Meeting Synopsis:

1. Call to order
2. Review of the minutes from April 4th, 2017
3. Parental leave issues legislation/update – Angela Bruns
4. Discussion of Nursing Stations with administrative guest
5. Good of the order
6. Adjourn

1) Call to order

Paladin called the meeting to order at 11:30 a.m.

2) Review of the minutes from April 4th, 2017

The minutes from April 4th, 2017 were approved as written.

3) Chair’s report

Paladin recapped the work of the council during academic year 2016-2017, reminding that FCWA began meeting when she was designated as chair at the start of winter quarter, 2017. She explained so far in the year, the council has addressed UW parental leave policy, gender-neutral bathrooms, and will discuss UW campus nursing stations in today’s meeting.

4) Parental leave issues legislation/update – Jason Wright (member, Faculty Council on Benefits and Retirement) & Angela Bruns

Bruns briefed the council on a Class B legislative proposal coming out of the Faculty Council on Benefits and Retirement (FCBR) revising Chapter 51 (Sick Leave and Vacations) of the Faculty Code and Governance (Exhibit 1). She explained she attended a FCBR planning meeting as a representative of the FCWA. The legislation will be deliberated by the Senate Executive Committee (SEC) in the fall of 2017.

A brief overview was provided detailing the revisions to the Chapter as they appear in the draft Class B legislation (Exhibit 1). The changes include:

- Changing the title of Section 51-01 from “Faculty Sick Leave” to “Faculty Sick and Family Care Leave.”
• In Section 51-01.A, adding the clause: “to care for a biological, adopted, or foster child, legal
ward, or any other child under the age of 18 for whom the faculty member stands in loco
parentis, within twelve months of the birth, adoption, foster care placement, or assumption of
parental responsibility.” This clause would extend to all UW faculty—mothers and fathers, birth
and non-birth parents—a paid parental leave benefit.

• Effecting minor amendments in the rest of Chapter 51 that would follow from the above
changes.

There was some discussion of UW parental leave for UW professional staff. Members felt that if UW
parental leave is revised in relation to UW faculty, it should be then addressed in relation to professional
staff. There was some discussion of using a Class C resolution to spread awareness for the issue.

5) Discussion of Nursing Stations with administrative guest

Damon Fetters (Chief Strategy Officer, UW Facilities Services) was present to provide information on
nursing stations (for mothers) on the UW Seattle campus.

Fetters explained the UW Office of the University Architect is aware of the growing demand for nursing
stations at the UW and of the council’s interest in the topic. He explained he hopes Facilities Services
can engage meaningfully with the FCWA to develop a policy or initiative addressing the issue. He noted
with the advent of web-based technologies, an increasing reliance on map-based tools for facilities
management has proliferated making it feasible for an online information hub (on nursing stations) to
be developed.

There was some discussion of creating an “inventory” of nursing stations at the UW to be used as
baseline data in addressing the issue. Fetters noted there is some knowledge of existing stations within
his office, specifically at the UW Tower. Members considered how information on existing nursing
stations might be efficiently gathered. There was some discussion of new buildings being constructed on
campus, and how these should be targeted to include gender-neutral restrooms, which may be used for
nursing. The new Population Health Facility was identified as a new capital project that should be
targeted to include nursing stations.

Paladin explained in order to effectively address the issue, FCWA will require baseline “inventory” data,
data on new buildings and status of stations included in them (including Population Health), and
bolstered awareness/support for the initiative.

Fetters recommended identifying industry standards related to development of nursing stations (aka.
wellness rooms), an explained his office may be able to help in this regard. There was some discussion of
FCWA intersecting with the Faculty Council on University Facilities and Services (FCUFS) on the issue.
Fetters noted a campus-map could be utilized to outline “gaps” where insufficient levels of nursing
stations exist, after which efforts could be applied towards filling in the gaps. Fetters added there is not
yet an institutional policy addressing gender-neutral restrooms. There was an idea to pair the initiatives
together within the FCWA, which was generally agreed to by members.
There was some discussion of standalone “pods” used for nursing in various places, such as in SeaTac Airport. It was noted this approach might be employed as a temporary measure depending on cost and physical constraints. Paladin noted FCWA would reengage the topic in the fall, and follow-up with Fetters.

The council thanked Fetters for attending, and he left the meeting.

6) Good of the order

The council voiced a desire to meet in a video conferencing-equipped room during academic year 2017-2018 in order to better facilitate including members from other campuses as well as those who are not routinely able to attend meetings in person.

7) Adjourn

The meeting was adjourned at 1:00 p.m.

