POLICY STATEMENT

Cornell University provides several kinds of leave to assist nonacademic staff members to balance the demands of the workplace, their individual needs, and the needs of their families, in ways that accommodate the legitimate interests of campus units. To assist staff to meet these needs, this section of University Policy 6.9, Time Away From Work establishes leave benefits relating to parental, family health, and military family needs (“family leaves”).

◆ Note: Academic staff members are covered under University Policy 6.2.1, Leaves for Professors and Academic Staff. Leaves for student employees are covered in Student Employment Policies and Procedures of the Office of Financial Aid and Student Employment.

REASON FOR POLICY

The university is committed to assisting staff members to balance the diverse responsibilities of their working and personal lives. This policy contains many features that exceed requirements set by state and federal laws, including the New York State disability laws and the Family and Medical Leave Act. The policy for family leaves for nonacademic staff is intended to grant staff members time off to care for their newborn, newly adopted, or foster children (“parental leave”), for seriously ill family members (“family health leave”), and for issues related to a family member’s military service (“military family leave”).

ENTITIES AFFECTED BY THIS POLICY

- All units of the university, excluding the Weill Cornell Medical College

WHO SHOULD READ THIS POLICY

- All nonacademic staff, excluding those at the Weill Cornell Medical College

WEB ADDRESS FOR THIS POLICY

- This policy: www.dfa.cornell.edu/tools-library/policies/time-away-work
- University Policy Office: www.policy.cornell.edu
POLICY 6.9

Time Away From Work:
Family Leaves for Nonacademic Staff (Includes Parental Leave, Family Health Leave, and Military Family Leave)

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RELATED RESOURCES

University Policies and Documents
- University Policy 1.6, Graduate and Professional Student Parental Accommodation
- University Policy 6.2.1, Leaves for Professors and Academic Staff
- University Policy 6.6.13, Flexibility in the Workplace
- University Policy 6.9, Time Away From Work: sections on Vacation, Holiday, Health and Personal Leave, Military Family Leave, and Medical Leaves for Nonacademic Staff
- University Policy 6.13, Disability Accommodation Process for Faculty and Staff
- University Policy 7.1, Voluntary Leave of Absence for Students
- Student Employment Policies and Procedures of the Office of Financial Aid and Student Employment
- The Guide to Graduate Study

External Documentation
- Family and Medical Leave Act 1993, including National Defense Authorization Act amendment
- Health Insurance Portability and Accountability Act of 1996
- National Defense Authorization Act (NDAA)
- New York State Disability Law

University Forms and Systems
- Family Health Leave Request
- Military Family Leave forms
- Parental Leave Request
POLICY 6.9

Time Away From Work:
Family Leaves for Nonacademic Staff (Includes Parental Leave, Family Health Leave, and Military Family Leave)

CONTACTS

Direct any general questions about this policy to your college or unit’s administrative or human resources office. If you have questions about specific issues, contact the following offices.

<table>
<thead>
<tr>
<th>Subject</th>
<th>Contact</th>
<th>Telephone</th>
<th>E-mail/Web Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Policy Interpretation</td>
<td>Medical Leaves Administration (MLA) – Division of Human Resources, Benefit Services</td>
<td>(607) 255-1177</td>
<td><a href="mailto:wcds@cornell.edu">wcds@cornell.edu</a></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Fax: (607) 255-1888</td>
<td><a href="http://www.hr.cornell.edu/benefits/medical_leaves/">www.hr.cornell.edu/benefits/medical_leaves/</a></td>
</tr>
<tr>
<td>Benefits Relating to Family Leaves for Nonacademic Staff</td>
<td>Medical Leaves Administration (MLA) – Division of Human Resources, Benefit Services</td>
<td>(607) 255-1177</td>
<td><a href="mailto:wcds@cornell.edu">wcds@cornell.edu</a></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Fax: (607) 255-1888</td>
<td><a href="http://www.hr.cornell.edu/benefits/medical_leaves/">www.hr.cornell.edu/benefits/medical_leaves/</a></td>
</tr>
<tr>
<td>Human Resources Online Transactions</td>
<td>Human Resources Information Systems (HRIS)/Records Administration – Division of Human Resources</td>
<td>(607) 255-6883</td>
<td><a href="mailto:hris_records@cornell.edu">hris_records@cornell.edu</a></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><a href="http://www.hr.cornell.edu/about/hris.html">www.hr.cornell.edu/about/hris.html</a></td>
</tr>
<tr>
<td>Qualifying and Applying for Benefits, Including Short-Term Disability</td>
<td>Your unit’s human resources representative</td>
<td></td>
<td>hr.cornell.edu/about/</td>
</tr>
</tbody>
</table>
### POLICY 6.9

