

WSU PREGNANCY AND PARENTAL LEAVE

RESOURCE GUIDE

Planning for a New Child

Washington State University (WSU) is committed to supporting faculty and staff when they add children to their families. New parents may consider a number of paid and unpaid time off options when planning to welcome a new child by birth, adoption, foster care or legal guardianship.

It's important to begin conversations with your supervisor to plan as far in advance as possible. Be sure to review the [Pregnancy and Parental Leave checklist](#) when planning a leave.

Job & Benefit Protection: Family Medical Leave Act (FMLA)

FMLA is a federal law that provides eligible employees up to 12 weeks of *unpaid* job protected and benefit protected leave in a 12-month period. If both spouses work for WSU, they may take a combined total of 12 weeks of FMLA leave in a 12-month period for the purpose of taking leave for the birth of the employee's child or placement of an adopted or foster child. This means that if your WSU spouse takes six (6) weeks FMLA time off you would have six (6) weeks of FMLA to use.

An employee's entitlement to FMLA leave for birth and bonding expires 12 months after the date of birth. Both birth and non-birth parents have the same right to take FMLA leave for the birth of a child.

Employees who wish to take intermittent FMLA leave after the birth of a child or after adopting or fostering a child, assuming the child does not suffer from a serious health condition, may only do so if their manager/supervisor agrees to the intermittent leave or modified work schedule requested (for example: an employee would like to take intermittent FMLA of one day a week for 6 weeks).

Eligibility for FMLA:

- The employee must have worked for WSU or another Washington State agency or Washington State institution of higher education for at least 12 months prior to the commencement of leave.
- The employee must have worked for at least 1,250 hours in the previous twelve-month period immediately preceding the commencement of the leave. Hours worked do not include paid leave hours (sick hours, annual leave hours, holidays, etc.)

FMLA is a leave of absence type, and may run concurrently with paid and unpaid time offs such as Annual Leave, Sick Leave, and Leave without Pay (LWOP).

Disability due to Pregnancy or Childbirth

WSU provides a leave of absence for the period that an employee is sick or temporarily disabled because of pregnancy or childbirth. This leave begins the first day an employee is placed off work by their health care provider regardless of their due date. Most often, this leave

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is used the six weeks immediately following childbirth for natural delivery and eight weeks if the birth is by caesarean section. Additional leave may be approved if complications occur, and the healthcare provider recommends a longer period. This is an approved leave of absence type, rather than an accrued time off.

Employees may use the following accrued leave/Time Offs during this period:

- Sick leave
- Annual leave
- Personal Holiday (AP and Faculty)
- Compensatory Time off
- Shared Leave
- Leave without Pay (LWOP)

FMLA leave runs concurrently with disability due to pregnancy or childbirth.

Parental (Bonding) Leave

WSU offers parental (bonding) leave to all eligible parents and legal guardians to bond with a new child. Employees may request parental leave for up to 12 weeks for the birth and care of the employee's newborn child or the placement of a child with the employee for adoption or foster care. For birth parents, this leave may be in addition to any leave related to temporary disability due to pregnancy and childbirth. Classified Employees are entitled to request up to six months of parental leave, however, the employer may deny requests for the portion of the parental leave that exceeds 12 weeks, due to operational necessity. Parental leave must be used within 12 months of the child's birth or placement for adoption, foster care or legal guardianship. This is also an approved leave of absence type, rather than an accrued time off.

Employees may use the following accrued leave/Time Offs during this period:

- Annual leave
- Personal Holiday (AP and Faculty)
- Compensatory Time off
- Shared Leave
- Leave without Pay (LWOP)

FMLA leave runs concurrently with parental leave.

Washington State Paid Family and Medical Leave (PFML)

Employees may also be eligible for [WA Paid Family and Medical Leave \(PFML\)](#) during the periods of disability due to pregnancy or childbirth and parental/bonding leave. This statewide program is administered by the Employment Security Department (ESD). When leave is taken, the benefit is paid by the State of Washington rather than the employer. An overview of the program can be found on the [HRS PFML Webpage](#). To apply for the program, please create an account through the [Worker Login](#) on the ESD website. PFML provides eligible Washington workers with 12 weeks of paid job & benefit protected leave. To qualify for PFML, employees

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must work 820 hours (about 16 hours a week) in Washington over the last year. For more information please visit <https://paidleave.wa.gov/>. We highly recommend the [benefit guide](#) which gives a detailed insight of Washington's Paid Family Medical Leave program.

