

**Report on Emerging Issues with  
Family Leave Policies and Practices  
at Northern Illinois University**

**Submitted by**

**The Presidential Commission on the Status of Women**

**to**

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**REPORT ON EMERGING ISSUES WITH FAMILY LEAVE POLICIES AND PRACTICES  
AT NORTHERN ILLINOIS UNIVERSITY**

In August 2017, the Research Subcommittee of the Presidential Commission on the Status of Women identified as one of its goals for AY 2017-2018 a study of employee experiences with and current campus climate surrounding family leave policies and practices at NIU. A research study was developed in response to a perceived problem: family leave benefits at NIU – for significant life events such as the birth or adoption of a child, personal illness, or care for a family member – are not always administered fairly and effectively, and employees do not feel satisfied that the benefits provided meet personal or professional needs. This problem came to light based on stories shared by employees with members of the Commission over the past 10 or more years.

The mission of the PCSW is to address issues at NIU that have important implications for women who are members of the campus community. Family leave policies and practices have the potential to affect all employees, although women may be more likely to require family leave for certain life events, such as the birth of a child or for caregiving responsibilities for a newborn or other dependent. Therefore, our study sought to address issues presented to all university employees, who at this time have access to limited family leave benefits and inconsistent administration of those benefits.

To better understand the range of issues presented by existing family leave policies and practices at NIU, we developed and administered a survey to faculty and staff to gather data and information on their experiences and perceptions with family leaves, including leaves of absence taken under the Family Medical Leave Act (FMLA). This report presents results and identifies issues presented by our findings. We conclude with suggestions for changes to policy and practice on campus.

Our research confirms that current family leave policies and practices present undue challenges to some faculty and staff who seek a reasonable and fair work arrangement when taking a leave of absence for a significant life event such as pregnancy and birth, care for a newborn, and personal health conditions.

Family leave policies and practices are important because many employees, especially those who build long-term careers at NIU, will over time face significant life events that require usage of family leave benefits. NIU Human Resources reported that as of January 2018, 102 employees were currently on approved FMLA leaves of absence, and between May 2017 and January 2018, 233 employees requested FMLA leaves of absence. Many take more than one leave during their years of employment, with some taking two, three, and even more than three FMLA leaves of absence during the course of their careers at NIU. Fair and reasonable family leave benefits promote employee well-being by facilitating a balance between workplace demands and personal health and family needs. Here at NIU, existing policies and the administration of those policies have the potential to affect employee morale, the ability to retain employees, and the quality of work performed, in addition to the personal well-being of employees. Our research points to opportunities for improving existing policies and practices, based on information from 542 employees about their past experiences and current perceptions of family leave at NIU.

## **EXISTING FAMILY LEAVE BENEFITS AT NIU**

Currently, there is no university policy or paid benefit specifically for family leave for employees at Northern Illinois University.

Full-time NIU employees can apply for a 12-week unpaid leave of absence, as stipulated by federal law, through the Family Medical Leave Act.

Employees may use accrued sick, vacation, comp time (if hourly), and extended illness leave benefits to receive pay during an FMLA leave. Extended illness benefits are available for documented personal illness only, and not for paternity leave, adoption of a child, or care for an immediate family member. Sick, vacation, and extended illness leave benefits may be available for use during an approved FMLA leave, but may be administered differently for different employees taking a leave, depending on their employee classification or on the work plans developed in conjunction with their supervisors.

Additionally, NIU offers the option of an “Extension of the Tenure Probationary Period” to those who have taken an FMLA leave, as outlined in the *Academic Policies and Procedures Manual*, Section II, item 31. This policy was developed to support faculty members who may need an additional year added to their tenure probationary period for the birth or adoption of a child or another medical issue. Our survey did not directly address this policy, as the issue was researched by Faculty Senate in AY 2014-2015. However, we want to reiterate a finding from the Faculty Senate Rights and Responsibilities Committee’s report on “FMLA and Stopping the Tenure Clock” from February 2015: those who have used this provision have faced unanticipated consequences. Specifically, faculty members who have been granted an extension to their tenure clock and have subsequently made the decision to apply for tenure according to their original tenure clock must apply for “early” tenure, therefore meeting the “more, better, faster” standards. Other concerns noted are that the extension is granted based on a vote rather than automatic, and that faculty have been discouraged by peers and administrators from applying.

## **SURVEY DEVELOPMENT AND DISTRIBUTION**

Our survey, hosted on Qualtrics, was distributed through NIU email lists and through an announcement in NIU Today, and was made available to participants from February 22, 2018-April 1, 2018. The goal of this survey was to gather information from NIU employees themselves about their experiences with using their FMLA and other family leave benefits available as NIU employees. We also wanted to gather their perceptions of the current policies and practices surrounding family leave on our campus and how they are administered.

