A Postdoc’s Guide to Paternity Leave

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www.nationalpostdoc.org/advance

This guide provides general information on paternity leave for postdoc fathers following the birth of a child. It is intended as a companion guide to A Postdoc’s Guide to Pregnancy and Maternity Leave. Adopting postdoc parents may want to consult our forthcoming companion guide on adoption leave.

These are general recommendations only and may not apply to your specific situation; they do not constitute legal advice. Please consult your institution regarding its leave policies and other benefits. For legal advice, please consult a qualified attorney.

Suggested Timeline

The appropriate timeline for your own planning may deviate from this due to variations in institutional practice.

Postdoc Appointment Classification and Benefits

Postdocs working at U.S. research institutions have a range of appointment classifications that vary from institution to institution and often with source of postdoctoral funding. Typically the differences involve whether a postdoc is funded on an investigator/supervisor’s grant or on an individual fellowship and whether he or she receives a paycheck from the institution or the funder. That in turn determines whether a postdoc is classified as an employee, a trainee, or even some special classification just for postdocs. These classifications are established by the institution and are important for determining the conditions of a postdoc's employment and thus access to benefits. Postdocs investigating their access to paternity leave will need to understand their classification first.
Access to Paternity Leave

For the purposes of this guide, paternity leave connotes time off for fathers following the birth of a child,¹ and this leave period can be paid or unpaid. With the advent of the Family Medical Leave Act (FMLA), many working fathers in the U.S. have access to at least unpaid, job-protected paternity leave. Access to a paid paternity leave entitlement, however, is much less common.² For postdocs, a designated paid paternity leave benefit is uncommon at most research institutions, and many postdocs are not eligible for unpaid leave under FMLA.³ Postdoc fathers, however, may still have other leave options available to them, which are discussed in the next section.

Family Medical Leave Act (FMLA). Postdocs may be eligible for FMLA, which provides for up to 12 work weeks of unpaid, job-protected paternity leave and continued group health insurance eligibility during such leave. FMLA eligibility has certain limitations, however, such as applying only to employees of a covered institution and requiring an employee to have been employed for 12 months prior to taking leave and to have worked at least 1,250 hours over those 12 months. Postdocs should talk to their institution’s human resources or postdoctoral representative about their individual eligibility.

State Programs. Some states have family leave provisions for either parent that can complement or supersede federal provisions. For a review of these programs, consult Expecting Better: A State-by-State Analysis of Parental Leave Programs (2005) from the National Partnership for Women and Families.

For more information, consult the resources at www.nationalpostdoc.org/family-resources.

Creating a Paternity Leave Salary Plan

Research your options. Even if an institution does not have designated paid paternity leave, postdoc fathers may still have access to paid and/or unpaid leave options. All these options will depend on a postdoc’s source of funding, appointment classification, and his institution’s policies and practices. Therefore, talk to your postdoctoral and human resources representatives about your options. Be aware that postdocs may need to talk to multiple people in order to find all the pertinent information, and since paternity leave is still an uncommon benefit, postdoc men may need to consult additional sources.

Anecdotally, some postdoc fathers elect to negotiate informal leave with their supervisors instead of going through formal channels. Postdocs considering this avenue should keep in mind that this provides fewer safeguards in the case of misunderstandings, therefore clear, detailed communication is vital. Consulting the section on “Tips on Talking with your Postdoctoral Supervisor” may be useful.

Some options that may be available:

- Vacation or annual leave. In many cases this will be your best option for paid paternity leave, so find out how much you will have available by the time your baby arrives.

¹ Those who adopt a child may also be covered by the FMLA; we will discuss those leave options in our upcoming adoption guide.
- Sick leave. Some institutions may allow you to use sick leave for paternity leave, possibly including accompanying your partner to medical appointments before the birth and caring for her during her recovery afterward. *Ask in advance about this.*

- Institutional paid parental leave program. Some institutions may have an explicit program allowing a certain period of paid parental leave, applicable to either parent, independent of leave accruals.

- Specific leave provisions dictated by your funding source. Some grants and fellowships may have their own guidelines for paternity or family leave. Consult your paperwork.

- *Unpaid family leave.* This benefit may be offered by some institutions for all primary caregivers or provided under FMLA for eligible postdocs.

**Federal funding and paternity leave.** For postdocs supported on investigator grants from agencies such as the Department of Energy (DOE), the National Institutes of Health (NIH), and the National Science Foundation (NSF) paternity leave is an allowable fringe benefit. The implementation of such leave policies, however, will vary at the institutional level. Postdocs supported on individual fellowships, such as NIH’s National Research Service Award (NRSA) program and NASA’s postdoctoral program, sometimes will have fellowship-specific parental leave guidelines, while others, like most NSF postdoctoral fellowships, may encourage fellows to follow their institution’s typical practice. Other federal funding provisions that accommodate family-related issues, such as grant no-cost extensions and supplements for replacement technical personnel, should also be available to either parent for dependent-care needs. For additional information, consult your funding agency and talk to your institution.

NIH and NSF also offer specific guidance on these topics:

**Make a paternity-leave salary plan.** Expectant fathers should plan in advance how they can cobble together various methods of being paid during an official leave. Some considerations for that plan are:

- Do any of your paid leave options require one be used before another?