Note: The PFML program does not replace the Federal Family Medical Leave Act (FMLA) or other WSU coordinated medical leaves. **Employees must also apply for medical leaves and enter appropriate Time Offs in Workday** as outlined in applicable WSU policies, specifically Business Policies and Procedures Manual (BPPM):

- BPPM 60.56 [Faculty and Administrative Professional Personnel Leave](#)
- BPPM 60.57 [Civil Service Employee Leave](#)

Supplemental Benefits: A supplemental benefit payment is a supplement to the partial wage replacement an employee receives under the Washington PFML program. WSU allows employees to choose to use annual leave, sick leave, personal holiday, or compensatory time, as a supplemental benefit during a period when the employee is receiving PFML.

*Please note: Employees who work outside of Washington are not covered by the PFML program. WSU does not take PFML deductions or report hours and wages for employees whose work location is out-of-state. Employees are responsible for determining if the out-of-state location in which they work is covered by a similar program.

Shared Leave

If an employee needs time off for disability due to pregnancy or childbirth or parental leave, they may [apply for the WSU Shared Leave program](#), as provided by under the State of Washington Leave Sharing program. The Shared Leave program allows qualifying employees the opportunity to receive donation leave to utilize as if it were their own. Employees may be eligible for up to a maximum of 90 days or 522 hours from the qualifying event eligibility date. The employee's time off balances must reflect they will shortly deplete their Annual Leave and Sick Leave balances to 40 hours each respectively. Employees may maintain up to 40 hours of annual leave and 40 hours of sick leave in reserve.

How to Request Leave and Report Time

Submit a Leave of Absence (LOA) in [Workday](#). See [Workday Knowledge base](#) reference guide [Employee Request a Leave of Absence](#).

Have your health care provider complete the [Medical Leave Health Care Provider Statement](#). In the case of Bonding/Parental Leave, employees only need to provide reasonable documentation of a family relationship (such as birth announcement or certificate, placement documentation).

Send the completed Health Care Provider Statement to Disability Services, not your department. If possible, please send an electronic version of the documents to Disability Services at hrs.disabilityservices@wsu.edu or via fax 509-241-9090. If electronic submission is

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not possible send via US mail to: HRS Disability Services, PO Box 641014, Pullman, WA, 99164-1014.

In Workday: Employees who have applied and are approved for a LOA, will see the approved LOA “designation” on their Absence Calendar for the duration of the LOA, whether it is on a full-time, part-time, or intermittent time off basis. This designation allows an employee on the designated leave(s) to have access to and utilize time offs specific to that LOA designation. When on a LOA, Time Offs, or Leave Without Pay (when applicable), must be entered in Workday for all time not worked. For more information, see [Steps to Enter a Time Off While on LOA](#).

Maintaining Benefits while on Leave

Employer paid medical benefits will remain effective during the FMLA period of leave, as long as the employee pays their monthly employee premiums. If an employee chooses unpaid FMLA, WSU will continue to pay the employer portion of benefits and the employee will be billed for their share of the benefits cost. An employee is allowed to use a minimum of eight hours of accrued paid leave per month to provide for continuation of employer paid benefits.

Note: Eight hours of pay may not generate enough pay to cover the employee’s portion of the insurance premium. Contact HRS Benefits at 509-335-4589 to inquire how much leave must be used each month to cover the employee portion of the insurance premiums.

Related Policies

- [BPPM 60.56: Faculty and Administrative Professional Personnel Leave](#)
- [BPPM 60.57: Civil Service Employee Leave](#)
- [BPPM 60.58: Shared Leave](#) *Under review for 2020 law changes*

If You Need Assistance

For more information about the pregnancy and parental leave policies, including confidential assistance, contact HRS Disability Services:

- Email: hrs.disabilityservices@wsu.edu
- Phone: 509-335-9158
- Fax: 509-241-9090