We developed our survey with consideration of the issues discussed with members of PCSW. We also consulted with representatives from Human Resources, who provided additional information on current policies and practices.

The result was a survey that included questions such as

“Does your department have family leave policies and do you think these policies and their implementation are appropriate and fair?”

“If you’ve taken an FMLA leave, describe the work plan you developed to cover your responsibilities while you were on leave.”

“If you haven’t taken a family leave but wanted or needed to, why not?”

“How knowledgeable do you find NIU staff in facilitating your family leave?”

“How did NIU’s policies and practices surrounding family leave affect your work performance, work satisfaction, or employment situation?”

We included both closed-ended and open-ended questions, yielding descriptive data, brief narratives, and qualitative results.

## **SURVEY PARTICIPANTS**

Overall, 682 faculty and staff accessed the survey producing a survey entry. Several entries indicate that the person either failed to begin the survey or failed to move beyond the first few questions. Only those respondents who completed the entire survey are included in this report. Thus, all analyses are based on 542 respondents.

We were able to attract participants from different employee classifications, including 51% civil service employees, 26% SPS, and 22% faculty.

Of those who responded to the question asking if they had ever taken a family medical leave, 40.6% said they had. The next two sections address the “no leave” respondents (those who report never having taken a leave) separately from the “leave” respondents (those who report having taking at least one FMLA leave) in reporting results.

## **SURVEY RESULTS – EMPLOYEES WHO HAVE NOT TAKEN AN FMLA LEAVE**

There were 322 survey respondents (59.4%) who reported that they had not taken an FMLA leave while an employee at NIU. A small number of these respondents applied for and were denied a leave under the current benefits structure, but more significant is the relatively large number who reported that they wanted and/or needed to take a leave of absence but didn’t (over 34%). These employees noted several reasons for not taking a leave, including a campus climate unsupportive of family leaves taken under the FMLA and a lack of paid family leave benefits.

### **Gender and employee classification**

Of those who wanted to take a family leave but didn’t, 63.0% identified as female, 29.5% as male, and 7.5% indicated another gender or preferred not to respond. In terms of their employee classification, 38.8% indicated that they were civil service, 32.3% were faculty, and 26.7% were supportive professional staff (2.2% failed to answer). Several analyses were done to determine whether respondents differed based on their employee classification (civil service, faculty, SPS). For those who never took a leave, it was determined that there was no difference across classifications in the likelihood of choosing not to take a leave when considering whether to do so, nor was there a difference in reporting having been denied a leave.

## **Perception of existing policies and practices**

Among respondents who have not taken a family leave while employed at NIU, only 14.6% were definite that their unit had policies that addressed family medical leave; the rest were uncertain or did not believe their unit had any policies. When asked about the fairness of their unit's FMLA policies, 54.7% of the 139 who responded indicated that they believed their unit's policies were fair. Of those who responded that they had never taken a leave, 1.9% indicated that they had requested a leave but the request was denied. 34.5% indicated that they considered taking a leave but decided against it.

## **Why employees did not apply for a family leave when needed**

Comments from participants revealed reasons why employees who considered applying for an FMLA leave decided against it. Some employees reported feeling pressure from supervisors to continue working rather than to request a leave. Some untenured faculty felt too vulnerable to request leave. And, in some cases, employees were nervous to request second or third leave (for separate FMLA-qualifying events) in order not to be considered unproductive.

Another reason given for not applying for an FMLA leave was financial. Comments from respondents indicate situations in which employees didn't apply for FMLA when life circumstances called for it as a result of not being able to finance the leave.

## **SURVEY RESULTS – EMPLOYEES WHO HAVE TAKEN A FAMILY LEAVE**

There were 220 respondents (40.6%) to our survey who reported that they had taken at least one family leave during their employment at NIU. Most of the employees we surveyed took leaves of absence for either the birth of a child or a personal health condition. The majority of those reporting that they had taken leaves were female, 79.5%. Experiences with family leave policies and practices varied among respondents, but a surprisingly large number reported problems with the work plans developed with their supervisors for coverage of responsibilities while on leave and return-to-work agreements. Less than 20% report that their units have family leave policies in place, thus necessitating arrangements developed on an *ad hoc* basis. These arrangements at times presented inequity among employees within and across units in terms of workload and expectations. Some faculty, for instance, were responsible for teaching courses the semester(s) during which they were on FMLA leave while others were not. Additionally, over half of employees who took a leave reported that they continued to work while on leave, even though Human Resource representatives consider this a violation of the terms of leaves taken under the FMLA. Finally, it is important to note the perception of family leave policies and practices on campus among this group of respondents: over 31% perceive family leave policies and practices as unfair. Respondents rated the ease of moving through the process to take a family medical leave as 4.78 on a scale of 1 to 10. Employees also reported hardships faced while moving through the channels for applying for a family leave, developing work plans, and working with campus resources due to a campus climate unsupportive of family leaves taken under the FMLA and a lack of paid family leave benefits.

