



BOISE STATE UNIVERSITY

University Policy 7610

Paid Parental Leave

Effective Date

November 03, 2020

Last Revision Date

February 03, 2022

Responsible Party

Human Resources, (208) 426-1616

Provost and Vice President for Academic Affairs, (208) 426-1202

Scope and Audience

This policy applies to all regular, benefit-eligible Faculty, Classified, and Professional Employees who meet the eligibility criteria under Section 4.

Additional Authority

Families First Act, Executive Order 2020-003

1. Policy Purpose

To provide Paid Parental Leave to eligible employees for the birth or adoption of a child and to establish guidelines for the use of such leave.

2. Policy Statement

Boise State University recognizes that supporting employees as they balance career, childbirth or adoption, and family life ultimately benefits the University. This Paid Parental Leave policy regards family care concerns as legitimate and important by allowing employees to spend time with a newborn or adopted child while maintaining active employment.

3. Definitions

3.1 Paid Parental Leave

Eight (8) weeks of paid leave provided to eligible employees that must be used within twelve (12) weeks after the birth or adoption of a child. During Paid Parental Leave, faculty have no professional responsibilities to the University.

4. Eligibility Criteria

- a. An eligible University employee must meet all of the following criteria:
 - Be a regular, benefit-eligible employee who works twenty (20) or more hours per week and is expected to be employed for more than five (5) months; and
 - Has been employed with the University and/or the State of Idaho for at least twelve (12) months during the past seven (7) years (the twelve (12) months do not need to be consecutive); and
 - Has worked at least 1,250 hours during the twelve (12) consecutive months immediately preceding the date of the birth or adoption.
- b. In addition, an employee must meet one (1) of the following criteria:
 - Be a new parent by childbirth; or
 - Be the new adoptive parent of a child under the age of eighteen (18); or
 - Be a parent of a child born by a surrogate mother; or
 - Be an individual seeking to adopt a child after the birth of that child, but the adoption has not yet been finalized.

- c. Surrogate mothers, the adoption of a new spouse's child, and sperm donors do not meet the eligibility criteria for Paid Parental Leave.

5. Use of Paid Parental Leave

- a. An eligible employee will receive a maximum of eight (8) weeks (320 hours for full-time employees) of Paid Parental Leave that must be used within twelve (12) weeks after the birth or adoption of a child.
- b. An eligible employee working less than full-time will receive a prorated portion of Paid Parental Leave. The prorated portion of Paid Parental Leave is calculated based on the percentage of hours the employee is normally scheduled to work.
- c. An employee may use Paid Parental Leave continuously for eight (8) weeks, or as a predefined reduced work schedule, as long as it is used within twelve (12)-weeks of the birth or adoption of the child.
- d. An employee may not receive more than eight (8) weeks of Paid Parental Leave in a rolling twelve (12)-month period. Multiple births or adoptions within twelve (12) months do not increase the amount of Paid Parental Leave.
- e. Eligible spouses who both work for the University will each receive a maximum of eight (8) weeks of Paid Parental Leave that must be used within twelve (12) weeks of the birth or adoption of the child.
- f. Eligible spouses who both work for the University are limited to a combined total of twelve (12) workweeks of Family and Medical Leave Act (FMLA) leave in a rolling twelve (12)-month period for FMLA-qualifying reasons.

6. Limitations on Use of Paid Parental Leave

- a. An employee may not use Paid Parental Leave in excess of the employee's normally scheduled workweek. For example, if a full-time employee plans to work a reduced work schedule, but then works in excess of what was planned, the employee is required to reduce the number of Paid Parental Leave hours coded during that workweek. The employee's unused Paid Parental Leave can still be used within twelve (12) weeks after the birth or adoption of a child.

- b. An employee may not use Paid Parental Leave intermittently unless approved by the employee's supervisor and Human Resources. If the supervisor approves the employee's use of intermittent Paid Parental Leave, the intermittent Leave must be used within twelve (12) weeks of the birth or adoption of the child.
- c. An employee who is an adoptive parent may not use more than eight (8) weeks of Paid Parental Leave in a rolling twelve (12)-month period and is exempt from the continuous leave requirement if the adoption is not final. This provision does not bar individuals from receiving Paid Parental Leave when the adoption is not finalized, for whatever reason.
- d. Paid Parental Leave may not be donated to another University or State of Idaho employee.

7. Compensation of Paid Parental Leave

- a. Each week of Paid Parental Leave is compensated at one-hundred percent (100%) of the employee's base salary at the time of leave. Paid Parental Leave will be paid on scheduled pay dates.
- b. The university will maintain all benefits for an employee while the employee is on Paid Parental Leave.
- c. An employee will accrue applicable Credited State Service (CSS) hours while on Paid Parental Leave.
- d. An eligible employee who separates from the University will not be paid for any unused portion of Paid Parental Leave.