**Time Away From Work:**

Family Leaves for Nonacademic Staff (Includes Parental Leave, Family Health Leave, and Military Family Leave)

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#### DEFINITIONS

These definitions apply to these terms as they are used in this section of University Policy 6.9, Time Away From Work, and draw on language from the Family and Medical Leave Act of 1993 (FMLA).

<table>
<thead>
<tr>
<th>Term</th>
<th>Description</th>
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<tbody>
<tr>
<td><strong>Child (Military Family Leave)</strong></td>
<td>A biological, adopted, or foster child, stepchild, legal ward, or child of a person who is standing “in loco parentis” who is of any age.</td>
</tr>
<tr>
<td><strong>Child (Parental Leave and Family Health Leave)</strong></td>
<td>A biological, adopted, or foster child, stepchild, legal ward, or child of a person who is standing “in loco parentis” (see definition below). The child must be under age 18, or age 18 or older and incapable of self-care because of a mental or physical disability.</td>
</tr>
</tbody>
</table>
| **Continuing Treatment by a Health Care Provider** | A serious health condition involving continuing treatment by a health care provider that includes any of the following:  
  - Treatment two or more times by a health care provider or treatment by a health care provider on at least one occasion that results in a regimen of continuing treatment under the health care provider’s supervision  
  - Pregnancy or prenatal care (qualifies even if a staff member does not receive treatment and even if the care does not last three days)  
  - A chronic health condition that requires at least two visits a year for treatment by a health care provider, continues over an extended period, and may cause episodic, rather than continuing, incapacity (examples: asthma, diabetes, epilepsy)  
  - A permanent or long-term condition for which treatment may not be effective (examples: Alzheimer’s, severe stroke, terminal stages of a disease)  
  - Treatment by a health care provider either for restorative surgery after an accident or injury, or for a condition that would likely result in an incapacity of three or more days if not treated (examples: cancer, severe arthritis, kidney disease)  
  - Allergies or mental illness resulting from stress, but only if they meet all of the other criteria of a serious health condition  
  - Treatment for substance abuse (absence due to staff members’ use of the substance, rather than treatment, does not qualify under this policy) |
| **Eligible Staff** | All staff (including temporary or casual) who have been employed by the university for at least 12 cumulative months and have been paid for at least 1,000 hours during the 12-month period immediately before the start of the leave. The 12 months during which the staff member must have been employed do not have to be consecutive. |
| **Equivalent Position** | A position that is the same as the staff member’s former position in terms of pay, benefits, and working conditions. |
| **Family and Medical Leave Act of 1993 (FMLA)** | A federal law requiring private employers of 50 or more employees to provide eligible employees unpaid, job-protected leave for up to a total of 12 workweeks within any 12 months because of the birth of a child and to care for a newborn child; the placement of a child with the employee for adoption or foster care; the employee is needed to care for a family member with a serious health condition; or the employee’s own serious health condition makes that employee unable to perform the functions of his or her job. In certain cases, this leave may be taken on an intermittent basis, rather than all at once, or the employee |
POLICY 6.9

Time Away From Work:
Family Leaves for Nonacademic Staff (Includes Parental Leave, Family Health Leave, and Military Family Leave)

