


AUSTIN PEAY STATE UNIVERSITY
POLICIES AND PROCEDURES MANUAL

Policy Number: 5:043	Supersedes Policy Number: 5:043
Date: November 26, 1997	Dated: May 6, 1997
Subject: Maternity Leave	
Initiating Authority: Vice President for Finance and Administration	TBR Policy/Guideline Reference: 5:01:01:08, 5:01:01:14 5:01:01:16
Approved:  President	

It is the policy of Austin Peay State University to provide time off to regular female employees due to the birth of children, in accordance with T.C.A. 50-1-501 through 503 and the Family and Medical Leave Act of 1993 (FMLA). Leave for maternity purposes shall be granted for a period of up to four (4) months upon request of the female employee.

Upon receipt of the regular employee's written request for maternity leave, the President or his designee will process the request in accordance with the provisions of this policy and the employee's eligibility for leave under TBR Family and Medical Leave Policy No. 5:01:01:14.

I. Regular Employees Who Are Eligible for Family and Medical Leave Act Leave

Employees who are eligible for FMLA leave will have maternity leave processed in conjunction with the provisions of TBR Policy 5:01:01:14 regarding election of paid/unpaid leave, continuation of insurance coverages, etc. The following provisions also apply:

- A. If an employee elects to use paid leave during the leave period, sick leave shall be used prior to the birth of a child when medically necessary and thirty (30) working days immediately following the birth. Should the employee's medical condition exceed the thirty (30) working day period permitted under the Maternity Leave Policy, the employee shall use sick leave in accordance with APSU Sick

Leave Policy 5:045. After the employee's physician determines that she should be released, the employee may use any or all accrued annual leave or leave without pay for the remainder of the twelve (12) workweek FMLA leave period.

If both parents are State employees, the aggregate amount of sick leave that may be used for maternity/paternity leave is limited to thirty (30) working days. Refer to TBR Paternity Leave Policy 5:01:01:16.

- B. At the end of the FMLA leave period, an employee is also entitled to receive the difference between four months granted under the Maternity Leave Policy and twelve (12) workweeks granted under the FMLA. Annual leave or leave without pay may be used for the remainder of the maternity leave.
- C. Refer to APSU Leave of Absence Policy 5:040 regarding continuation of insurance coverage for employees on unpaid leave of absence.

II. Regular Employees Who Are Ineligible for Family and Medical Leave Act Leave

To be eligible for FMLA leave, employees must have (1) worked for the State at least twelve (12) months and (2) have worked a minimum of 1,250 hours during the year preceding the start of the leave. If employees do not meet these eligibility requirements, the following provisions will apply:

Sick leave shall be used prior to the birth of a child when medically necessary and thirty (30) working days immediately following the birth. Should the employee's medical condition exceed the thirty (30) day working period permitted under the Maternity Leave Policy, the employee shall use sick leave in accordance with APSU Policy 5:045. After the employee's physician determines that she should be released, the employee may use any or all accrued annual leave or leave without pay for the remainder of the absence for maternity purposes.

If both parents are State employees, the aggregate amount of sick leave that may be used for maternity/paternity leave is limited to thirty (30) working days. Refer to TBR Paternity Leave Policy 5:01:01:16.

Refer to APSU Leave of Absence Policy 5:040 regarding continuation of insurance coverage of employees on unpaid leave of absence.

Employees returning from maternity leave are subject to reinstatement as outlined in T.C.A. 50-1-502.

III. Employees Who Are Not Eligible for Maternity Leave

Temporary employees who may be eligible for leave under the Family and Medical Leave Act are limited to twelve (12) workweeks of leave and are ineligible for additional leave granted under this policy. Requests for FMLA leave should be processed in accordance with the provisions of TBR Policy 5:01:01:14.