



porary period to address certain family responsibilities or their own serious health conditions, and in order to comply with the Family and Medical Leave Act of 1993 (FMLA), the University has established the following policy governing parental, family, and medical leaves.

[**NOTE:** As of January 1, 2021, the Massachusetts Paid Family and Medical Leave (PFML) law became effective. Many of the PFML benefits overlap the FMLA benefits, but in some ways PFML benefits are more extensive. Also, the categories of Eligible Family Members are broader under the PFML law than under the FMLA. (PFML leaves to care for eligible family members are effective July 1, 2021.)

For all FMLA leaves listed below, employees are advised to also review the leave provisions under Boston College's [*MA PFML policy*](#), which can also be found under the Leaves & Absences section in the online Employee Handbook.]

I. General

A. Covered Leaves

1. Maternity Leave

Upon the birth of a child, a mother who has completed at least one year of service is eligible for a leave for up to 12 consecutive weeks. The first four weeks will be considered paid Birth Recovery Leave, and the employee will receive her regular pay for that period, not charged to sick or vacation time. Following those weeks the mother is also eligible for four consecutive weeks of paid Parental Leave, also not charged to sick or vacation time.

An employee who is not eligible for FMLA leave because she has less than one year of service will be eligible for one week of paid Birth Recovery Leave for each full month of continuous service at a minimum of 20 hours per week (maximum four weeks paid leave), followed by one week of paid Parental Leave for each subsequent month of service (maximum four weeks of additional paid leave).

The paid leaves will not apply to periods when the employee would otherwise not be working - for example, in the case of an academic year position where the leave periods would extend into the summer. The paid periods are not extended by the occurrence of any holidays that fall within the leave periods. The remainder of the leave may be paid or unpaid (see Section IV-Substitution of Sick Leave and Vacation Time).

Full-time Faculty should refer to the Maternity Leave Policy in the Faculty Handbook.

5. Family Leave

Employees will be eligible for up to 12 weeks of FMLA leave during a 12-

D. Spousal Exception

If a husband and wife both work for Boston College, and are eligible for leave, they are only eligible for a combined 12 work weeks of leave taken for birth, adoption, foster care, and to care for a parent. Both employees are eligible for

further information about his or her rights under this law, the employee should contact the Benefits Office.

2. Scheduling

When the leave is foreseeable, an employee must give Boston College thirty (30) days advance notice. When the leave is not foreseeable, notice should be given as soon as possible. In the case of medical emergencies the employee or a family member should contact the department supervisor by telephone as soon as possible. A formal request for leave should then be submitted in writing as soon as practicable.

In addition, when the leave is for planned medical treatment, the employee must make a reasonable effort to schedule the treatment so as not to unduly disrupt the department's operation.

3. Benefits Office Notification

After receiving a request for leave, the Benefits Office will provide a notice detailing specific expectations and obligations of the employee, as well as any additional information that may be required.

D. Confidentiality

Boston College will keep confidential all information relating to requests for family or medical leave. This information will be used only to make decisions in regard to the provisions of this policy. Supervisors should not retain any copies of relevant records in their files.

IV. Substitution of Sick Leave and Vacation Time

A. Maternity Leave

As noted above, the first four weeks of maternity leave will be considered as paid medical leave related to childbirth. An additional four weeks of paid Parental Leave are also available. The remainder of the leave will be unpaid, unless the employee is medically disabled and is due payments under the University's sick leave and short-term disability policies, or, if not disabled, unless the employee has accrued vacation time. Vacation time may be applied toward the last four weeks of a 12-week FMLA maternity leave at the employee's option.

B. Adoption Leave

Any portion of an adoption leave that is not covered by the Paid Adoption Leave policy will be unpaid, unless the employee has accrued vacation time. Use of vacation time is optional during an FMLA leave.

C. Paternity Leave and Foster Care Leave

Following the four weeks of paid Parental Leave, the leave

VII. General Provisions

Boston College is the sole administrator of this policy and is the exclusive interpreter of its terms. All provisions of this policy shall be interpreted consistent with the Family and Medical Leave Act of 1993.

The University reserves the right to modify or terminate this policy at any time.

Except as otherwise stated, this policy is not intended to create any rights greater than those conferred on employees by the Family and Medical Leave Act of 1993, as amended.

J:FMLA:Policy
December 1993
Revised 02/09
Revised 0817
Revised 0221