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Appendix O
PSC-CUNY Paid Parental Leave Policy

1. **Eligibility -** Full-time employees[1] who have a minimum of one year of service with CUNY[2] are eligible for a continuous leave of absence once every 12-month period to care for and bond with a newborn child or a newly adopted or fostered child, adopted or fostered at up to five years of age, not to exceed twelve weeks.

2. **Commencement of Leave -** Employees covered under paragraph 1 above are eligible for twelve consecutive weeks of paid parental leave, which must be taken immediately upon the child's birth or adoption, or foster placement of the child,[3] except as follows:

   a) For the birth parent, paid parental leave shall commence immediately upon the expiration of approved use of temporary disability leave related to childbirth.

   b) Paid parental leave may be taken prior to the birth when deemed medically necessary for the birth parent, and the birth parent does not have sufficient temporary disability leave to cover that period.

   c) Paid parental leave may be taken prior to the adoption of or foster placement of the child when necessary to fulfill the legal requirements for an adoption or foster care (e.g., foreign travel).

   d) For eligible couples in the bargaining unit who work in the same department at the same college, the parental leaves may not be taken concurrently (or concurrently with the birth

[1] Persons employed as substitutes who do not have an underlying regular annual appointment are not eligible for the Paid Parental Leave Benefit.

[2] Teaching faculty who have completed two continuous semesters of teaching and become parents during the period of annual leave, as defined in section 14.1 of the PSC/CUNY collective bargaining agreement, are eligible for the Paid Parental Leave Benefit.

[3] Reference to "adoption" shall be understood to mean the formal placement of a child with the employee for adoption.

mother's period of disability leave, if any), but must be taken consecutively. The couple would be eligible for two consecutive leaves limited to a combined total of 21 rather than 24 weeks. In no event may either parent take a leave of more than twelve weeks. The couple may appeal to the President of the College for permission to take the leave concurrently. The decision of the President is final.

3. **Scheduling Options -** Full-time classroom teaching members of the Instructional Staff (hereinafter "teaching faculty" or "faculty")[4] may elect one of the options below in lieu of taking twelve weeks of paid parental leave immediately following the birth, adoption, or fostering of a child (or immediately following the expiration of approved use of temporary disability leave for the birth parent), as set forth in paragraph 2 above. The election shall be made at the time they file their notice of intent to take paid parental leave.

   a) They may elect to receive 9-contact hours release to be take in any combination during the semester of the birth and/or following semester.

   b) In the event there are five or fewer weeks remaining in the semester at the time the faculty member becomes eligible to take paid parental leave *(i.e.*, upon the birth or adoption of the child or upon the expiration of the approved temporary disability leave for the birth mother), the faculty member may elect to take paid parental leave for the remainder of that semester and to receive a 6-contact-hour release in the next semester; if the faculty member does not so elect, the faculty member will be entitled to take the remaining weeks of paid parental leave *(i.e.*, up to the full twelve weeks) in the next semester.

   c) A faculty member who becomes eligible for paid parental leave during the period of annual leave as set forth in section 14.1 of the PSC/CUNY collective bargaining agreement may elect either i) to take twelve weeks of paid parental leave commencing effective with the first day of the Fall semester following the period of annual leave (or at the expiration of the approved period of temporary disability leave for a birth mother, to the extent that such period extends into the Fall semester), or ii) to receive a 9-contact-hour release in any combination to be taken in the Fall semester following the period of annual leave and/ or in the following Spring semester, or receive the equivalent of 9-contact hours release over the course of both semesters. The scheduling option is subject to the approval of the department chair.

[4] It is understood and agreed that the provisions of this policy pertaining to teaching faculty also apply to faculty counselor approval s hired of prior to September 1, 1998.

d) It is the intention of the parties that a faculty member not be on leave for two semesters; faculty, accordingly, are encouraged to utilize the course release options in subparagraphs (a) through (c) above, as appropriate.

