

## Policy Statement

This policy outlines the leave of absence benefits available to Carnegie Mellon University (CMU) staff members experiencing work- or non-work-related illness or disability, major life events, or participation in military service.

California-based staff members should refer to the [California Staff Handbook \[pdf\]](#) for location-specific leave of absence benefits.

University resources referred to in this policy are linked in the Related Resources section at the end of this document.

## Scope

This policy applies to all CMU staff members. Specific eligibility criteria is indicated below by leave type.

## Definitions

**Staff – Regular:** A staff member whose employment arrangement is for an unspecified period of time. Contracts for this employee type do not include an end employment date. Does not include positions with instructional staff or adjunct job profiles.

**Staff – Fixed Term:** A staff member whose employment arrangement is for a definitive period of employment. Contracts for this employee type include an end employment date. Does not include positions with instructional staff or adjunct job profiles.

Additional definitions can be found in the [HR Glossary of Terms \[pdf\]](#).

## Leave for Non-Work-Related Injury or Illness

1. CMU provides for non-occupational disability leave of absence for staff members who are unable to work due to injury, illness or pregnancy. A staff member must be eligible for full-time benefits to be eligible for a disability leave of absence. Eligibility for disability leave of absence runs concurrently with [Family and Medical Leave](#).
2. [Job Restoration after a Disability Leave](#)
  - a. A staff member on disability leave may return to their position(s) if they return from disability leave no later than 12 weeks after the leave began.
  - b. The university will make every effort to hold the staff member's position(s) open for up to six months, if circumstances allow. However, there is no guarantee that the position(s) will be held beyond the 12-week period.
3. Staff members are expected to notify their supervisor and the leaves administration manager of their availability to return to work as soon as their approved disability leave ends.
4. Staff members returning from a disability leave of absence are required to provide written certification from their health care provider of their ability to resume work.

## Family and Medical Leave

1. In compliance with the [Family and Medical Leave Act of 1993](#), eligible CMU staff members are entitled to up to 12 work weeks of unpaid leave in a rolling 12-month period for the following reasons:

- a. The birth of a child or placement of a child with the staff member for adoption or foster care.
  - b. To care for an immediate family member (spouse, child or parent) with a serious health condition.
  - c. A serious health condition that makes the staff member unable to perform their job.
  - d. [Military family leave](#).
2. For the staff member to be eligible for Family and Medical Leave, all of the following must be true:
- a. The staff member has been employed by CMU for at least 12 months in total.
  - b. The staff member has worked for at least 1,250 hours during the 12 months immediately preceding the start of the leave.
  - c. There are at least 50 employees of CMU within 75 miles of the staff member's work location.
3. Job Restoration after a Family and Medical Leave
- a. Upon their timely return from a Family and Medical Leave, under most circumstances staff members will be restored to the same position or a position similar to the one they held before the leave.
  - b. A staff member returning from a serious illness is required to provide written certification from a health care provider that they are able to resume work.
4. Using Family and Medical Leave with Other Leave Types
- a. CMU requires that the employee use all but five accrued Paid Time Off (PTO) days, if available, as paid Family and Medical Leave before any unpaid leave is provided. This applies to all uses of Intermittent Family and Medical Leave and the use of Continuous Family and Medical Leave, except when continuous leave is running concurrently with other paid leave such as Short-Term Disability, maternity leave and parental leave.
5. Military Family Leave
- a. Eligible employees are entitled to take unpaid leave in connection with a covered family member's service in the Armed Forces as described below. An employee's rights and obligations regarding military family leave are governed by the university's [Family and Medical Leave Policy](#) except as otherwise required by law. Military family leave provides eligible employees unpaid leave for any one, or a combination of the following reasons:
    - i. Military Caregiver Leave: Eligible employees who are family members of covered service members may take up to 26 workweeks of leave in a single 12-month period to care for a covered service member with a serious illness or injury incurred in the line of duty on active duty with the Armed Forces that may render the service member medically unfit to perform their duties with the Armed Forces. For purposes of this leave benefit only, eligible employees include the spouse, child, parent or next of kin of a covered service member.
    - ii. Qualifying Exigencies: Eligible employees may take up to 12 workweeks of leave during any 12-month period because of a qualifying exigency arising out of the fact that the spouse, child or parent of the eligible employee is on covered active duty (or has been notified of an impending call or order to covered active duty) in the Armed Forces (including the National Guard or Reserves). Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.
  - b. The duration of military family leave is based on the reason for the leave as described below:
    - i. Leave to care for an injured or ill service member, when combined with other Family and Medical Leave-qualifying leave, may not exceed 26 weeks in a single 12-month period.
    - ii. Military family leave runs concurrent with other leave entitlements provided under federal, state, and local law.

