

# ADVANCE

**ADVANCE Program for Inclusive Excellence**

*Advancing women, transforming the University, investing in a culture of inclusive excellence*



## DIVISION OF RESEARCH

### **Parental Leave and External Grants Funding Frequently Asked Questions**

#### **1. If a faculty member is paid by sponsored research and goes on family-related leave will the grant continue to pay their salary?**

It depends on the specific grant or contract. In general, federal contracts and grants allow Parental Leave coverage under the benefits package for the faculty member in proportion to the faculty member's salary paid from the grant. Leave must be taken in accordance with established awardee institutional policy and consistently applied to both Federal and non-Federal sponsors.

Per Uniform Guidance 2 CFR §200.431, fringe benefits are allowances and services provided by employers to their employees as compensation in addition to regular salaries and wages. Fringe benefits include, but are not limited to, the costs of leave (vacation, family-related, sick or military), employee insurance, pensions, and unemployment benefit plans. Except as provided elsewhere in these principles, the costs of fringe benefits are allowable provided that the benefits are reasonable and are required by law, non-Federal entity-employee agreement, or an established policy of the non-Federal entity.

The cost of fringe benefits in the form of regular compensation paid to employees during periods of authorized absences from the job, such as for annual leave, family-related leave, sick leave, holidays, court leave, military leave, administrative leave, and other similar benefits, are allowable if all of the following criteria are met:

- (1) They are provided under established written leave policies;
- (2) The costs are equitably allocated to all related activities, including Federal awards; and,
- (3) The accounting basis (cash or accrual) selected for costing each type of leave is consistently followed by the non-Federal entity or specified grouping of employees.

#### **2. Does it matter if the faculty member is tenure track or professional track?**

No.

#### **3. Does it matter if the faculty member is only paid partially by the grant?**

No, but the grant can only be charged the percentage of the salary that is typically charged to the grant.

#### **4. Are there other stipulations?**

Yes. Per the University of Maryland Policy on Faculty Parental Leave and Other Family Supports II-2.25(A):

*Applicability:* the eight (8) work weeks of paid leave is available beginning six (6) months before and up to twelve (12) months after either:

1. the birth of a newborn; or
2. the placement of a child for adoption or foster care under the age of six (6).

*Eligibility:* Parental Leave applies to all full-time and part-time tenured and tenure-track, professional track faculty, and all librarian faculty, with appointments of at least 50% FTE.

1. Assured Parental Leave shall be pro-rated for eligible part-time faculty.
2. Use of Parental Leave does not require the faculty member to submit medical documentation or proof of placement of a child for adoption or foster care.
3. If a child's parents are both faculty employed by the same institution, both may be eligible for paid Parental Leave up to the eight (8) work week maximum as follows:
  - a. Both parents may use accrued annual, sick, personal, or collegial leave concurrently with the birth of a child or placement of a child under the age of six (6) for adoption or foster care;
  - b. At the time a faculty member takes Parental Leave, they should be acting as primary caregiver. In some cases, there will be two UMD parents eligible for Parental Leave. Either UMD employee parent may be considered the "primary caregiver" at any time, as long as both parents are not the "primary caregiver" for the same time period on the same day.
  - c. The primary caregiver stipulation specified under Eligibility 3.b. above only applies when a faculty member is relying on Assured Parental Leave, rather than on his/her own accrued annual, sick, or personal leave. Assured Parental Leave may only be used by one parent on a given workday, but if one parent is using Assured Parental Leave, the other parent may use his/her own accrued leave at the same time. Both UMD parents may use Parental Leave simultaneously by alternating between use of Assured Parental Leave and their own accrued leave.
4. To be eligible for parental leave, an instructional faculty member must have been employed by the institution for at least one semester and a non-instructional faculty member for at least six (6) months.
5. A faculty member may be eligible for Parental Leave under this Policy on one occasion in a given 12-month period, and on three occasions during the duration of the faculty member's employment with the University System of Maryland. Any additional periods of Parental Leave require the approval of the President, or the President's designee.

**5. How do I find out if my federal or other-sponsored grants will allow my faculty member to continue being paid while on maternity leave?**

The P.I. should ask their Office of Research Administration (ORA) Contract Administrator to check and see if their grants fall under their same requirements or somehow has an exception. ORA has seen most federal and other sponsoring agencies comply with university policies and continue to pay faculty salaries while on parental leave. It may also be necessary to extend the period of performance of a project in order to complete the statement of work or project requirements. Please discuss this as well with your ORA Contract Administrator.

**6. Is there any way the university can receive additional funding from the funding agency to support hiring replacement workers during the time someone is on parental leave?**

Typically not, although existing funds from the grant may be used toward temporary replacement on a case by case basis. Check with your sponsor award terms or your ORA Contract Administrator to check for the allowability of rebudgeting on a specific award.

**7. What are other sources of funding to support hiring replacement workers during the time someone is on parental leave?**

The PI should ask their department chair if there are other possible sources of funding support.

**8. Are postdocs who are funded via a “fellowship” (i.e., receive a stipend directly from an external sponsor or through another mechanism outside the sponsored award/ORAs system) eligible for Parental Leave?**

Such individuals are not salaried employees, do not receive a benefits package, and therefore would not be eligible for Parental Leave, unless the fellowship specifically allows for the use of funds.