DEFINITIONS, CONTINUED

<table>
<thead>
<tr>
<th>Term</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Family Health Leave</td>
<td>A leave to care for an individual’s family member who has a serious health condition.</td>
</tr>
<tr>
<td>Family Leaves for Nonacademic Staff</td>
<td>Family leaves for nonacademic staff comprises three categories of leave: parental leave, family health leave, and military family leave, the provisions of which are outlined in this policy.</td>
</tr>
<tr>
<td>Family/Family Member (Military Family Leave)</td>
<td>A spouse, son, daughter, parent, or next of kin.</td>
</tr>
<tr>
<td>Family/Family Member (Parental and Family Health Leave)</td>
<td>A spouse, same-sex partner, parent, child, or anyone who is dependent upon the staff member for care. This definition applies only to this policy.</td>
</tr>
<tr>
<td>Foster Care</td>
<td>Twenty-four hour care for children in substitution for, and away from, their parents or guardian. Such placement must include state (i.e., governmental) involvement.</td>
</tr>
<tr>
<td>Health Care Provider</td>
<td>A doctor of medicine or osteopathy who is authorized to practice medicine or surgery (as appropriate) by the state in which the doctor practices. Also included are podiatrists, dentists, clinical psychologists, optometrists, chiropractors, nurse-practitioners, and nurse-midwives, as well as practitioners listed with the Church of Christ, Scientist in Boston, Massachusetts. Also included are health care providers who practice outside of the United States and any other health care provider from whom the university’s director of Benefit Services will accept certification of the existence of a serious health condition to substantiate a claim for benefits.</td>
</tr>
<tr>
<td>In Loco Parentis</td>
<td>A person with day-to-day responsibilities to care for and financially support a child, or a person who had such a responsibility for the staff member when the staff member was a child. A biological or legal relationship is not necessary.</td>
</tr>
<tr>
<td>Intermittent Leave</td>
<td>A leave taken in separate blocks of time, rather than in one continuous period, related to a single illness or injury. Such leave may be taken in blocks of hours, days, or weeks.</td>
</tr>
<tr>
<td>Mental or Physical Disability</td>
<td>In accordance with regulations issued by the Equal Employment Opportunity Commission (EEOC) under the Americans with Disabilities Act (ADA), a physical or mental impairment that substantially limits one or more of the major life activities of an individual.</td>
</tr>
<tr>
<td>Military Caregiver Leave</td>
<td>Up to 26 workweeks of leave in a single 12-month period, which is allowed for a spouse, son, daughter, parent, or next of kin to care for a covered service member of the armed forces, including a member of the National Guard or Reserves, or a veteran, who has a serious illness or injury that was incurred in the line of duty while on active duty, or that existed before the beginning of the member’s active duty and was aggravated by service in the line of duty on active duty.</td>
</tr>
</tbody>
</table>
POLICY 6.9
Time Away From Work:
Family Leaves for Nonacademic Staff (Includes Parental Leave, Family Health Leave, and Military Family Leave)