- iii. In cases of married couples, the leave is subject to the limitations set forth by the Family and Medical Leave Act.
- c. Some states provide additional leave benefits for family members of service members. It is the university’s policy to comply with such laws in any circumstances where they apply.

**Military Leave**

1. The following definitions apply for purposes of this leave type:
  - a. **Uniformed Services** – The Navy, Marines, Army, Air Force, Coast Guard, the Army or Air National Guard, the Commissions Corps of the Public Health Services and any other category designated by the president of the United States in times of peace, war, or emergency.
  - b. **Service in the Uniformed Services** – The performance of duty on a voluntary or involuntary basis in a uniformed service, includes active duty, activity training duty, National Guard duty, and time for an examination to determine the fitness to perform any such duty.
  - c. **Military Leave** – Any absence from work to perform service in the Uniformed Services.
2. Carnegie Mellon is committed to protecting the employment rights of staff members who serve in the military. If a staff member’s absence from employment is necessitated by reason of Service in the Uniformed Services, the staff member will be granted paid or unpaid Military Leave benefits by the university depending on the duration of military service.
3. **Reemployment Rights:** An employee returning from Military Leave will be provided reemployment if the following criteria are met:
  - a. The cumulative length of all Military Leave taken by the employee during their employment with the university must not be longer than five years;
  - b. The employee has not been separated from Service in the Uniformed Services with a disqualifying discharge or under other than honorable conditions;
  - c. The employee has provided notice and copies of relevant military orders;
  - d. The staff member notifies the university’s leaves administration manager of their return to work within the appropriate timeframe specified in the chart below.

Length of Military Leave	Return to Work
Less than 30 days	Report to work by the first regularly scheduled work day that would fall 8 hours after the end of the calendar day when military services ends.
More than 30 days, less than 180 days	Apply to return to work within 14 days after the completion of military service.
More than 180 days	Apply to return to work no later than 90 days after the completion of service.

**Leave for Work Injury / Workers Compensation**

1. Under Pennsylvania’s Workers’ Compensation law, staff members sustaining a work-related injury or illness through the course of employment at CMU may be eligible for medical benefits and payment for lost wages. CMU has made arrangements with a medical panel of health care providers to treat work-related injuries or illnesses.
2. Under the Pennsylvania Workers’ Compensation Act, any employee who is off work for fewer than seven calendar days will not be paid disability for those days. This is known as the waiting week. If the disability lasts eight through thirteen days, the disability will be paid for those days. If the disability is fourteen calendar days or

more, the employee will be paid from the first day of disability until you return to work. The amount of payment will depend on the wages the employee earned for the 52 weeks prior to the date of the injury and the rate schedule as issued by the Workers Compensation Division of the Department of Labor.

### Staff Parental and Maternity Leave

1. The following definitions apply for purposes of this leave type:
  - a. **Parent:** Individual who is legally responsible for the child, including gestational parent, non-gestational parent, adoptive and foster parent, and legal guardian
  - b. **Gestational parent:** Any person who gives birth
  - c. **Event:** The birth or placement of a newly born, adopted or fostered child, or child for whom legal guardianship has been appointed
  - d. **Legal Guardianship:** Court appointed responsibility for the care and custody of a minor child
2. CMU provides maternity and parental leave benefits to eligible employees as part of the university’s Staff Parental and Maternity Leave Program.
  - a. The Staff Parental and Maternity Leave Program applies to all full-time staff, including special faculty and TES staff. Staff members governed by a Collective Bargaining Agreement (CBA) may not be eligible for this leave program. Pay practices for such staff members shall be governed by the terms of the applicable CBA. Part-time staff members are not eligible for the maternity or parental leave.
3. Under the program, gestational parents are eligible for up to **six or eight** weeks of paid maternity leave for physical recovery immediately following birth. Additionally, all parents, including gestational parents who take maternity leave, are eligible for up to **six** weeks of paid parental leave to bond with a newborn, newly adopted or newly fostered child, or child for whom legal guardianship has been appointed. Refer to the chart below for a summary of the eligibility requirements for paid maternity and paid parental leave under the university’s Staff Parental and Maternity Leave Program.

