b. A parent may use additional guaranteed paid leave under this policy only during a period when that parent is the child’s primary caregiver.

4. A staff employee shall be eligible for assured minimum paid parental leave after one (1) year of employment with the institution, except to the extent that institution policies permit a lesser eligibility period.
5. A staff employee may be eligible for paid parental leave under this policy on one occasion in a given 12-month period, and on two separate occasions during the duration of the staff member's employment within the USM. Any additional periods of paid parental leave require the approval of the President, or the President's designee.
6. The employee must have a satisfactory record of sick leave usage and work performance.

### III. **Supports for Nursing Mothers**

- A. **Lactation Facilities:** Each institution shall provide space at reasonable locations on campus where employees who are nursing mothers may breastfeed or express milk.
  1. The area must be shielded from view and free of intrusions from others.
  2. A bathroom or restroom may not be designated as a lactation area.
  3. The space may be a private area in a larger room, or a private room that is reliably made available for nursing mothers whenever needed but may otherwise be used for different functions.
  4. The area shall be equipped with seating, a table or other flat surface, an electrical outlet and nearby access to a sink.
  5. The requirement for lactation facilities on each campus and their availability for the purpose of breastfeeding a child are subject to institution policies that govern the circumstances under which children may be present on campus.
- B. **Break Time for Nursing Mothers:** The schedule of a staff employee who is a nursing mother shall allow for reasonable break time during work hours for the purpose of breastfeeding or expressing milk.
  1. Employees shall be permitted to use current paid break and unpaid lunch times to breastfeed or express milk.
  2. Supervisors shall work with employees who need additional break time for this purpose to provide for the flexible scheduling of additional unpaid break time.

### IV. **Protections to Staff Employees**

No employee shall be discriminated against or otherwise experience reprisals in any appointment, evaluation, promotion, or other employment-related process as a result of utilizing the parental leave and other supports provided in this policy.

### V. **Implementation**

This policy shall be implemented as follows:

- A. **Parental Leave:** Eligible employees shall have access to parental leave under this policy as of September 1, 2012.
  
- B. **Other Provisions:** Institutions shall complete implementation of all other requirements of this policy no later than December 31, 2012.