DEFINITIONS, CONTINUED

<table>
<thead>
<tr>
<th>Definition</th>
<th>Description</th>
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<tr>
<td>Military Exigency Leave</td>
<td>A leave of up to 12 workweeks for employees who have a covered family member serving in either</td>
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<td>the regular armed forces, or the National Guard or the Reserves for any qualifying exigency that</td>
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<td>arises while the covered family member is on active duty or called to active duty status in</td>
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<td>support of a contingency operation. Examples of qualifying exigencies include short-notice</td>
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<td>deployment; military events; childcare and school activities; financial and legal arrangements;</td>
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<td>counseling, rest and recuperation, and post-deployment activities.</td>
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<tr>
<td>Military Family Leave</td>
<td>Military family leave comprises two categories of leave: military caregiver leave and military</td>
</tr>
<tr>
<td></td>
<td>exigency leave, the provisions of which are outlined in this policy.</td>
</tr>
<tr>
<td>Next of Kin (Military Family Leave)</td>
<td>The nearest blood relative.</td>
</tr>
<tr>
<td>Parent</td>
<td>A biological, adoptive, or foster parent, or an individual who stands “in loco parentis” (see</td>
</tr>
<tr>
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<td>definition above).</td>
</tr>
<tr>
<td>Parental Leave</td>
<td>A leave to care for a child following birth, adoption, commencement of the adoption process,</td>
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<td>or the placement of a child with a staff member for foster care.</td>
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<tr>
<td>Reasonable Accommodation</td>
<td>Defined by the ADA</td>
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<td>Actions that may include: making existing facilities used by faculty and staff readily</td>
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<td>accessible to and usable by individuals with disabilities; job restructuring, part-time or</td>
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<td>modified work schedules, allowing work from home or other remote location; reassignment to a</td>
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<td>vacant position, acquisition or modifications of equipment or devices, appropriate adjustment</td>
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<td></td>
<td>or modifications of examinations, training materials, or policies, the provision of qualified</td>
</tr>
<tr>
<td></td>
<td>readers or interpreters, and other similar accommodations for individuals with disabilities.</td>
</tr>
<tr>
<td>Reasonable Accommodation</td>
<td>Defined by NYSHRL</td>
</tr>
<tr>
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<td>Action taken that permits an employee, prospective employee...with a disability to perform in</td>
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<td>a reasonable manner the activities involved in the job or occupation sought or held and include</td>
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<td>but are not limited to, provision of an accessible worksite, acquisition or modification of</td>
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<td></td>
<td>equipment, support services for persons with impaired hearing or vision, job restructuring</td>
</tr>
<tr>
<td></td>
<td>and modified work schedules; provided, however that such actions do not impose undue hardship</td>
</tr>
<tr>
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<td>on the business, program or enterprise of the entity from which action is requested.</td>
</tr>
<tr>
<td>Reduced Schedule Leave</td>
<td>A leave schedule that reduces the staff member's regularly scheduled number of working hours</td>
</tr>
<tr>
<td></td>
<td>per workday or workweek.</td>
</tr>
<tr>
<td>Serious Health Condition</td>
<td>An illness, injury, impairment, physical or mental condition that involves one of the following:</td>
</tr>
<tr>
<td></td>
<td>Any period of incapacity or treatment in connection with, or consequent to, inpatient care</td>
</tr>
<tr>
<td></td>
<td>in a hospital, hospice, or residential medical care facility.</td>
</tr>
<tr>
<td></td>
<td>Any period of incapacity of more than three consecutive calendar days, that also involves</td>
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<td>subsequent or continuing treatment by (or under the supervision of) a health care provider.</td>
</tr>
<tr>
<td></td>
<td>◆Note: A chronic health condition may also qualify as a serious health condition even if a</td>
</tr>
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<td></td>
<td>staff member or family member does not receive treatment, and it does not last three days</td>
</tr>
<tr>
<td></td>
<td>(examples: asthma, and severe morning sickness).</td>
</tr>
<tr>
<td></td>
<td>◆Caution: Unless complications arise, ailments, such as the common cold, flu, ear aches, upset</td>
</tr>
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<td>stomach, minor ulcers, headaches</td>
</tr>
</tbody>
</table>
### POLICY 6.9

**Time Away From Work:**
Family Leaves for Nonacademic Staff (Includes Parental Leave, Family Health Leave, and Military Family Leave)

### DEFINITIONS, CONTINUED

<table>
<thead>
<tr>
<th>Definition</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Serious Illness or Injury (Military Caregiver Leave)</td>
<td>An injury or illness incurred in the line of duty on active duty in the armed forces, or that existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty, that may render the service member medically unfit to perform the duties of his or her office, grade, rank, or rating.</td>
</tr>
</tbody>
</table>

Other than migraine, etc., are not considered serious health conditions and do not qualify under this policy.
POLICY 6.9  
Time Away From Work:  
Family Leaves for Nonacademic Staff (Includes Parental Leave, Family Health Leave, and Military Family Leave)

**RESPONSIBILITIES**

<table>
<thead>
<tr>
<th><strong>Division of Human Resources - Medical Leaves Administration Office (MLA)</strong></th>
<th>Review and act upon applications for leave, including review of medical provider documentation.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Division of Human Resources - Benefit Services</strong></td>
<td>Provide administrative oversight.</td>
</tr>
<tr>
<td><strong>Eligible Staff Member</strong></td>
<td>If the need for leave is not foreseeable, use the appropriate form to request leave from his or her supervisor with as much advanced notice as possible. If the need for the leave is foreseeable, use the appropriate form to request leave from his or her supervisor at least 30 days in advance. Respond to all requests for information from the local human resources (HR) office or Medical Leaves Administration (MLA) of the Division of Human Resources (HR), including timely provision of medical documentation. See Related Resources. Maintain agreed-upon contact with his or her supervisor during the period of leave.</td>
</tr>
<tr>
<td><strong>Local Human Resources (HR) Office</strong></td>
<td>Provide general guidance on HR’s policies and procedures. Along with the staff member’s supervisor, inform the staff member of his or her rights for leave requests under this policy. Consult with MLA to review the staff member’s eligibility, obtain appropriate forms, and/or understand specific leave management procedures.</td>
</tr>
<tr>
<td><strong>Supervisor</strong></td>
<td>Along with the local HR representative, inform the staff member requesting leave of his or her rights under this policy. Consult in a timely fashion with the local HR office regarding the staff member’s request for time away from work. Advise local HR of any staff absences that may be eligible for family leave. Consult with the local HR office throughout the leave period to facilitate compliance with leave policy provisions. Identify and maintain agreed-upon contact with the staff member on leave.</td>
</tr>
</tbody>
</table>
POLICY 6.9
Time Away From Work:
Family Leaves for Nonacademic Staff (Includes Parental Leave, Family Health Leave, and Military Family Leave)