FAQs	Paid Maternity Leave	Paid Parental Leave
Who may use the leave?	Gestational parent	All parents (including gestational parent) and legal guardians of children
What is the purpose?	Physical recovery from childbirth	Bonding with a new child
How long is the leave?	Up to six or eight weeks	Up to six weeks
When is the leave available to use?	Immediately following childbirth	Within 12 months of the birth or placement for adoption, foster care or legal guardianship
When can the leave be used?	Must be used as a single block of six or eight weeks immediately following the birth of a child; if less than six or eight weeks of maternity leave is used, the remaining balance is forfeited	Must be used as a single block of six weeks within 12 months of the birth or placement through adoption, foster care or legal guardianship; if less than six weeks of parental leave is used, the remaining balance is forfeited
How often may the leave be used?	Once with each birth event	Once with each birth or adoption event; once every 12 months for foster care and legal guardianship events

When does eligibility begin?	First of the month following hire date	After six months of employment
Who is eligible to take the leave?	Full-time staff members, including special faculty and TES staff members	

4. Other Options for Paid Time Off

- a. The six-week parental leave is intended for bonding. If parents wish to extend the amount of paid time off to spend with children new to the family, they may utilize their available PTO. In addition, any remaining balance of unpaid Family Medical Leave (FML) is available for up to one calendar year from the child’s date of birth, adoption, foster care placement, or appointment of legal guardianship for up to a maximum of 12 total weeks. Parents cannot use the maximum 12 weeks of FML and then choose to use the six-week parental leave. If a new hire uses parental leave when they are not yet eligible for FML, they can use 12 weeks of FML when they become eligible.

5. Limitations and Exclusions

The following is a listing of the limitations and exclusions to the university’s Staff Parental and Maternity Leave Program:

- a. While on other leaves:
  - i. Due to prenatal absence for pregnancy complications: If a pregnant staff member is absent due to pregnancy complications, they will have access to paid maternity leave once they give birth. They will also have access to paid parental leave.
  - ii. When a staff member is on an unpaid leave, unrelated to pregnancy, such as an off-month, and the event occurs during the leave: The gestational parent has access to maternity and parental leaves if they return within the normal disability period (for maternity leave) and/or within 12 months (for parental leave). The time available will be adjusted to account for the event date and the return to work (e.g., if the birth was two weeks prior to the scheduled return to work, the parent will have four to six weeks of paid maternity and six weeks of paid parental leave available).
  - iii. A qualifying adoption or foster care placement is one in which the child is under the age of eighteen, or eighteen years of age or older and incapable of self-care due to a physical or mental disability.
  - iv. A staff member’s absence will be partially or completely covered by the Family Medical Leave Act (FMLA) during these paid leaves, if the staff member meets FMLA eligibility requirements. FMLA runs concurrently with maternity leave and parental leave. The job protections afforded under FMLA will apply.
- b. Holidays and PTO Accrual:
  - i. Staff members who are on maternity or parental leave on a day observed by the university as a holiday will not be considered observing that holiday for timekeeping purposes. Holidays occurring during maternity or parental leave do not extend the leave.
  - ii. Eligible staff members do not accrue PTO during maternity and parental leaves.
  - iii. If a scheduled leave crosses over a calendar year, any unused floating holidays will be lost.
- c. Termination and layoffs: Eligibility for paid parental leave ceases on the effective date of a termination or layoff (i.e., the last day of work).
- d. Retirement: Staff members may elect to terminate regular employment while on paid maternity and/or parental leave and receive instead any retirement benefits for which they are eligible.
- e. Compensation/benefits: Staff members will receive their regular compensation while taking maternity and parental leaves. Applicable taxes and benefits such as medical, dental, vision, flexible spending, life

insurance and contributions to the retirement savings plan will continue to be deducted from the leave pay as regular salary.

