

Faculty Family Leave and Family Medical Leave Act (FMLA) FAQs

The following is intended as additional interpretative guidance for Northwestern's Faculty Family Leave policy and FMLA.

All members of the faculty are encouraged to discuss these and any additional questions with the designated administrator within the faculty member's school Dean's or Faculty Affairs Office and/or the Office of the Provost. You may also contact your department chair.

Contact List:

Office of the Provost:

Alex Rot, Senior Director of Faculty Operations, 847-467-4127, facultyrecords@northwestern.edu

Schools:

- *Bienen School of Music: René Machado, Associate Dean for Administration, Finance, and Planning, 847-491-7575, r-machado@northwestern.edu*
- *Feinberg School of Medicine: Please contact your department administrator: <http://www.feinberg.northwestern.edu/fao/administrators/general/contact-list.html>*
- *Kellogg School of Management: Mathew Lake, Director of Faculty Affairs, 847-467-4923, m-lake2@kellogg.northwestern.edu*
- *McCormick School of Engineering: Joe Schofer, Associate Dean for Faculty Affairs, 847-491-5221, j-schofer@northwestern.edu; Jason Grocholski, Associate Director of Faculty Affairs, 847-491-5550, j-grocholski@northwestern.edu*
- *Medill School of Journalism, Media, Integrated Marketing Communications:*
 - *Integrated Marketing Communications: Vijay Viswanathan, Chair of Integrated Marketing Communications, 847-467-0869, vijay-viswanathan@northwestern.edu*
 - *Journalism: Beth Bennett, Assistant Dean for Journalism, 847-491-2060, e-bennett6@northwestern.edu*
- *Northwestern Pritzker School of Law: Breck Furnas, Associate Director of Faculty Affairs, 312-503-3078, breck@law.northwestern.edu*
- *Northwestern University in Qatar:*
 - *Academic questions (course load reductions, academic leave): Hariclea Zengos, Senior Associate Dean, hzenqos@northwestern.edu*
 - *HR/leave processing questions: David Albanese, Director of Human Resources, 01197444545121, d-albanese@northwestern.edu*
- *School of Communication: Bonnie Martin-Harris, Associate Dean for Faculty, 847-491-7023, bonnie.martinharris@northwestern.edu*
- *School of Education and Social Policy: Beth McDonald, Director of Administration, 847-467-1228, eamcdonald@northwestern.edu*
- *Weinberg College of Arts and Sciences: Beth Clifford Smith, Director of Administration, 847-491-2212, b-clifford@northwestern.edu*

1. What is Northwestern University's Faculty Family Leave?

Northwestern University's Faculty Family Leave is a policy which offers paid childbearing, adoption, and childrearing leaves for eligible faculty. See the policy at:

<https://www.northwestern.edu/provost/policies/faculty-leaves/fac-family-leave.html>

2. What types of leave are available under the Faculty Family Leave Policy?

The policy identifies three types of leave:

- "Childbearing" leave refers to paid leave provided to eligible faculty members who give birth;
- "Adoption" leave refers to leave provided to eligible faculty members (regardless of gender identity) following the adoption of a child; and
- "Childrearing" leave refers to paid leave provided to eligible faculty members (regardless of gender identity) who are at least an equal partner in caring for the child. Childrearing leave must commence within 12 months of the birth or adoption. An eligible faculty member (regardless of gender identity) who takes a childbearing or adoption leave is also eligible for a childrearing leave if they are at least an equal partner in caring for the child.

3. What is Family Medical Leave Act (FMLA)?

The Family and Medical Leave Act, or FMLA, entitles eligible employees of covered employers to take unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave.

4. What is the difference between FMLA and Faculty Family Leave?

FMLA is a federally-required unpaid leave for eligible employees; Faculty Family Leave is the University's paid leave offered for childbearing, adoption, and childrearing for eligible faculty. Paid Faculty Family Leave is counted toward the maximum entitlement of 12 weeks FMLA unpaid leave in a 12 month period but the eligibility requirements are not the same, nor is the length of leave available, and the more generous Faculty Family leaves supersedes FMLA for eligible faculty.

5. I want to take a childbearing, adoption, or childrearing faculty family leave. What do I do first?

There are two steps: 1. Contact The Hartford, and 2. Notify your designated administrator within the faculty member's school Dean's or Faculty Affairs Office.

