

Teaching and Graduate Assistants and Work-Family Benefits:

AAUP-AFT Guidelines for the Implementation of Family Leave Benefits of the Collective Negotiations Agreement between Rutgers AAUP-AFT and Rutgers Administration, Updated September 20, 2013

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Introduction: Purpose of these Guidelines

Rutgers AAUP-AFT developed this document to provide guidelines for the implementation of Work-Family Leave Benefits with a specific focus on Teaching and Graduate Assistants to assist them as they access the benefits as set out in Article XVI of the Agreement between Rutgers AAUP-AFT and the Rutgers Administration. The 2011-2014 Agreement extended the paid and unpaid family leave benefits until August 31, 2014.

One important goal of the parental leave provision is to promote quality education by making adjustments in work schedules and duties such that classroom teaching and other student-related responsibilities are minimally disrupted. The only change to these benefits under the 2011-2014 Agreement is that the explicit right to request the 8-week additional paid release time has been extended to full-time faculty who are Librarians and Extension Faculty. They may request parental release time from their “specifically assigned duties” as well as committee service commitments. Previously, the benefit had explicitly mentioned only release from classroom teaching.

Non-discrimination is also an important part of the work-family leave benefits. These guidelines are intended to facilitate the fair and equitable utilization of these provisions in order that all bargaining unit members, regardless of gender, marital/domestic partnership status, or sexual orientation are given the support they need to balance their work and family responsibilities.

Teaching Assistants are covered by the paid recuperative leave (up to 6 weeks but can be extended for medical reasons) and paid parental leave provisions (up to 8 weeks) under the Agreement, as are tenured, tenure-track and non-tenure-track faculty in our bargaining unit. Calendar-year Graduate Assistants, including those funded by external grants—are covered (at minimum) by the 6 weeks (or more, if extended for medical reasons) of paid pregnancy-related recuperative leave.

The following guidelines reflect the language and intent of the Agreement (or contract) and reflect the intent to have uniform minimum compliance. The contract does not preclude arrangements that exceed the minimum benefits. These guidelines and the benefits they concern are part of our continuing efforts to make Rutgers University a more family-friendly work environment.

Guidelines for Implementation

The contract provisions are contained in Article XVI, supplemented with the language from the 2011-2014 Agreement (a comprehensive settlement that ended the salary freeze and negotiated a successor Agreement to cover 2011-2014).

Teaching Assistants and Graduate Assistants planning to take advantage of the leave benefits should notify their department chair, advisor, supervisor, and the Graduate Director of their department/unit as far in advance as reasonably possible. We suggest that this be done first in person and, then, follow up in writing. We strongly encourage you to put the notification and request in writing. The best place to start is to make an appointment to discuss the benefits with the jointly-appointed (labor-management) Liaison for Work and Family Issues. When in doubt, always think to call the Liaison. See the Liaison's contact information later in this document. Please also consult the union for more information and so we may be able to have some monitoring of the implementation of the work-family benefits that comes directly from members who are using or attempting to use their rights under the contract.

The contract provisions of Article XVI are:

6 weeks paid recuperative leave (written notification required)

Eligibility: **All** birth mothers in the bargaining unit—**all Teaching and Graduate Assistants** as well as tenured, tenure-track and non-tenure-track faculty

What duties: Complete release from all work-related duties

Extension: May be extended for medical reasons

Timing: Begins with the birth of the child or with the start of disability preceding birth; e.g. doctor-ordered restricted activity or total bed-rest. If a bargaining unit member is on an 10-month contract, and if any of the 6 weeks (or more, if extended for medical reasons) recuperative leave occurs between June 30 and the beginning of the following fall semester, these weeks will not be covered as paid leave. If the bargaining unit member is on a calendar-year (12-month) contract, then the 6 weeks recuperative leave is separate from the contractually guaranteed four weeks of paid vacation per year.

8 weeks paid parental leave (written request for up to 8 weeks release time)

Eligibility: **All** new parents with teaching and/or committee service responsibilities, regardless of gender, marital/domestic partnership status, or sexual orientation

What type of care: Leave can be taken for care responsibilities related to **birth or adoption** of children

What duties: Release from work-related classroom teaching and committee service

Coverage: Applies to all parents, regardless of gender, marital status/domestic partnership, or sexual orientation. For birth mothers, the 8 weeks are in addition to recuperative leave—thus, totaling 14 weeks of leave. Graduate Assistants are **not** prohibited from receiving the 8 weeks of paid parental leave. If university and/or departmental resources and scheduling allow, then this benefit or some variation may be provided.

Timing: *Birth mothers on academic year appointments:* The 8 weeks paid parental leave may begin before the birth of a child in order to facilitate and simplify the taking of an entire semester of leave. If the child is born near the end of the fall semester, then the 8 weeks leave will begin immediately after the 6 weeks recuperative leave or at the beginning of the spring semester. For *birth mothers*, while not required, the combined 6 and 8 weeks of leave in the Agreement is envisioned to cover a *full semester*, whenever possible, for pedagogical reasons.