## **Gender and employee classification**

Of those respondents who have taken at least one family medical leave while at NIU, 79.5% identified as female, 15.5% as male, and 5.0% indicated another gender or preferred not to respond. Females were significantly more likely to take a leave than were males (see Table 1). In

terms of their employee classification, 51.4% indicated that they were civil service, 22.3% were faculty, and 25.9% were supportive professional staff (.4% failed to answer). Civil service employees were much more likely to report having taken a leave than the other two classification groups (see Table 2), and civil service members reported taking significantly more leaves than faculty members, with SPS falling in the middle (see Table 3). The groups did not differ in their beliefs that their unit had an FMLA policy nor in their beliefs about the fairness of the policy.

### **Nature of leaves of absence taken**

Additional questions were asked regarding the nature of the leaves that were taken. Of those who had taken any leaves, 116 indicated that they had only taken one leave, 71 indicated they had taken 2 leaves, 17 indicated they had taken 3 leaves, and 15 reported taking more than 3 leaves (1 person failed to answer the question). Females took significantly more leaves than males (see Table 4). This may not be surprising given that most of the respondents indicated that they took a leave because of the birth of a child (39.7%); however, others indicated they did so because of their own serious health condition (35.7%), to care for a relative with a serious health condition (19.4%), because of the placement or adoption of a child (2.0%), or for some other reason (3.2%). A comparison was done to look at the relationships among the 3 employee classifications and the 3 most common reasons for taking a leave. It was found that civil service and faculty members were much more likely to report taking a leave due to the birth of a child, whereas SPS members were much more likely to take a leave due to their own serious health condition (see Table 2). Most respondents indicated that they had taken an intermittent leave (67.3%) as opposed to a full-time leave (32.7%). When asked how long of a leave they took, they were given the following options: 1-3 weeks, 4-6 weeks, 7-9 weeks, 10-12 weeks, or more than 12 weeks. Most selected 10-12 weeks (31.4%).

### **Perception of fairness and ease of use of existing policies and practices**

Only 19.1% of those who have taken a family leave at NIU reported that their unit had policies that addressed family medical leave; 80.9% were uncertain or did not believe their unit had any policies. Respondents who took at least one leave were compared with those who never took a leave to see if they differed in terms of whether they believed their unit had an FMLA policy and if they thought the policy was fair. A significant difference was found in their response rates to both questions. For the question about whether a policy existed, both groups had low rates of “yes” responses. Those who took a leave were much more likely to report the lack of a unit policy (see Table 5), whereas those who never took a leave were much more likely to report uncertainty in whether a unit policy existed. In terms of the fairness of the unit’s policy, those who took a leave were much more likely to report that they believed their unit’s policy was fair than not fair (see Table 5).

When asked about the fairness of their unit’s FMLA policies, 31.8% of the 170 who responded indicated that they believed their unit’s policies were fair. On a scale of 0 (very easy) to 10 (very difficult), respondents provided a mean of 4.78 regarding how easy it was to use family medical leave benefits available on campus, and females rated the ease of use more negatively than did males (see Table 4).

### **Experiences with developing work plans**

Employees also responded to questions regarding their experiences while on leave. Respondents indicated that on just over half (55.3%) of the leaves that were taken, they continued to do work

duties while on leave. Although there was no difference among the classification groups in the type of leave taken (full-time vs. intermittent), they did differ significantly in the likelihood that they reported working during their leave versus not working during their leave (see Table 2). In particular, civil service members were much more likely to report working during their leaves than the other two groups, and SPS members were much more likely to report not working during their leaves (faculty fell in the middle). Civil service members were also more likely to report using sick leave pay during their leave than to not use this pay option (see Table 2); however, there were no employee classification differences in the use of extended illness pay during their leave or their ratings of the ease of using family medical leave.