1. Contact The Hartford either online at www.TheHartfordatWork.com, or by phone at 1-888-541-7283. The Hartford will certify pregnancy, birth, or adoption, and inform the school dean's office of approval of medical certification for leave. This initial phone call is for the request intake, and The Hartford will collect certain pieces of information. Additionally, they will advise on the next steps to complete the process. **The Hartford will request the following information during your call:**
 - Name, address, policy number and other key identification information.
 - Name of your department and last day of active full-time work (in most cases this is the last day before your leave begins, even if you were not scheduled to teach on that day).
 - Your manager's or Absence Management Consultant's name and phone number. You may provide the name of the designated administrator in your school dean's or faculty affairs office or in the Provost Office (see contact list at the beginning of these FAQs).
 - The nature of your claim.
 - Your treating physician's name, address and phone and fax numbers.
2. Contact your designated administrator within the faculty member's school Dean's or Faculty Affairs Office – at least 60 days prior to a planned leave - to arrange academic responsibilities. Faculty in the Feinberg School of Medicine may follow a different process and should contact their department administrator or the Feinberg Faculty Affairs Office for information (fao@northwestern.edu). Your

school dean's office will not ask for details about your leave, but they will need to know approximate dates of the request.

6. Who is the Hartford and why are they involved in the faculty family leave process?

Partnering with Hartford will enable the faculty to maintain confidentiality of medical information. Additionally, The Hartford administers the FMLA, long term disability, and medical leaves for faculty and staff at the University.

7. A representative from the Hartford told me that I am eligible for 6 weeks medical leave for childbirth, but the family faculty leave policy provides 10 weeks. Why is there a difference?

The Hartford certifies that leave is medically necessary (which is generally 6 weeks for a childbirth without complications) and tracks unpaid FMLA leave. It does not provide information or determine eligibility for the more generous, paid, longer Family Faculty Leave policy offered by Northwestern University to eligible faculty.

8. Will The Hartford be able to answer questions regarding my additional benefits (paid leave, additional leave, salary, teaching responsibilities, etc.)?

No, The Hartford is reviewing and approving the medical certification for leave (i.e., childbirth or adoption) and tracking faculty eligibility for FMLA. The Hartford does not make decisions about or answer questions about the Faculty Family Leave policy. Questions regarding these other items can be directed to the designated administrator in your school's Dean's or Faculty Affairs Office, or to the Office of the Provost at facultyrecords@northwestern.edu.

9. Is approval of childbearing, adoption and childrearing leaves automatic?

Childbearing and Adoption leaves will be automatically approved after the faculty member provides notification to the designated administrator within the faculty member's school Dean's or Faculty Affairs Office and submits documentation to The Hartford (see #5). Approvals for childrearing leave will generally be granted to equal partners in childrearing. The Provost's office has final approval authority over childrearing leaves.

10. When do I need to request a childbearing, adoption, or childrearing leave?

As soon as you know you need to take a leave, or at least 60 days in advance, please contact your designated administrator within the faculty member's school Dean's or Faculty Affairs Office and The Hartford. In cases of adoption, a shorter notification period is allowed when necessary.

11. Do I need to contact my department or designated administrator within the faculty member's school Dean's or Faculty Affairs Office in addition to the Hartford?

Yes. This contact is to ensure that Faculty family leave is initiated.

12. To whom does the Faculty Family Leave Policy apply?

The following faculty members are eligible for childbearing, adoption, and childrearing leave under the policy:

- *Full-time, benefits eligible, tenured or tenure track faculty; and*
- *Other full-time, benefits eligible instructional faculty who, at the time of the birth or adoption, have completed three years of continuous full-time service on the Northwestern faculty (or have an appointment at the end of which they will have completed three years of continuous full time service) or who are serving on an academic appointment of three years or longer at the time of the leave. Please note that individuals with research faculty appointments and persons who hold faculty appointments but whose activities are primarily non-instructional (i.e. administrative) are ineligible for the leaves described in the policy. The policy also does not apply to administrators and staff who have courtesy faculty appointments, but whose primary function within the University is non-instructional (i.e. administrative).*

13. What if I do not meet the Faculty Family Leave policy's eligibility requirements?

Faculty who do not meet the policy's eligibility requirements may be eligible for paid medical leave for a period of time medically necessary for a faculty member to recover from childbirth and/or for unpaid leave under the FMLA (see below). Leaves for individuals with Research Faculty appointments fall under a separate policy, found here: <https://www.northwestern.edu/provost/policies/faculty-leaves/res-fac-loa-faqs.html>. If you do not qualify for medical leave or FMLA you may be able to take a personal unpaid leave, arranged with your school dean's office.