PRINCIPLES

Overview
Family leaves for nonacademic staff (“family leave”) comprises three categories of leave: parental leave, family health leave, and military family leave.

This policy provides an outline of the provisions and procedures for qualifying and applying for and the taking of parental and family health leaves.

Uniform Provisions
Eligibility
All staff members (including temporary or casual) are eligible for family leave who have been employed by the university for at least 12 cumulative months and have been paid for at least 1,000 hours during the 12-month period immediately preceding the start of the leave. Although the 12 months the staff member must have been employed do not have to be consecutive, employment prior to a continuous break in service of seven years or more will not be counted.

Holding a Position (except for Military Caregiver Leave. See “Holding a Position (Military Caregiver Leave only)” below)
A staff member’s position, or an equivalent, is held for a total of 26 weeks (182 days) of leave during any 12-month (52-week) period. The following calculation is used to determine the remaining job-hold time for an individual who has taken leave within the last 12-month period (that is, looking back 52 weeks from the date of calculation).

1. Total all leave taken within the 12-month period.*
2. Subtract the total leave taken from the 26 weeks (182 days) of available job-hold time

◆ (*)Note: This includes any leave time taken as parental, family health, and personal medical leaves, short-term disability, workers’ compensation, and/or military exigency leave, including any partial days used under short-term disability or workers’ compensation.

◆Note: Return-to-work issues are individually considered, and this period of time may be extended for valid business reasons, including the provision of a reasonable accommodation. Contact a representative from Medical Leaves Administration (MLA) for further details.

Holding a Position (Military Caregiver Leave only)
For the purposes of military caregiver leave only, the 26 weeks of job hold is counted prospectively. The employee is eligible for 26 weeks of military caregiver leave per service member’s injury during a single 12-month period. This 12-month period commences with the first date the employee takes any caregiver leave. This leave entitlement does not renew annually and may be taken only once per injury/illness.
POLICY 6.9

Time Away From Work:
Family Leaves for Nonacademic Staff (Includes Parental Leave, Family Health Leave, and Military Family Leave)

**PRINCIPLES, CONTINUED**

**Benefits While on Leave**

While a staff member is on an approved family leave, benefit programs may be continued at the same cost as applies to active staff. Pre-tax premiums will apply as long as the staff member receives a paycheck from University Payroll during the leave. If any questions arise, the staff member should contact Benefit Services before or during a leave of absence.

**Accruing Health and Personal Leave and Vacation While on Leave**

Health and personal leave and vacation do not accrue when a staff member is on an unpaid leave. If a staff member is on a paid leave (including through use of accruals during leave), vacation and health and personal leave accruals will stop on the first day of the month following the twentieth consecutive calendar day of paid leave (including holidays and weekends). See the “Vacation” and “Health and Personal Leave” sections of this Time Away From Work policy.

**Use of Accruals During Family Leaves**

A staff member may choose to use accrued vacation or health and personal leave to supplement all or part of a family leave.

**Holiday Pay While on Leave**

**Eligibility During Unpaid Leave:** During unpaid family leave, staff members are not eligible to receive pay for university holidays.

**Eligibility During Paid, Reduced Schedule, or Intermittent Leave:** During a holiday, staff members on paid family leave will receive holiday pay, and will not be required to use accrued time on that day.

**Family Leave Balance During Holidays**

Regardless of whether a staff member receives holiday pay during family leave, university holiday periods of more than one week will not be deducted from the family leave balance.

**Coordination With the Family and Medical Leave Act**

Cornell provides leave that goes beyond the minimum provisions of the Family and Medical Leave Act of 1993 (FMLA). Accordingly, the 12-week leave entitlement under the FMLA will run concurrently with the use of family leave, whenever applicable.

