

## **WORK AND FAMILY AT THE UPR AT HUMACAO**

### **Maternity, Paternity, Breastfeeding, Childcare, and Other Leaves of Absence**

The following presents a summary of the UPRH regulations and the rights of the professors in the arena of work and family. The regulations are the result of Puerto Rican governmental laws or of collective negotiations of the non-teaching personnel workers' unions.

#### **Introduction**

Throughout their years of work as members of academia, faculty members face different challenges based on their different social roles. One of these challenges is balancing their work with the responsibility and support that they must provide their families.

This page provides the faculty with information about issues that have a significant impact on their lives, such as childcare, maternity, and breastfeeding, among others. We will also provide information related to the rights that faculty members have for absences arising from problems related to a family illness and/or care of a sick family member.

#### **Maternity**

- Maternity Leave
- Maternity Leave for Adoption

##### Maternity Leave

The maternity leave benefit was established by Article 56 of the General University Bylaws and applies to teaching personnel, faculty administrators, professors in special nominated positions, and personnel assigned to the Workers Union (Sindicato de Trabajadores, as it is known in Spanish).

Section 56.2 of the Bylaws sets forth that the period for using maternity leave will be sixty (60) calendar days, including a week of rest before the child's actual birth. For the employees that are guaranteed this benefit by University policy, holidays, Saturdays and Sundays are not counted among the total of the 60 days.

##### Maternity Leave for Adoption

Law 54 of March 10, 2000, which came into effect on that same date, amended Law 3 of 1942 to include maternity leave for purposes of adoption as a benefit for working mothers covered under this law. For this purpose the law was amended to read:

“...Making available, to all (female) employees who adopt a pre-school-aged child, meaning of five years old or less who is not registered in an educational institution in keeping with the legislation and current legal procedures in Puerto Rico, shall have the right to the same maternity leave benefits that a mother who gives birth enjoys. In this case, the leave will be calculated beginning on the date that the woman receives the child into her family nucleus. To claim this right, the employee must notify her employer with at least thirty (30) days of anticipation of her intention to adopt a child, and of her plans to return to work later. In addition, she shall submit to her employer accredited evidence of the adoption procedures expedited by the corresponding organism”.

## **Paternity**

In the case of the birth or adoption of a child, a maximum of four (4) working days as Paternity Leave will be conceded to the faculty member who requests it. This leave should be utilized no later than one week after the birth of the child. In the case of adoption, the leave can be taken at which time the adoption is legalized by the court. (Certification Number 42 2003-2004, p. 3)

## **Breast-feeding or Breast Milk Expression**

- Law for Regulating the Breast-feeding or Breast Milk Expression period
- Breastfeeding Stations at the UPR-Humacao

### Law for Regulating the Period of Breastfeeding or Breast Milk Expression: LAW NUM. 427 OF DECEMBER 16, 2000

To regulate the period of breastfeeding or breast milk expression; for the purpose of awarding half an hour (30 minutes) or two periods of fifteen (15) minutes within each work shift for working mothers that work full-time to breastfeed or express breast milk for a period of twelve (12) months starting from the worker's return to full work schedule after the child's birth.

**Article 8-** All employers must guarantee the nursing mother who so requests, the right to breastfeed her infant or express her breast milk.

To consult the complete text of the legislation, please see:  
<http://www.lexjuris.com/LEXLEX/Leyes2000/lex2000427.htm>

### Breastfeeding Stations at the UPR-Humacao

At the present time, the UPR-Humacao does not have Breastfeeding Stations or designated areas for expressing breast milk.

## **Childcare**

- UPR-Humacao Daycare Center

### UPR-Humacao Daycare Center

The University of Puerto Rico at Humacao has a daycare center, which offers services from 7:00 a.m. to 4:30 p.m. The Center is located alongside the Natural Sciences Building.

The selection of the children who will participate is: 50% of the non-faculty members of the HEEND (the University's Worker's Union, by its acronym in Spanish); 30% of the faculty employees, and 20% of the non-faculty employees who are not members of the HEEND. In case that the number of applications from those that qualify is higher than the number of spaces available, a lottery/drawing system will be used.

The registration process for the Center will be held once a year during the month of February. The father, mother or legal custodian of the child will be responsible for personally picking up the application form at the Center. The application should be turned in accompanied by the following documents:

- Original birth certificate of the child
- Copy of the child's Social Security card
- Employment verification of the father, mother or legal custodian who works at the UPR-H.

For more information, please consult the [Parents' Manual](#).

## **Federal Family and Medical Leave Act**

On August 5, 1993, the Federal Family and Medical Leave Act came into effect. This law has as its purpose to achieve harmony between their work obligations of an employee and his/her obligations and needs in terms of family life.

The Federal Family and Medical Leave Act provides for every employee's eligibility for the right to a total of twelve (12) weeks of unpaid leave during any twelve month period for one or more of the following reasons:

- The birth of a child of an employee, for the purpose of caring or attending said child.
- The adoption of a child by an employee or the placement of a child in his/her home to be raised by the employee.
- To care for their husband, wife, son, daughter, or parents of the employee if any of these suffers from a health condition of a serious nature.

- A serious health condition which prevents the employee from carrying out his/her work functions.

An employee is eligible to enjoy the benefit of a leave as guaranteed by law as long as he/she has fulfilled the following requirements:

1. Has been employed for a minimum term of twelve months with the employer from which he/she requests the leave.
2. During the last twelve months, the employee has worked a minimum of 1,250 hours for the employer.

For more information you can access the following web address:

<http://www.opm.gov/oca/leave/HTML/fmlafac2.asp>

### **Fringe Benefits (Time to vaccinate children)**

The Administrative Order #09-93, signed on April 8, 1993, concedes the right to all public sector employees to take up to two (2) hours of work time without charging it against their ordinary or sick leave time for the purpose of vaccinating their children. This applies to all University employees. For the purposes of their personnel file, the employees who make use of this benefit should present a certificate indicating the place, date and time where their children were vaccinated. Employees can also look up the Human Resources link on the University's webpage on the Internet, where the Immunization Form can be found under the link for Forms. This benefit applies for each vaccination the child is given; therefore the benefit can be utilized more than once a year as long as the aforementioned certification is provided.