- Do you want to take your leave simultaneously with your partner or complement your partner’s leave and extend the total time one of you is home with your baby?

- Could you also extend this period by one or both of you working part-time?

Since there are likely to be fewer formal guidelines for how paternity leave is taken at your institution, be sure you have all the paperwork and approvals worked out in advance. Get it all in writing and keep copies!

**For partners at the same institution.** Find out if there are any limitations on leave if you both work for the same institution. For example, FMLA has a cap on the total, combined time spouses with the same employer can each take for extended family or child care leave. So, if you were to take five weeks of unpaid leave under FMLA, your partner may only take up to seven weeks of FMLA leave, for a combined total of 12 work weeks between the two of you.
Make a Paternity Research Plan

No matter how much leave you plan to take after the birth of your baby, if any, those initial months will include a number of new responsibilities likely managed on less sleep than normal. Therefore, you may want to make a written plan for how your research will proceed during that time. A written paternity research plan can provide a way to keep yourself focused and on track, especially when your time at work becomes precious. Moreover, the plan can provide a mechanism for communicating with your postdoctoral supervisor and collaborators about your leave or any family-related accommodations you might need. Some general considerations for that plan are:

**How much work can you get done before the baby arrives?** Try to identify some milestones you can *reasonably* reach before you go on leave, especially ones that require you to physically be at work. Allow yourself some flexibility here.

**Is there anyone who can continue some of your work while you are on leave?**

- Collaborators or members of your lab or group might be able to continue some aspects of your project during your leave, so talk to them in advance.
- A specially hired technician might also be able to continue some of your research if your leave will be extended. Funds for this temporary hire could be available through grants, grant supplements or even from your institution, which might offer transitional support to faculty for career interruptions. Find out if your paternity leave might qualify for such institutional support for your supervisor’s project where you are the primary supported researcher.
- In all cases, be sure to discuss *in advance* how credit for this work will be assigned (e.g. acknowledgement or authorship?) and what will happen upon your return (e.g. who now leads the project? who will continue to work on it?). Consider having these understandings in writing.

**Are you willing to do any work from home?** Being on official leave means you *are entitled* not to work during that leave. When considering how much you might want to do during leave, be mindful of committing yourself to doing work before you know how feasible it might be. Some tasks you might consider are: paper writing; grant writing; literature review; and conference calls. Find out if your institution has any flexible work policies for postdocs, such as teleworking or working part-time, that might provide another avenue for being home with a new baby.

**Make a backup plan for complications.** Despite your best-laid plans, complications can arise. Try to think through some of these in advance. For example: the baby comes much earlier than expected or your partner needs a longer recovery time after the delivery.

Tips on Talking with your Postdoctoral Supervisor

**First, consider your supervisor’s perspective.** Regardless of how generally supportive a supervisor may be of your new life change, he or she is likely to experience some concern over the potential impact of your paternity leave on your research projects. Although granting periods can be extended, lack of research progress can jeopardize grant renewals or new funding requests. Your collective goal will be to limit these risks for all involved. Keeping the lines of communication open can help.

**Many postdocs are starting families.** It may be useful to keep in mind that family formation is common during the postdoctoral years. On average, most postdocs are partnered, approximately a third has children, and the fraction with children is slightly higher for men than women.⁴

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Choose a time to talk. The decision of when to tell your supervisor is a personal one that depends upon your specific circumstances. Expectant fathers may have a bit more discretion in this decision than pregnant mothers who are starting to “show,” but the general considerations are the same: You want to allow sufficient time to plan any work accommodations you may require, especially if those accommodations involve other people from your lab or group. Also, your institution may have deadlines regarding filing paperwork for any official time off. Once you choose a time to talk to your supervisor, try to schedule a private, in-person meeting (i.e. where you can close the door) that is unlikely to be interrupted.

Consider sharing your written research plan. Sharing your written research plan can be an ideal tool for discussing your research projects during this transitional time, especially if you opt to take paternity leave. Importantly, you should also discuss expectations for this period and consider writing these down following your discussion. After updating your written plan with the results of your discussion, consider giving your supervisor an updated copy and have each of you sign it to confirm your mutual understanding. If you decide to negotiate your leave or accommodation on a more informal basis with your supervisor, a written research plan could provide a framework for that discussion as well as establish clear expectations that could help prevent misunderstandings.

When problems arise. If you are concerned that you might have difficulty coming to an understanding with your supervisor, look around for other allies who might be able to assist you. Many institutions offer advice on conflict resolution through the graduate or postdoctoral affairs office, human resources, or ombudsman.

Where to Find More Information at Your Institution

When looking for information at your institution, keep in mind that there may be no one definitive source for answers. Below are some suggestions for places that may be helpful.

- Office of postdoctoral affairs or other office that has oversight responsibility for postdocs
- Office of human resources
- Employee assistance program
- Ombudsman
- Department chair
- Other postdocs who have taken such leave
- Your postdoctoral supervisor or PI
- Postdoc handbook
- Postdoc union representative

For More Information

Visit the NPA ADVANCE Web site, [http://www.nationalpostdoc.org/advance](http://www.nationalpostdoc.org/advance) for additional resources and articles.

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