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Minutes by Joey Burgess, jmbg@uw.edu, council support analyst

Present: Faculty: Sarah Prager, Elizabeth Umphress, Angelisa Paladin (Chair)  
Ex-officio reps: Angela Bruns  
President’s designee: Susan Camber  
Guests: Damon Fetters

Absent: Faculty: Mariam Moshiri, Michele Shaffer, Michael Fialkow, Geethapriya Thamilarasu, Bonnie Duran, Whasun Chung  
Ex-officio reps: Anya Bartelmann, Isabel Giang, Francesca Lo

Exhibits
Exhibit 1 – proposedparentalleaveforfaculty_legformat_fcbt_spring2017.doc
Leave policy for non-birth parents among UW Faculty

All professional and classified staff at UW—mothers and fathers, birth and non-birth parents—get paid leave to care for their newborn or newly placed adopted or foster children. At many of our peer public universities, all faculty members get paid parental leave to care for the faculty member’s child after birth, adoption or foster placement. However, among UW faculty, birth mothers get paid leave only to accommodate their ‘temporary disability due to pregnancy, childbirth or recovery’. UW faculty who are non-birth parents can only avail themselves of unpaid leave to care for their healthy newborn or newly placed adopted or foster children.

To correct this inequity for non-birth parents among the UW faculty, the Faculty Council on Benefits & Retirement (FCBR) recommends amendments to Chapter 51 of the Faculty Code and Governance (FC&G). The amendments would extend paid leave benefits to UW faculty who are non-birth parents, allowing them to care for children after birth, adoption, foster care placement, or assumption of primary custodial care.

In addition, the FCBR recommends an update of the UW faculty leave policies (laid out in Chapter 51 of the FC&G and last revised in 1996) to reflect the statutory requirements of the Washington State Family Care Act (FCA) of 2002.

In the following sections, we provide highlights of the (a) current parental leave policy for UW faculty, (b) the policy for UW Professional and Classified Staff, (c) the parental leave policy at peer institutions and (d) the language of the proposed amendments to Sections 51-01 and 51-11 of the FC&G.

A. Parental Leave for UW faculty

UW faculty leave benefits around birth or adoption of a child are as follows:

- Female faculty members can use up to 90 calendar days of paid faculty sick leave “because of temporary disability due to pregnancy, childbirth, or recovery therefrom”, with “appropriate documentation from a physician to evidence illness or disability.”

- Under the Washington State Family Care Act (FCA), an employee can use paid leave to care for a spouse with a pregnancy-related disability, while the spouse is under “continuing treatment by … a provider of health care services”. {The FCA also allows employees to use available paid sick leave to care for a sick minor child; for a spouse, registered domestic partner, parent, parent-in-law, or grandparent with a serious or emergency health condition; or for a sick adult child who is incapable of self-care because of a physical or mental disability.}

- UW faculty members who are non-birth parents can take unpaid leave, for up to 6 months or two successive quarters, to care for a newborn or newly adopted or placed child if taken within 12 months of the child’s birth or placement. During this leave, the University pays the employer-paid portion of health benefits coverage for up to 12 weeks, as required by FMLA.

B. Parental Leave for UW professional and classified staff

The University of Washington provides parental leave for all professional and classified staff—

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1 http://www.washington.edu/admin/rules/policies/FCG/PTCCH51.html
2 http://www.lni.wa.gov/WorkplaceRights/LeaveBenefits/FamilyCare/LawsPolicies/FamilyCare/default.asp
3 In the FCA, “Child” means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis who is: (a) Under eighteen years of age; or (b) Eighteen years of age or older and incapable of self-care because of a mental or physical disability
5 http://hr.uw.edu/ops/leaves/parental-leave/
mothers and fathers, birth and non-birth parents. The amount of parental leave time "to bond with newborn or newly placed adopted or foster child" ranges from 4 months (for professional, contract/classified and temporary staff) to 6 months (for classified/non-union staff). Staff members are allowed to take parental leave at any time during the 12 months following the child’s birth, adoption, or placement.

Professional and Classified staff can receive pay during parental leave using any of their accrued paid leaves, such as sick leave (up to 30 days in most cases), annual leave, personal holiday leave, holiday credit, compensatory time, or discretionary leave (professional staff only). Staff members also have the option to take leave without pay.

C. Faculty Parental Leave policies at peer public Universities

Many of our peer public universities offer parental leave to non-birth parents. We provide a sampling of the policies below (the full comparison with all GCS institutions is in Appendix 1):

- The University of Colorado offers 18 weeks (paid) leave for 9-month faculty to care for the faculty member's child within twelve months of the birth, adoption, or foster care placement of the child, using accrued sick leave. If the faculty member exhausts all accrued sick leave before the end of the eighteen-week period, then they may continue the leave for the remainder of the period at half pay with full benefits. Faculty on 12-month contracts can get up to 6 months leave.
- The University of Massachusetts offers 1 semester paid leave, using sick leave (and then sick leave bank) to cover the time.
- The University of Maryland offers 8 weeks of paid Parental Leave, creditable first to sick and personal leave, with balance supplemented as needed to reach 8 weeks.
- Rutgers in New Jersey offers 8 weeks of paid release time for non-birth faculty.
- The University of California offers 1 quarter of "active service-modified duties" to non-birth parents. For teaching faculty, the modification of duties is either partial or full relief from teaching. For other academic appointees, the modification of duties is a reduced workload.