Comments from survey respondents reveal dissatisfaction with a lack of a clear process for developing fair and reasonable work plans and return to work arrangements. As mentioned above, fewer than 20% of respondents who have taken one or more leaves are aware of a leave/return to work policy in their unit. In a majority of cases, the work plans were *ad hoc*. While some did not think this resulted in unfairness, many did. Over half of those who took leaves had to work while on leave; some minded and some did not; and some seemed unaware that doing so could potentially violate the terms of the FMLA leave. Narrative responses highlighted a vast array of arrangements for managing responsibilities, often incommensurate with one another. Of particular note is the inconsistent and, therefore, unfair manner in which faculty teaching responsibilities are managed during leave semesters, including condensed teaching schedules, on the one hand, and excused from teaching for the semester, on the other.

### **Experiences with usage of paid benefits**

In addition, the respondents indicated that during 54.1% of the FMLA leaves that were reported on, they used personal sick leave pay, and during 45.3% of the FMLA leaves, they used extended illness leave pay. Employees reported that the current structure of unpaid FMLA leaves coupled with the use of accrued sick, vacation, and extended illness benefits (when available) failed to meet their needs. Using sick and vacation days to fund FMLA left employees in a vulnerable and stressful situation, as they hoped to accrue further paid benefits faster than the need to use them arose post-FMLA use.

### **Experiences with use of campus resources for information about family leave benefits**

Additional analyses were conducted to look at which campus resources (e.g., Human Resource Services, supervisors, chairs, etc.) employees were most likely to report using when they applied for a leave and how knowledgeable those resources were perceived to be on a rating of 1 (not very knowledgeable) to 10 (very knowledgeable). Respondents were able to select more than one resource from the following: Human Resource Services, department chair, supervisor, a union representative, a personnel committee, other. Human Resource Services was selected by 89% of the respondents. Chairs (21%) and supervisors (36%) were also used fairly frequently; however, the other three groups were rarely selected. Separate analyses were conducted for the three most used resources to look at rating differences across the three employee classifications. Faculty rated Human Resource Services significantly lower than civil service and SPS respondents (see Table 6). There was no significant difference in their ratings of chairs; however, faculty members' ratings of supervisors were significantly lower than those of civil service members, whereas SPS members fell in between (see Table 6).

Along with the uneven work plans, it is clear that employee satisfaction varies from unit to unit, and coverage of the work performed by the employee while on leave is also dealt with variably. Participant comments reveal that new and/or revised policies and practices are needed to help ameliorate the experiences of employees dealing with leaves:

### **SUMMARY OF EMERGING ISSUES**

- There are unanticipated penalties facing tenure-track faculty who apply for “Extension of the Tenure Probationary Period” when taking an FMLA leave, including pressure from colleagues and supervisors not to apply, reliance on approval by vote rather than as an automatic benefit, and failure to allow faculty to apply for tenure according to their original timeline if prepared to do so.
- Employees report that they are performing work activities, sometimes as requested by their supervisors, while on approved FMLA leave, which violates the terms of leaves taken under the FMLA.
- There is a demonstrated lack of consistency in work plans (while on leave, and upon return) within and across units, creating a serious equity issue.
- The lack of consistency in back-to-work plans is particularly egregious for faculty with respect to teaching duties within and across departments. Some faculty are asked to “make up” time off with additional teaching and other responsibilities upon return.
- A lack of training of supervisors and chairs to handle leaves fairly and consistently has led to employee dissatisfaction and the perception of inequity.
- There is an inconsistent campus climate regarding supporting legitimate leaves, with some employees reporting that they feel that their colleagues and/or supervisors discourage them from taking leaves or making use of existing benefits.
- The existing structure for allowing employees to use sick, vacation, and extended illness leave benefits to fund FMLA leaves creates inequity: employees who take leaves have varying levels of access to paid benefits. Under the existing structure, there are limited paid leave benefits for those who don’t qualify, such as fathers of newborns, adoptive parents, or those caring for an immediate family member. There are no paid leave benefits for those who use up sick and vacation days outside of or during an FMLA leave period.

### **RECOMMENDATIONS FOR NIU FAMILY LEAVE POLICY AND PRACTICE**

#### **Additional Training**

- A. Better train relevant staff to know and observe the rights of employees to apply the existing benefits, including FMLA leaves; paid sick, vacation, and extended illness benefits; and extension of the tenure probationary period. This appears to be particularly needed among department chairs, perhaps due to turnover in those positions.



- B. Provide additional information and training that is particularly focused on the development of fair and equitable work plans and return-to-work plans. Plans should be consistent and equitable within and across units.
- C. Improve the institution-wide climate with respect to family leaves through education and training of all employees who administer and facilitate family leaves: encourage a cooperative rather than adversarial process.