Birth mothers on 12-month appointments: The 8 weeks paid parental leave may begin before the birth of a child in order to facilitate and simplify the taking of an entire semester of leave. Otherwise, the 8 weeks leave may begin at any reasonable time after the end of the 6 weeks (or more, if extended) recuperative leave. For *birth mothers*, the combined 6 and 8 weeks of leave are envisioned to cover a full semester, whenever possible.

Nonbirth parents on 10-month academic year appointments: The 8 weeks paid parental leave may be taken at any time during either the fall or spring semesters. The timing of the leave should be discussed with the unit member's supervisor and the Graduate Director.

Nonbirth parents on 12-month calendar year appointments: The 8 weeks paid leave may be taken at any time. The timing of the leave should be discussed with the unit member's supervisor and Graduate Director. The 8 weeks leave is separate from the contractually-guaranteed 4 weeks of paid vacation annually.

Student Status during the Leave

The requirement to maintain full-time status as a graduate student may be accomplished in a variety of ways. For example, if a teaching assistant needs to maintain 9 credits per semester for full-time status, this may be accomplished by taking 6 credits as a teaching assistant and 3 additional

credits assigned as independent study or research credits; if the graduate student is in the dissertation stage and no longer needs to maintain 9 credits per semester for full-time status, then such status may be maintained through taking the required number of research credits. This information applies to both domestic and international students.

International Teaching or Graduate Assistants who take paid recuperative and/or paid parental leave must, therefore, register for the appropriate number of graduate credits required for their stage in degree progress (following the examples above) in order to meet the current U.S. government visa requirement of maintaining a "full course of study" at all times. Consultation with the Liaison, Rutgers AAUP-AFT, Graduate School and/or international student office on your campus is advised.

Health Benefits and Tuition Remission

The bargaining unit member retains full access to her/his health benefits and tuition remission benefit during the period of pregnancy and/or parental leave. This information applies to both domestic and international students.

Nondiscrimination

Article IV of the Agreement protects the following categories from discrimination: "race, creed, color, sex, religion, national origin, ancestry, marital status, civil union status, domestic partnership status, familial status, age, disability or atypical hereditary cellular or blood trait, genetic information, refusal to submit to a genetic test or make available the results of a genetic test, veteran status, affectional or sexual orientation, gender identity or expression."

Several of these categories apply directly to the recuperative and parental leave benefits detailed in these guidelines. Bargaining unit members should immediately contact the Rutgers AAUP-AFT if they believe that they have been discriminated against when attempting to access these leave benefits or retaliated against for accessing them (whether before, during, or after taking leave). Further, if a bargaining unit member believes that they have been discriminated against for becoming pregnant, adopting a child, or for their marital or domestic partnership status, they should contact the Rutgers AAUP-AFT immediately.

Liaison on Work and Family Issues

Lisa Bonick has been jointly appointed by the Rutgers AAUP-AFT (labor) and the Rutgers Administration (management) as the Liaison on Work and Family Issues to assist members and their supervisors in applying this benefit.

Deans must report all leaves related to these work-family benefits with details about the arrangements to the Liaison. The Liaison will then provide

the Rutgers AAUP-AFT and the Rutgers Administration with end-of-semester reports detailing all work-family-related leaves taken. These reports will be used by the Rutgers AAUP-AFT and the administration to track and improve the implementation of these contractually-guaranteed benefits.

Funding for Temporary Replacement

Supervisors and Graduate Directors are encouraged to consult with the Liaison on Work and Family Issues and the Office for Academic Affairs with regard to funding for temporary replacement of bargaining unit members on leave.

Contact Information

TA/GAs, faculty, or Graduate Directors with questions about accessing or implementing these parental leave benefits may contact the following people for more information.

Rutgers AAUP-AFT

Cathy Stanford, staff

cstanford@rutgersaaup.org

732-964-1000, ext 10; FAX 732-964-1032

Liaison on Work and Family Issues, Jointly-Appointed by Labor and Management under Article XVI of the Collective Agreement

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The following contact information is provided for technical assistance on maintaining full-time student status while accessing the benefits of the AAUP-AFT contract.

Graduate Schools

Graduate School Camden

Office of the Dean

856-225-6097

Graduate School Newark

Office of the Associate Dean

973-353-5834

Graduate School New Brunswick
Office of the Associate Dean
732-932-7275

International Student Offices

Camden—Office of International Students
856-225-6043
ois@camden.rutgers.edu
<http://ois.camden.rutgers.edu/>

Newark—Office of International Student and Scholar Services (OISS)
Reagan Barron, International Services Advisor
973-353-1427
ois@andromeda.rutgers.edu
<http://ois.rutgers.edu>

New Brunswick—Center for International Faculty and Student Services
(CIFSS), Marcy Cohen, Director
Contact your International Student Advisor
732-932-7015
ru_cifss@email.rutgers.edu
<http://internationalservices.rutgers.edu/>