D. Proposed amendments to Sections 51-01 and 51-11 of the FC&G

To promote equity among faculty who are birth and non-birth parents, equity across all UW employees, and to stay competitive with our peer public universities, the University of Washington should extend paid parental leave to UW faculty who are non-birth parents. This can be done using the existing sick leave benefit, as is the case at many peer institutions and with professional & classified staff at UW.

To enable the above we recommend the following:

1. Changing the title of Section 51-01 from “Faculty Sick Leave” to “Faculty Sick and Family Care Leave.”

2. In Section 51-01.A, adding the clause: “to care for a biological, adopted, or foster child, legal ward, or any other child under the age of 18 for whom the faculty member stands in loco parentis, within twelve months of the birth, adoption, foster care placement, or assumption of parental responsibility.” This clause would extend to all UW faculty—mothers and fathers, birth and non-birth parents—a paid parental leave benefit.

3. Effecting minor amendments in the rest of Chapter 51 that would follow from the above changes.
Further, to update the current UW Faculty leave policies to reflect the statutory requirements of the Washington State Family Care Act, we recommend the following additional change:

1. In Section 51-01.A, replacing “to care for a child of the faculty member under the age of 18 with a health condition that requires treatment or supervision” with “to care for the faculty member’s child or family member in accordance with the provisions of the Washington State Family Care Act of 2002.” This expanded definition would reflect the requirements of the Washington State Family Care Act.

Section 51-01 Faculty Sick and Family Care Leave

A. In the case of an illness or disability of a faculty member, his or her salary shall be continued for a period not to exceed 90 calendar days. Faculty sick and family care leave may be taken to care for a child of the faculty member under the age of 18 with a health condition that requires treatment or supervision, or because of temporary disability due to pregnancy, childbirth, or recovery therefrom:

- to care for the faculty member’s child or family member in accordance with the provisions of the Washington State Family Care Act of 2002 and any other relevant state or federal legislation;
- because of temporary disability due to pregnancy, childbirth, or recovery therefrom;
- to care for a biological, adopted, or foster child, legal ward, or any other child under the age of 18 for whom the faculty member stands in loco parentis, within twelve months of the birth, adoption, foster care placement, or assumption of parental responsibility.

B. Applications for faculty sick and family care leave shall include appropriate documentation from a physician to evidence illness; or disability; or birth, adoption, foster care placement, or assumption of parental responsibility.

C. Subsection A of this section applies only to periods during which the faculty member is entitled to receive salary from the University. Faculty sick leave salary continuation may not exceed 90 days during the period July 1 to June 30, except that a leave begun prior to July 1 that continues beyond that date shall not exceed 90 days with respect to the cause illness or disability for which such leave was granted.

Section 51-11 Family Leave

A. Upon written request a faculty member shall be granted a family leave of absence without pay for the following reasons: to care for the faculty member’s child; to care for the faculty member’s spouse, parent, or other family member who has a serious health condition; or because of a serious health condition that makes the faculty member unable to perform his or her job (after exhaustion of the faculty sick and family care leave benefits referred to in Section 51-01 above). The period of leave shall normally not exceed six calendar months or two successive academic quarters. An extension beyond this period must be approved by the Provost.

B. A request for family leave should be made to the department chair (or dean of an undepartmentalized school or college) as soon as reasonably possible, and, when the reason for the leave is foreseeable, not less than 30 days prior to the date such leave is scheduled to begin. Requests for family leave resulting from medical conditions shall include appropriate documentation from a physician.

C. Pursuant to the Family and Medical Leave Act of 1993, when, after exhaustion of sick and family care leave benefits, family leave is taken for purposes of caring for the employee’s newborn or newly adopted or foster child; to care for the employee’s spouse, son, daughter, or parent who has a serious
health condition; or for a serious health condition that makes the employee unable to perform his or her job (after exhaustion of sick leave benefits), the faculty member may be eligible for paid medical benefits for up to 12 weeks from the initiation of the leave. To receive such benefits, a faculty member requesting family leave must notify the Office of the Provost. The faculty sick and family care leave policy described in this section fulfills the University’s obligation under the Family and Medical Leave Act of 1993 and the benefits described in this section are not additive thereto.