

## **KNOW YOUR GEO CONTRACT: YOUR RIGHT TO PAID LEAVE**

As a graduate employee in a GEO-protected position, you have access to a variety of types of paid time off from work. This includes vacation time, personal time, and family and medical leave. This document is intended to serve as a guide to these different buckets of time, as well as how you can apply for them.

### **FAST FACTS ON GEO TIME OFF**

There are three buckets of leave in the GEO contract: vacation time, personal time (additional time off), and family and medical leave. Vacation time and personal time are fully paid leaves; family and medical leave (FML) is a baseline bucket of 12 unpaid weeks off, but GEO has negotiated for additional time to be available as paid leave to eligible grad employees.

**Vacation** (from Article 38 of the GEO contract): Vacation time accrues at a rate of one day per month, for a total of 18 hours of vacation time per semester. TAs and TOs are required to take vacation time during winter or spring break, unless they make an arrangement with their department head to take vacation time on a different schedule. RAs and other graduate student employees may take their vacation at any time, provided they obtain prior written approval. Vacation time is not carried over beyond the contract period it's earned in. multiplier: .0473

**Additional Time Off** (from Article 39 of the GEO contract): Grad employees accrue ATO at a rate of 24 hours per semester, or 17 hours per summer session. ATO can be used for a wide array of circumstances subject to approval of a grad employee's supervisor. ATO does not carry over beyond the academic year or summer session in which it's accrued.

AY mult = .063

Summer = .061

**FMLA** (from Article 45 of the GEO contract): A grad employee who works in a GEO-protected position for at least two consecutive months is eligible to take a mix of paid and unpaid family and medical leave. (This is separate from Massachusetts' state-level PFML, which excludes grad workers as "seasonal employees.") Qualifying events include the birth of a child, adoption of a child, care of a parent or domestic partner, or your own serious health condition. You have access to a total of 12 weeks of unpaid family and medical leave per calendar year in addition to a baseline of 5 weeks (or 100 hours) of paid leave. Grad assistants can also choose to bundle their vacation and additional time off with this 5 weeks to extend the amount of paid time off you can take. Note that you can take FMLA leave multiple times within a year of the qualifying event.

**NOTE:** All of the above is based on having a full-time equivalent (FTE) GEO position: 20 hours per week for the fall and spring semesters (a total of 38 weeks). This time is all pro-rated depending on your appointment, so if you have a 10-hour assistantship for both semesters, you get access to the same amount of time off, but the hours are halved (e.g. your 5 weeks' paid FML is 50, rather than 100, hours, but that still adds up to 5 weeks). GEO stewards and leadership can help you calculate exactly how much paid time off you're able to take off, so don't hesitate to contact them!

## **TAKING PAID TIME OFF FROM A GEO POSITION**

To take vacation (for all grad workers other than TAs and TOs) or additional time off, all that is needed is the approval of their supervisor. Requests for this time cannot be unreasonably denied, so if you feel like you're being blocked from taking time off, contact a GEO steward or come by the GEO office ASAP!

For family and medical leave, the process is a bit more involved. First, the grad worker needs the prior approval of their supervisor. This can be arranged in the same manner as any other request through email. Second, you will need to complete a medical certification form that is signed by your doctor. Federal form WH-380-E is for a member's own serious health condition, while WH-380-F is for someone else's serious health condition. Both these forms require a doctor signature. These forms are NOT submitted to your department, but rather to the Graduate Assistantship Office (currently the point person there is Shane Bordeau: [sbordeau@umass.edu](mailto:sbordeau@umass.edu)). When submitting these forms, you should indicate to the GAO how much time you intend to take, and how much of it should be paid.

## **HOW MUCH OF MY FMLA CAN BE PAID?**

Grad employees taking FMLA can opt to bundle their unused vacation and additional time off with the baseline paid 5 weeks' FML to extend the amount of time that is paid. Grad workers with 20-hour assistantships can simply add up the number of hours in this doc (copied from the GEO contract):

100h FML + 36h vacation (for 2 semesters) + 48h additional TO (for 2 semesters) = 184h

Then, you divide that amount of hours by the number of hours per week you are working in the assistantship you are taking leave from. That will give you the number of weeks (out of 12) that are eligible to be paid. So, for a 20-hour position in our example, that would be  $184/20 = 9.2$  weeks of 12 that can be paid.

(Note that since TAs and TOs take their vacation automatically over winter and spring breaks, unless express arrangements are made otherwise, vacation can sometimes be deducted from this total amount of paid FML. That's why planning ahead and making sure you communicate clearly with your department about your plans is important!)

## **Calculating Prorated Hours:**

*For FML:* A full time appointment is 760 hours (20 hrs x 19 weeks x 2 semesters). If 760 hours gets you 100 hours of paid leave, that means you earn .1316 hours of paid leave per hour you are contracted for. Say you have a full time summer appointment too (20 hrs x 14 weeks = 280 hours)...you would have 1040 hours total x .1316 = 136.86 hours paid leave. Say you have two 10 hr contracts plus a summer (660 hours total) = 660 x .1316 = 86.86 hours paid leave.

*For Vacation:* You can use the multiplier .0473 times the total number of hours to determine Vacation time.

*For Additional Time Off:* For the academic year use the multiplier 0.063 times the total number of hours to determine Additional time during the semester. Example: For a 20 hr per week appointment, Additional Time equals: 20 hrs x 19 wk. X .063 = 24 hours/semester. **For the summer session, use the multiplier .061 times** the total number of hours to determine Additional Time during the summer. Example: 20 hr per week appointment during the summer, Additional Time equals: 20 hrs x 14 wk x .061 =17 hours/summer.

As far as accruals go, Article 45 of the GEO contract states that “For the purposes of this Article, vacation and additional time off will be treated as accrued as of the beginning of the semester. In addition, for the purposes of this Article, graduate student employees whose appointment contract is less than an academic year but at least 190 hours shall be deemed to have accrued vacation and/or additional time off as if the appointment contract was for the academic year, and may use such leave credits at the commencement of the leave” (Section E1).

This means that **unused time from a semester you have not worked in yet, may be added to the total of your paid leave.** So if you were taking leave from a 20-hour position in the fall, and had a 20-hour assistantship in the spring, you could preemptively use time that you technically had not accrued yet to extend the amount of paid leave you’re able to take.