14. I have adopted a child. What leave is available to me under the policy?

Eligible faculty members who have adopted a child may take both paid adoption leave and paid childrearing leave.

15. Does Faculty Family leave apply to foster parents and in cases of surrogacy?

Surrogacy and fostering are considered analogous to childbearing and adoption and therefore qualify for these same leaves.

16. May I use childrearing leave consecutively with childbearing leave?

Yes, childrearing leave may be taken consecutively with childbearing leave. The childrearing leave must commence within twelve months of the birth or adoption of your child. For more information regarding the timing of leaves, please refer to Section III of the policy, "Length and Timing of Leaves."

17. My partner and I are both Northwestern faculty and we each meet the policy's eligibility requirements. What leave is available to us following the birth or adoption of a child?

In the above situation, the faculty member who gave birth to the child is eligible to take paid childbearing leave and paid childrearing leave; the other partner is eligible to take childrearing leave. In the event of an adoption, both faculty members may take both paid adoption leave and paid childrearing leave.

18. After the birth of our child, my partner plans to stay home to provide full-time care for our newborn during the day. Does this impact my eligibility to take childrearing leave?

No. Northwestern does not consider the employment status of your spouse or partner in determining your eligibility for faculty family leave. As long as you will share equal parenting responsibility with your partner, you are eligible to take paid childrearing leave.

19. What leave is available if I am hospitalized or placed on bed rest during the course of my pregnancy?

Faculty members who are unable to work due to a medically-certified disability related to pregnancy or childbearing are eligible for paid medical leave, as set forth in the "Medical Leave" section of the Faculty Handbook, available online at: https://www.northwestern.edu/provost/docs/faculty_handbook_2018.pdf Requests for medical leave must be accompanied by a statement from a physician describing the medical reason for the leave and the estimated duration of the leave. Please contact The Hartford either online at www.TheHartfordatWork.com, or by phone at 1-888-541-7283 to initiate this request.

This medical leave is independent of the leave provided by the Faculty Family Leave Policy and does not affect the amount of Family Leave available. In circumstances where a hospitalization or bed rest immediately precedes the birth of a child, medical leave ends and childbearing leave begins upon the faculty member's discharge from the hospital following the birth of the baby.

20. I am expecting twins. Can I take two childbearing leaves, one for each baby?

No. One paid childbearing leave is available per birth or adoption event. The number of children involved does not increase the length of paid childbearing, childrearing, or adoption leaves granted for that event. However, you may qualify for additional leave, as discussed in Question 21, below.

21. What if I need additional leave?

Faculty members also may be eligible for additional unpaid FMLA leave, assuming that they meet the FMLA's eligibility requirements, though faculty family leaves are counted toward the maximum entitlement of 12 weeks of FMLA leave in a 12 month period. For additional information on FMLA leave, please refer to the "Personal Leaves of Absence" provision in the Faculty Handbook, available online at: https://www.northwestern.edu/provost/docs/faculty_handbook_2018.pdf

22. What academic responsibilities do I have while I am on Faculty Family Leave?

As set forth in the policy, faculty members on childbearing, adoption, and childrearing leaves are not required to fulfill University service responsibilities, such as membership on committees, during their leave. Faculty on leave retain responsibility for any necessary supervision to students pursuing such work as undergraduate senior honors, masters, or doctoral research.

23. How is the teaching reduction handled?

During the academic year in which the leave is taken, eligible faculty members receive a reduction in their annual teaching load corresponding to the length of the leave. It is assumed that no faculty member's teaching load will be reduced to less than one course per academic year because of childbearing/adoption and/or childrearing. The faculty member's School or Department is responsible for identifying and hiring replacement teaching assistance as necessary, with the cost for the replacement to be borne by the respective School.

24. Will I have to make up for my leave with teaching another course in a subsequent term?

Childbearing, Adoption, and Childrearing leave are fully approved leaves and Faculty will not be asked to make up for these leaves with teaching, course preparation, or service activities at any subsequent time.