8. Request and Approval to Use Paid Parental Leave

- a. An employee must provide at least thirty (30) days' notice prior to taking Paid Parental Leave, when foreseeable, to the employee's supervisor and to Human Resources. In situations where advance notice is not possible, the employee must notify Human Resources as soon as feasible. "As soon as feasible" would ordinarily mean the employee provides verbal notification to the University within ten (10) University business days of the employee knowing of the need for leave.
- b. To request Paid Parental Leave, FMLA paperwork must be requested from Human Resources (see University Policy 7230 - Family and Medical Leave). Human Resources will

send a Notice of Eligibility and Rights and Responsibilities to the employee within five (5) University business days of receiving the completed FMLA paperwork.

- c. An employee is required to provide legal documentation of the birth or adoption of a child within thirty (30) days of the birth or adoption, or as soon as it becomes available. The employee's name must be included as a legal parent on the birth certificate, a legal document establishing paternity, or a legal document establishing adoption. Situations where a legal document cannot be provided at the time of birth or adoption, or within the required timeframe, or a reasonable time thereafter, will be considered on a case-by-case basis by Human Resources.

9. Coordination with Other Leave

9.1 Family and Medical Leave Act (FMLA)

- a. Paid Parental Leave must run concurrently with any approved FMLA leave and will be counted toward the twelve (12) weeks of available FMLA leave in a rolling twelve (12)-month period.
- b. An eligible employee who has exhausted their FMLA leave may still utilize Paid Parental Leave.
- c. An employee who becomes eligible for FMLA while on Paid Parental Leave after the birth/adoption of a child must apply for and use FMLA. Human Resources will contact the employee once they are eligible for FMLA to facilitate the application process.

9.2 Accrued Leave

An employee must utilize accrued sick, vacation/annual, and compensatory leave before unpaid leave can be utilized.

9.3 Unpaid Leave

Unpaid leave will be considered in accordance with FMLA and other applicable federal and state laws.

9.4 Short-Term Disability

Employees should contact Human Resources for information about short-term disability benefits.

9.5 Donated Leave

Employees are not eligible to receive Donated Leave while utilizing Paid Parental Leave. An employee may be eligible to receive Donated Leave after Paid Parental Leave and all other accrued leave is exhausted, or if the employee is not eligible for Paid Parental Leave (see University Policy 7220 - Donated Leave).

9.6 Qualifying Event during Break in Appointment

An eligible, partial-year (less than twelve (12)-month, and greater than or equal to nine (9)-month) employee who experiences a qualifying event during a break in their appointment is eligible for Paid Parental Leave once the employee resumes their active appointment status. The employee is eligible to receive the balance of Paid Parental Leave that remains in the twelve (12) weeks since the qualifying event.

9.7 Other Leave Types

- a. Holidays occurring while the employee is on Paid Parental Leave will be coded to holiday pay and will not count toward the employee's Paid Parental Leave entitlement or FMLA hours.
- b. An employee who is on Paid Parental Leave when the President, or designee, authorizes paid administrative leave due to inclement weather and/or an office closure, must record that time to Paid Parental Leave. Paid administrative leave will not extend the Paid Parental Leave entitlement.

10. Transfer to another State Agency

An employee who transfers to another State agency while on Paid Parental Leave is eligible to use any remaining Paid Parental Leave hours at their new agency.

11. Classified Employees on Probation

A Classified Employee who is on entrance or promotional probation while taking Paid Parental Leave may have their probationary period extended equivalent to the amount of Paid Parental Leave taken.

12. Tenure Clock

When Paid Parental Leave is granted for non-tenured tenure-track faculty, a one-year extension of the tenure probationary period may be requested [using this form](#) and will be automatically

granted. A faculty member may choose not to request this automatic extension, in which case the faculty member will seek tenure and promotion on the original timeline (See University Policy 4340 – Faculty Tenure and Promotion Guidelines, Section 4.1.3).

13.Sabbatical Eligibility

Any use of Paid Parental Leave under this policy will not interrupt the service eligibility requirement for sabbatical leave.

14.Tracking and Reporting

- a. Human Resources is responsible for reviewing employee requests for Paid Parental Leave, determining eligibility, requesting necessary documentation, approving or denying the request, collecting and filing necessary documentation to support each request, monitoring the hours used, ensuring timesheets are appropriately coded, tracking use, and filing necessary documentation in the Employee Health Information File.
- b. The employee's supervisor is responsible for approving and monitoring the employee's time reporting to ensure accuracy of information.

15.Forms

Request for Automatic Extension of Probationary Period Form
<https://engage.boisestate.edu/submitter/form/start/511173>

16.Related Information

University Policy 4340 (Faculty Tenure and Promotion Guidelines)
University Policy 7220 (Donated Leave)
University Policy 7230 (Family and Medical Leave)

Revision History

February 03, 2022