**Charging Leave Costs to Sponsored Projects**

In accordance with federally approved costing practices and rate agreements, payments for short-term disability, workers’ compensation, as well as family health and parental leaves may be charged directly to sponsored projects. Such payments must not exceed the proportion of salary allocated to the project before the leave.
POLICY 6.9

Time Away From Work:
Family Leaves for Nonacademic Staff (Includes Parental Leave, Family Health Leave, and Military Family Leave)

**PRINCIPLES, CONTINUED**

Where the use of project funds for leave payments threatens satisfactory completion of the project, the leave must be charged to a non-sponsored source.

**Concurrent Employment While on Family Leave**

Cornell University generally prohibits employees who are receiving FMLA leave (which includes family leave) from Cornell from working for any employers during their leaves. Before any Cornell employee will be approved for such leave, he or she must disclose to MLA any other employment he or she will hold during the leave. Failure to disclose other employment may result in discipline, up to and including termination.

**Parental Leave**

Staff members are eligible for up to 16 weeks of parental leave to care for a newborn child, an adopted child, for the commencement of the adoption process, or for the placement of a child for foster care.

**Leave Provisions**

1. Staff may take up to 16 weeks of parental leave in a 12-month period, which is measured looking back over a 365-day period immediately before the start of the leave, or any day during the term of the approved leave.

2. Parental leave may be taken at any time during the 12-month period, beginning with the birth of a child, commencement of the adoption process, or the placement of a child for foster care.

3. Parental leave may be taken by birth mothers and mothers of adoptive children, as well as fathers or same-sex partners of the family, and foster parents.

   ◆ **Note:** Birth mothers generally receive half-pay from the Cornell short-term disability plan during delivery and post-natal care for a period determined by their physician. This period of short-term disability can reduce the 16-week parental leave period if the combined total exceeds 26 weeks. Birth mothers may supplement disability pay with accrued health and personal leave or vacation time.

4. Compensation during parental leave for parents of newborns and parents of adoptive children only:

   a. During the term of the parental leave, the university will provide up to four weeks of half-pay. This four-week period of half-pay must be taken consecutively and cannot be consolidated into a shorter period with a resulting greater percentage of pay, nor may it be used during a Short-term disability leave.

   ◆ **Note:** The four-week, half-pay feature is available only to birth and
POLICY 6.9
Time Away From Work:
Family Leaves for Nonacademic Staff (Includes Parental Leave, Family Health Leave, and Military Family Leave)

PRINCIPLES, CONTINUED

adoptive mothers, birth and adoptive fathers, and similarly situated same-sex partners.

b. In addition, one staff member/parent in an adoptive family will receive an additional two weeks of half-pay to assist them in the adoption process.

5. Staff members may also choose to use leave accruals in accordance with the “Use of Accruals During Family Leaves” section in “Uniform Provisions” of the principles section of this policy.

Reduced Schedule and/or Intermittent Leave

The university acknowledges that staff members may need to use parental leave in smaller amounts than those outlined above. With proper medical and/or adoptive documentation and supervisory approval, staff members may use the unpaid parental leave in shorter increments, but no less than half-day. Use of unpaid parental leave on an intermittent basis is subject to supervisory approval based on the business needs of the unit.

Family Health Leave

Staff members may apply for up to 12 weeks of family health leave to care for a family member who has a serious health condition.

Leave Provisions

Staff members may take up to 12 weeks of family health leave in a 12-month period, which is measured looking back over a 365-day period immediately before the start of the leave, or any day during the term of the approved leave.

Reduced Schedule and/or Intermittent Leave

With proper medical documentation, staff members may take leave in smaller increments. To reduce disruption to the department’s operations and business needs, staff members needing intermittent or reduced schedule leave must work with his or her supervisor to schedule the leave. During foreseeable periods of intermittent or reduced schedule leave, a staff member may be transferred temporarily to an alternative position with equivalent pay and benefits.

Military Family Leaves

There are two types of military family leaves:

1. **Military Caregiver Leave:** An employee may take up to 26 workweeks of leave in a single 12-month period if he or she is a spouse, son, daughter, parent, or next of kin of a covered service member of the armed forces, including a member of the National Guard or Reserves, or a veteran, in order to care for the service member who has a serious illness or injury that was
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PRINCIPLES, CONTINUED

1. Incurred while on active duty: A staff member may take leave incurred in the line of duty while on active duty, or that existed before the beginning of the member’s active duty, and was aggravated by service in the line of duty on active duty.