25. Can I extend my probationary period for tenure ("stop the clock") due to the birth, adoption, or rearing of a child?

Faculty members may request extensions of their pretenure probationary period due to the birth, adoption, or rearing of a child. A one-year extension is granted to faculty who give birth, and to parents following adoption. An additional one-year extension for childrearing may be granted to a parent who is at least an equal partner in caring for a child. Extensions of the probationary period for childbirth, adoption, and/or childrearing are limited to a total of two years within a faculty member's pretenure probationary period, regardless of the number of children.

26. What is the procedure for requesting an extension of the probationary period for tenure? Are they automatically approved?

Subject to the above two-year limitation, requests to stop the tenure clock for a one-year period following childbirth or adoption are automatically approved. Extension requests related to childrearing require the approval of the Provost, based upon the recommendation of the Dean. Such requests will generally receive favorable consideration, depending upon the faculty member's specific circumstances.

All requests for an extension of the probationary period must be made by the faculty member in writing to the faculty member's Dean and should be submitted prior to the beginning of the tenure review. If the request is granted, the faculty member's Dean will provide written confirmation of the extended probationary period. Additional information, including further detail regarding extension criteria and the procedures for requesting

extensions, is available at: <https://www.northwestern.edu/provost/policies/faculty-promotion-and-tenure/probationary-period-for-tenure-track-faculty.html>

27. Do I have to extend my probationary period for tenure (“stop the tenure clock”) if I take a family leave?

Family leaves and extension of the probationary period are independent of each other: a faculty member may take a leave and not stop the clock, or may stop the clock without taking a leave.

28. What is the status of my health insurance benefits while I am on Faculty Family Leave?

While a faculty member is on paid leave, Northwestern will continue to pay its share of health insurance premiums, and the faculty member will be responsible for his or her portion of premiums. Additional information regarding benefits is available online at: <https://www.northwestern.edu/hr/benefits/>

29. If I do not believe my department chair or school dean is dealing fairly with me regarding my Family Leave where can I get assistance?

Concerns about actions of a department chair should be directed to the school dean. If your concern involves actions at the level of the school dean, you should discuss it with the Associate Provost for Faculty (847-491-8543).

30. Whom should I contact if I have questions about the Faculty Family Leave Policy?

Faculty members are encouraged to discuss any questions or issues relating to the Family Leave policy with their respective Department Chairs, designated administrator within the faculty member’s school Dean’s or Faculty Affairs Office, and/or the Office of the Provost. See the contact list at the beginning of this document.

31. What resources are available on campus to assist in work/life planning?

Faculty members are encouraged to explore the services and resources offered by Northwestern’s Work Life, Child & Family Resources Office. These services include:

- (1) child care referrals;*
- (2) information regarding backup child care; and*
- (3) New parent consultations and checklists for evaluating quality child care. Additional information is available online at: <http://www.northwestern.edu/hr/benefits/childcare/solutions/index.html>*

Support for new parents is also available through the Women’s Center (847) 491-7360 or (312) 503-3400) and through the Faculty-Staff Assistance Program:

<http://www.northwestern.edu/hr/benefits/plans/fsap/index.html>

32. To whom does FMLA apply?

FMLA applies to employees who have worked for at least 12 months and have at least 1,250 hours of service during the 12 month period immediately preceding the leave.

<https://www.dol.gov/whd/regs/compliance/whdfs28.htm>

33. Could I be eligible for either the Faculty Family Leave Policy or FMLA but not the other?

Yes, because eligibility requirements differ. For example, if you are a benefits-eligible instructional faculty member with more than one year but less than 3 years of service (and not in a three year appointment), you may qualify for FMLA but not Faculty Family Leave.

34. If I need an immediate leave whom do I contact?

If you require an immediate leave, please contact The Hartford, either online at www.TheHartfordatWork.com, or at 1-888-541-7283.

Please also contact your school dean's office directly, if possible. While The Hartford will notify HR Benefits and your dean's office regarding your request, the sooner your dean's office is notified of the leave, appropriate planning for your academic responsibilities can take place.

35. Who has access to my medical information?

With this collaboration, only The Hartford will have access to sensitive medical information. This information is not shared.