

# 2020-9-4 Meeting Minutes:

11:00am, <https://bluejeans.com/4048942874> (to join by phone call 1.408.419.1715 and enter meeting ID 4048942874)

## Procedural Items

- Approval of May 2020 Meeting Minutes
  - Approved, no dissenters
- Welcome to our new members: Julia Kubanek (USG FC representative), Jordan Gray (FEB liaison), Athulya Ram Sreedharan Nair (Graduate SGA representative)
- Elect a chair and a secretary for the 2020-2021 year
  - Keep positions as is for another year (Julie Champion as Chair, Benjamin Yang as Secretary).

## Action Items

- Follow up with Gail Imoukhuede on the intermediate leave issue and inclusive language incorporation into the FAQ towards late September. (Julie)
- (Follow up with Athena Jones regarding sick leave use mandate.) The question is complex, so we'll invite Gail to attend our meeting so we can ask this question in person (and have regular attendance of an OHR representative at our meetings since we often have policy questions that are difficult to answer on our own). If unsuccessful, we can follow up with Athena. (Julie)
- New idea to possibly pursue this year: allowing 9 month contract faculty to earn vacation days (either throughout the year, or at least during the 3 months of summer when salary on research grants) – check USG policy to see if possible (Julie)
- Invite strategic planning committee members (GTRI and GT) to our next meeting since paid parental leave was included in GTRI strategic planning as an ambitious long term goal. (Victoria for GTRI committee, Julie for GT committee)
- Set meetings for rest of fall semester. Julie to send poll.

## Informational Announcements

- I will read our committee's report to the Faculty Senate on 10/20. The report is due 9/23. I will send out for any comments/edits the week prior.
  - Julie indicated she will handle this responsibility.
- From the minutes of the April Faculty Senate meeting: the updates to our second of the Faculty Handbook were read. The membership changes were read for the second time and approved. The duties changes were read for the first time and approved to be read for the second time in October.
  - Main change is enabling the Silver Jacket and Graduate Student Association nominate their own representatives.
  - Charge was read for the first time was approved for a second reading in October.
- BOR approved the 2021 USG healthcare plans and premiums and USG funding for supplemental coverage for Medicare-eligible retirees. For 2021, there will be no changes to the healthcare plans and no increases in premiums for the employee, employee + child(ren), and employee +

spouse coverage tiers. There will be a slight increase in premiums for employees enrolled in coverage for the family tier. This positive news is a result of better-than-anticipated claims costs in the latter half of 2019 and a successful healthcare procurement process which resulted in a new care management partner, Accolade, being added for 2021.

## Discussion Items

- **Families First Coronavirus Response Act (FFCRA) (Julie):** Reported to HR that the process was slow, that many different parties were needed to get information and make decisions, some gave up. Ivy Gardner (Director of Employee Relations, Human Resources) let me know that the official process was only rolled out on June 15 (hence the troubles we heard about prior to our May meeting). She assured me that the process was moving smoothly now. If we have any questions, issues, or know of someone who is, we should contact Ivy directly.
- **Mandating continuous vs intermittent leave for bonding with newborn or adopted child (Ben):**
  - Georgia Tech policy requires that FMLA bonding time “be taken as a single continuous period rather than as intermittent.” (from <http://www.policylibrary.gatech.edu/employment/family-leave>)
  - USG policy leaves open the option for bonding time to be intermittent: “Intermittent leave or a reduced work schedule may be granted for well-child care after the birth, adoption, or placement of a child at the discretion of the institution.” ([https://www.usg.edu/hr/benefits/fmla/fmla\\_university\\_system\\_of\\_georgia\\_policy](https://www.usg.edu/hr/benefits/fmla/fmla_university_system_of_georgia_policy))
  - Gail Imoukhuede (Benefits manager) told Ben on 6/24 that Kelly Cross (GT Policy Manager) was being engaged to submit a change for consideration to align GT policy with USG policy. On 9/3 Gail confirmed that the change is currently being reviewed by Legal Affairs.
- **Increasing inclusivity in documentation relating to family leave by using the non-gendered terms ‘birthing parent’ and ‘non-birthing parent’ (Ben):** The actual policy library page does not use terms like mother and father, only employee and spouse of employee, but the FAQ section (as copied above) does use mother and father. These terms are not inclusive of single sex couples or any adoption or foster situation where all “parents” are non-birthing and may include other family members or situations. Ben requested and OHR agreed and said the changes would be made on 6/25. Gail said on 9/3 that this change will take place when the above policy change is approved.
- **Mandating sick vs vacation leave for non-birthing parent following birth (Annie):**
  - Annie sent the following email to Athena Jones (Leave Management Specialist). No response has been received.  
Good morning Athena,