2. Military Exigency Leave: An employee may take up to 12 workweeks of leave if he or she has a covered family member serving in either the regular armed forces or the National Guard or the Reserves for any qualifying exigency that arises while the covered family member is on active duty status or called to active duty in support of a contingency operation. Examples of qualifying exigencies include short-notice deployment; military events; childcare and school activities; financial and legal arrangements; counseling; rest and recuperation; and post-deployment activities.

Reduced Schedule and/or Intermittent Leave

With proper documentation, a staff member may take a military family leave in smaller increments. To reduce disruption to the unit’s operations and business needs, a staff member needing intermittent or reduced schedule leave must work with his or her supervisor to schedule the leave. During foreseeable periods of intermittent or reduced schedule leave, a staff member may be transferred temporarily to an alternative position with equivalent pay and benefits.
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**PROCEDURES**

The following procedures represent an overview for each type of leave. For detailed procedures on applying for parental, family health, or military family leave, see the Benefit Services website at [www.hr.cornell.edu/benefits/medical_leaves/](http://www.hr.cornell.edu/benefits/medical_leaves/).

**Requesting Parental Leave**

To request a parental leave, staff members must notify their supervisors and complete the “Parental Leave Request” form. In foreseeable circumstances, staff members must provide supervisors with at least 30 days’ notice of the need for the leave. In unforeseeable circumstances, staff members must give as much notice as possible.

Medical documentation for a birth mother will be on file already at Medical Leaves Administration (MLA) due to the requirements of the short-term disability plan as outlined in the “Medical Leaves for Staff” section of this Time Away From Work policy.

Birth fathers or same-sex partners, and the parents of adoptive or foster children must submit medical, adoptive, or foster care documentation to the MLA.

◆ **Note:** Appropriate medical, adoptive, or foster care documentation includes a letter from an adoption or foster care agency, from the lawyer in private adoption cases. Eligible birth fathers must provide a letter/script from the physician of the birth mother, who is not employed at Cornell.

**Requesting Family Health Leave**

To request a family health leave, staff members must notify his or her supervisor of the need for the leave, and complete the “Family Health Leave Request” form. Within two business days of becoming aware of the need for family health leave, the supervisor or local human resources (HR) representative should fax the completed leave form to MLA.

In foreseeable circumstances, staff members must provide his or her supervisor with at least 30 days’ notice of the need for the leave. In unforeseeable circumstances, staff members must give as much notice as possible.

If the staff member does not specifically request family health leave, it is the supervisor’s responsibility, after consulting with the HR representative, to request that the staff member complete the “Family Health Leave Request” form. If the staff member is unavailable, the supervisor should complete the form for the staff member, and fax it to MLA.

Upon receiving the completed “Family Health Leave Request” form from the supervisor or HR representative, MLA will check basic eligibility criteria for the employee. If the employee does not meet basic eligibility criteria as described in
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PROCEDURES, CONTINUED

“Uniform Provisions” of the principles section of this policy, MLA will notify the employee and supervisor or HR representative. If basic eligibility is met, MLA will then send a tentative approval and a “Health Care Provider Verification” form to the staff member for completion by the staff member and the treating physician. Upon receiving the completed “Health Care Provider Verification” form, MLA will notify the staff member and supervisor of the final decision.

Requesting Military Family Leaves

To request a military family leave, a staff member must notify his or her supervisor of the need for the leave, and complete the “Military Family Leave Request” form. Within two business days of becoming aware of the need for military family leave, the supervisor or local HR representative should fax the completed leave form to MLA.

In foreseeable circumstances, staff members must provide their supervisors with at least 30 days’ notice of the need for the leave. In unforeseeable circumstances, staff members must give as much notice as possible.

Upon receiving the completed “Military Family Leave Request” form from the supervisor or HR representative, MLA will check basic eligibility criteria for the employee. If the employee does not meet basic eligibility criteria as described in “Uniform Provisions” of the principles section of this policy, MLA will notify the employee and supervisor or HR representative. If basic eligibility is met, MLA will then send a tentative approval and a “Military Family Verification” form to the staff member for completion by the staff member and the appropriate certifying agency. Upon receiving the completed “Military Family Leave Verification” form, MLA will notify the staff member and supervisor of the final decision.