### **Policy Recommendations**

- A. Require units to develop clear policy statements regarding family leaves.
- B. Require units and Human Resources to work together to develop clear, equitable, and lawful work plans and return to work arrangements, to be placed on file with Human Resources.
- C. Consider two enhancements to faculty leave policies:
  - Modified teaching duties (such as offered at UIC), which allows faculty to have modified teaching duties when a new child enters the home. Faculty should be excused from teaching the semester during which they take a full-time leave.
  - Make the extension of the tenure clock automatic for faculty members who have taken an approved continuous 12-week FMLA leave. Allow faculty that have “stopped the clock” to restart original timeline. In other words, if a faculty member who cautiously “stops” her clock upon becoming pregnant but then finds its possible to balance work and childrearing such as to have not needed the extra year on the tenure clock, not to be penalized for unexpected productivity and be allowed to go up for tenure on original clock.
- D. Develop a paid family leave benefit at NIU:
  - As drawn from survey, having to draw down on other benefits to fund FMLA is a hardship for many, but affects some more than others. Some of the most affected parties include civil service or hourly employees, fathers of newborns, and adoptive parents.
  - Western Illinois University (4 weeks) and the University of Illinois system (2 weeks) all offer some paid parental leave.
  - Perhaps consider repurposing the paid benefits that are already in place and available to some (i.e., sick, vacation, extended illness leave) as family medical leave or another form of paid benefit that can be applied more consistently and equitably for all employees.

## Appendix A

Table 1: Frequencies of responses across gender

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	Total	Female	Male
Leave	209	175 (46.3%)	34 (26.4%)
No leave	298	203 (53.7%)	95 (73.6%)

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$\chi^2 (1, N = 507) = 15.782, p < .00$

Table 2: Frequencies of responses across employee classifications

	Total	Civil service	Faculty	SPS
Leave <sup>a</sup>	219	113 (47.5%)	49 (32.0%)	57 (39.9%)
No leave	315	125 (52.5%)	104 (68.0%)	86 (60.1%)
Worked during <sup>b</sup>	179	56 (84.8%)	53 (65.4%)	70 (38.7%)
No work during	149	10 (15.2%)	28 (34.6%)	111 (61.3%)
Sick leave <sup>c</sup>	176	45 (81.8%)	39 (57.4%)	92 (62.6%)
No sick leave	94	10 (18.2%)	29 (42.6%)	55 (37.4%)
Birth <sup>d</sup>	137	42 (71.2%)	45 (54.9%)	50 (27.6%)
Own illness	121	10 (16.9%)	18 (21.9%)	93 (51.4%)
Other's illness	64	7 (11.9%)	19 (23.2%)	38 (21.0%)

<sup>a</sup>  $\chi^2 (1, N = 534) = 9.300, p = .010$

<sup>b</sup>  $\chi^2 (1, N = 328) = 46.711, p < .001$

<sup>c</sup>  $\chi^2 (1, N = 270) = 10.054, p = .040$

<sup>d</sup>  $\chi^2 (3, N = 322) = 47.433, p < .001$

Table 3: Comparison across employee classifications

		Civil Service	Faculty	SPS	<i>F</i> -value (df)	<i>p</i> value	$\eta^2_p$
Number of leaves	M	1.93	1.47	1.67	3.411	.035	.031
	SD	1.24	.77	.93	(2, 215)		

Table 4: Comparison between females and males

		Females	Males	<i>t</i> -value (df)	<i>p</i> value	Cohen's <i>d</i>
Number of leaves	M	1.81	1.39	3.181 (206)	.002	0.470
	SD	1.14	0.56			
Ease of use	M	5.00	3.65	2.34 (198)	.021	0.465
	SD	3.00	2.81			

Table 5: Frequencies of responses across leave categories

	Total	Leave	No leave
Policy <sup>a</sup>	89	42 (19.3%)	47 (14.6%)
No policy	138	85 (39.0%)	53 (16.6%)
Uncertain	312	91 (41.7%)	221 (68.8%)
Fair policy <sup>b</sup>	130	54 (72.0%)	76 (54.7%)
Unfair policy	84	21 (28.0%)	63 (45.3%)

<sup>a</sup>  $\chi^2 (2, N = 539) = 43.784, p < .001$

<sup>b</sup>  $\chi^2 (1, N = 214) = 6.131, p = .013$

Table 6: Comparison across employee classifications

		Civil Service	Faculty	SPS	<i>F</i> -value (df)	<i>p</i> value	$\eta^2_p$
Ratings of HRS	M SD	7.81 2.16	6.45 2.50	7.87 2.02	6.535 (2, 201)	.002	.061
Ratings of supervisors	M SD	6.97 2.72	5.25 2.98	6.20 2.50	3.417 (2, 154)	.035	.042