I have another question regarding parental leave that I’m asking on behalf of the Faculty Benefits Committee. My question is: Is the policy stipulating that bonding is only after the post-partum disabled state at the Georgia Tech or at the USG level? Can vacation be used prior to that 6- or 8-week mark? In other words, if a non-birthing parent wished to have the

option to use vacation instead of sick leave during the disability period, but with bonding as the reason for leave, is s/he prevented by GT policy or USG policy?

We were discussing the ways that a non-birthing parent (the partner of the person who is medically disabled due to childbirth) could take leave to care for and bond with their newborn. According to what we can find (<https://ohr.gatech.edu/family-medical-leave-act-faqs>), the Georgia Tech policy is that the non-birthing parent can only take leave to bond after the post-partum/physician approved disabled state of their partner. The employee is charging sick leave to care for the birthing parent, and because it is > 5 days, it must be FMLA, according to our understanding (I'm referencing here: <http://www.policylibrary.gatech.edu/employment/sick-leave>). The portions that I am quoting are copied at the end of this message. The USG policy I found is here: [https://www.usg.edu/policymanual/section8/C224/#p8.2.7\\_leave](https://www.usg.edu/policymanual/section8/C224/#p8.2.7_leave), and it doesn't specify the leave requirements to the same level of detail that GT does.

Our goal is to increase flexibility for non-birthing parents by having the option (not the requirement) to use vacation prior to the end of the disability period, instead of being required to only use sick leave. This would allow them to reserve sick leave balance for later needs.

If we have misconstrued the GT policy for a non-birthing parent taking leave following the birth of their child, please help me clarify. I am happy to talk through this over the phone as well. Our ultimate goal is to help make the policy flexible, within the bounds of USG, to benefit as many GT employees as possible. That includes helping GT employees to understand the policy when the wording is tricky.

Thanks,  
Annie

Sources:

"A husband may be entitled to time off to care for his pregnant wife (if there are periods of her pregnancy or post-birth recovery in which she is incapacitated and requires his care) and he may use accrued sick leave for such time off. Bonding with a newborn is defined as spending time with your healthy newborn after the post-partum/physician approved disabled state in which vacation time may be utilized concurrently with FMLA. If vacation time is not available, approved unpaid time off is an option. " – OHR FMLA FAQs

"Accrued sick leave may not be used to make adoption arrangements or to "bond" with a healthy newborn or newly-adopted or placed child." – GT policy library  
In practice, Georgia Tech has interpreted the following passage to mean that care after the birth of a child, for the non-birthing parent, **MUST** be taken as sick leave during the period of time the 'birthing spouse' would be unable to work. Are non-birthing parents required to take sick leave, or can they choose to take vacation leave instead? I advocate for allowing the individual to choose what is best for them. I think the wording of the policy allows for this flexibility, and I'd like to discuss making the practice equally flexible.

Suggestion: provide specific example where flexibility would be desired by employee: save sick leave for retirement, others?

- Any other items to discuss?
  - Victoria: GTRI strategic planning committee listed paid parental leave as “think big” long term goal, we should engage with them to provide support, keep momentum going, etc.
  - Julia: 9 month contract faculty do not have vacation, but 12 month do. 9 month faculty are expected to fit vacations in during semester breaks. This is not always possible. Explore the possibility of getting vacation days for 9 month faculty: is it allowable by USG policy? Would 9 month faculty want this?