4. **Notice -** The employee is required to give notice of his/her intent to take paid parental leave by filing an application form at least 90 days prior to the expected due date of the baby or 90 days prior to the expected placement of the child with his/her adoptive or foster parents; in the event that the adoption or foster placement date is not known 90 days in advance, the application must be filed as soon as the placement date is known to the parent. The employee must file the application form with the Director of Human Resources, after obtaining the signature of his/her department chair or unit head.

5. **Service Credit -** As with other paid leaves, the period the employee is on paid parental leave will count as service. However, an employee in a title eligible for tenure, a Certificate of Continuous Employment ("CCE"), or a Certificate of Continual Administrative Service ("CCAS" or "13.3b") who does not yet have tenure, a CCE, or a 13.3b appointment, who takes a paid parental leave during his/her first six years of service (four years for CLT series employees and Lecturers) may, at his/her discretion, elect to have the period of the leave serve as a bridge, in the same manner as does unpaid child care leave taken under section 16.9 of the PSC/CUNY collective bargaining agreement. While the eligible employee may discuss his/her options with his/her department chair or unit head prior to the birth or adoption, the election itself may not be made in advance of the birth or adoption. An eligible employee choosing to exercise this option must notify his/her department chair or unit head and the Director of Human Resources, in writing, within 90 calendar days following the birth or adoption. No election may be made following the expiration of the 90-day period, and once an election is made, it is irrevocable. The election option is no longer available on or after June 1st of the year preceding the academic year (September 1st - August 31st) for professorial series employees, lecturers, and CLT series employees, or the fiscal year (July 1st - June 30th) for HEO series employees, during which the tenure/CCE/13.3b decision must be made ("decision year"), as applicable. An employee who becomes eligible for a paid parental leave on or after June 1st of the year prior to the decision year will not be eligible for the above-referenced election; his/ her period of paid parental leave shall count as service.

An eligible Instructor who takes a paid parental leave during his/ her first four years of service may similarly elect to have the period of the leave serve as a bridge - in the same manner as does unpaid child care leave taken under section 16.9 of the PSC /CUNY collective bargaining agreement - for purposes of the five-year limit on Instructor service and subsequent applicability, if any, of sections 9.8 and 12.6 of the PSC/CUNY collective bargaining agreement. While the eligible employee may discuss his/her options with his/her department chair or unit head prior to the birth or adoption, the election itself may not be made in advance of the birth, adoption or foster care. An eligible Instructor choosing to exercise this option must notify their department chair or unit head and the Director· of Human Resources, in writing, within 90 calendar days following the birth, adoption or foster care. No election may be made following the expiration of the 90-day period, and once an election is made, it is irrevocable. The election option is no longer available on or after June 1st of the fourth year of Instructor service. An Instructor who becomes eligible for a paid parental leave on or after June 1st of the fourth year of Instructor service will not be eligible for the above-referenced election; his/her period of paid parental leave shall count as service.

6. **Miscellaneous provisions –**

a) One paid parental leave benefit is available per eligible employee per birth, adoption, or foster care event during a 12-month period starting from the birth or placement of child; the number of children involved in the birth, adoption, or foster care does not increase the length of paid parental leave for eligible employees.

b) Eligible employees will remain on the payroll and continue to be eligible for all applicable benefits.

c) Paid parental leave taken pursuant to this program will run concurrently with Family Medical Leave Act ("FMLA") leave to the extent that such leave is available to the employee. Employees who access leave benefits under Article 16.8 (Special Leave for Childcare) immediately following paid parental leave are eligible for (1) semester of unpaid leave under the terms of Article 16.8 .

d) Holidays and/or, for teaching faculty. inter session period(s) (excluding the period of annual leave as defined in Article 14.1 of the PSC/CUNY collective bargaining agreement) that occur while an employee is on paid parental leave do not serve to extend

the period of the leave, but rather are counted as part of the period of paid parental leave.

e) If an employee has been non-reappointed and the period of his/her current appointment ends while he/she is on a paid parental leave, he/she is not entitled to payment for any unused portion of the leave beyond the period of his/her appointment.

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