- f. Staff members cannot receive pay in lieu of time off.
  - g. Maternity and parental leave will not be “pyramided” (i.e., paid twice for the same type of leave for the same eligible event). Note: multiple births (e.g., twins, triplets, etc.), and multiple children adopted, fostered or assigned guardianship are considered one event. A staff member may not have more than one period of paid maternity and/or paid parental leave for the same child (e.g., previously fostered or assigned guardianship).
  - h. There is no payout of unused paid maternity or paid parental leave.
  - i. Married parents who work at the university are both eligible for the six-week parental leave. The provisions of the FMLA regarding married parents still apply to the use of leave to bond with a child. Eligible spouses who work for the same employer are limited to share a combined total of 12 weeks of leave in a 12-month period to bond with a child.
6. Return to Work
- a. A staff member returning from a maternity leave will be required to provide a physician’s statement releasing the staff member to return to work and noting restrictions, if any. Failure to report for assignment at the conclusion of these leaves without requesting and receiving an approved leave may be considered a resignation.

## Staff Personal Leave

1. CMU provides personal leave of absence of up to one year without pay to regular, full-time staff members who have been employed for more than one year and are performing satisfactorily. A personal leave of absence may be granted for, but is not limited to, the following reasons:
  - a. Personal necessity
  - b. Dependent care (including adoption of a child or caring for an elderly parent)
  - c. Educational programs directly related to your present job or one that you might reasonably be expected to hold in the future
  - d. Professional development related to your present job or one that you might reasonably be expected to hold in the future
2. Any employee requesting a personal leave of absence must exhaust all of their PTO prior to the start of this leave.
3. Job Restoration after a Personal Leave

Staff members requesting a personal leave of absence may be unable to return to their former positions, and similar positions may not be available at the time they wish to return. When returning from leave, staff members should inquire about continuing their employment by contacting their supervisor and [HR business partner](#). If the staff member’s department is unable to reinstate them at the end of a personal leave of absence, the Office of Human Resources will assist them in seeking re-employment; however, no guarantee of employment can be made.

## Other Time Away from Work Benefits

1. Bereavement Leave

The university provides time off with pay for up to five working days for regular, full-time staff members to arrange and attend a funeral and to see to the affairs of the estate of a deceased member of their immediate family. It also includes up to five days of time off with pay for the gestational parent’s reproductive loss (miscarriage and stillbirth).

**2. Jury Duty**

Regular, full-time staff members who are called to serve as jurors or as subpoenaed witnesses are eligible to receive time off with pay. Staff members may remain on jury duty for the duration of service as juror or witness, as required by the court or by the subpoena.

**3. Leave for Victims and Witnesses**

CMU will grant reasonable and necessary leave, without pay, to all university staff members who are (i) witnesses or (ii) victims of a crime in order to attend or participate in legal proceedings, in accordance with applicable law ([18 Pa.C.S. § 4957](#)).

**Procedures**

Refer to the [HR Leave of Absence Guidelines for Staff \[pdf\]](#) for the procedures to apply for staff leaves of absence referenced in this policy.

**Responsibilities**

The Office of Human Resources is responsible for administration of the leaves of absence outlined in this policy.

Staff members are responsible for notifying the leaves administration manager within the Office of Human Resources of planned leave of absence and providing required documentation as outlined in this policy, the Leave of Absence Guidelines for Staff or other associated leave guidance.

Supervisors are responsible for coordination with the Office of Human Resources relating to their staff members' leave of absence requests and facilitating return to work.

**Related Resources**

[HR Leave of Absence Guidelines for Staff \[pdf\]](#)

[HR Glossary of Terms \[pdf\]](#)

[HR Business Partner Directory](#)

[Carnegie Mellon University Staff Handbook: A Human Resources Guide \[pdf\]](#)

[Carnegie Mellon University in California Staff Handbook \[pdf\]](#)