



**VII-7.51 – POLICY ON PAID FAMILY AND MEDICAL LEAVE FOR USM
EMPLOYEES**

(Approved by the Board of Regents on April 17, 2026)

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I. Purpose and Applicability

- A. This USM Policy on Paid Family and Medical Leave for USM Employees (“Policy”) implements a paid Family and Medical Leave (“PFML”) benefit for eligible USM Faculty and Staff employees, including Contingent Staff employees, pursuant to the Annotated Code of Maryland, State Personnel & Pensions Article, §9-1003, et seq.
- B. PFML provides for up to 12 weeks of job-protected leave for a Qualifying Reason in a twelve-month Application Year period paid at the employee’s regular pay rate.
 - 1. PFML is pro-rated based on full-time equivalent (“FTE”).
 - 2. An employee may receive an additional 12 weeks of PFML in the same Application Year (no more than 24 weeks total), when the reasons for receiving leave are to care for their own Serious Health Condition and for Parental Leave, regardless of which leave occurs first. (See §III of this Policy.)

II. Eligibility

- A. USM Faculty and Staff employees, including Contingent Staff employees not otherwise excluded under subsection B of this section are eligible for PFML in accordance with the terms and conditions of this policy.
- B. Exclusions
 - 1. Any employee who is receiving worker’s compensation benefits, as determined by the Injured Worker’s Insurance Fund (“IWIF”):
 - a. while on USM Accident Leave due to a compensable work-related injury pursuant to USM Policies II-2.32 for Faculty or VII-7.40 for Staff; or
 - b. during a period when an employee has been declared eligible for Total Temporary Disability benefits.
 - 2. Students, including student help, graduate assistants, teaching assistants, research assistants and post-doctoral students.
 - 3. Unpaid and non-paid affiliates.
 - 4. Bona fide volunteers.

III. Qualifying Reasons and Maximum Allowances

- A. An employee is eligible for up to a total of 12 work weeks of PFML based on their normal work schedule (not to exceed 60 work days or 480 hours) in an Application Year, pro-rated based on FTE, for any of the following Qualifying Reasons:
 - 1. for Parental Leave:
 - a. to care for a newborn child of the employee during the first year after the child's birth; or
 - b. because a child is being placed for adoption, foster care, or kinship care with the employee or to care for or bond with a child during the first year after the placement;
 - 2. to care for a Family Member with a Serious Health Condition;
 - 3. for an employee's own Serious Health Condition that results in the employee being unable to perform the functions of their job or position;
 - 4. to care for a service member with a Serious Health Condition resulting from military service when the employee is their next of kin; or
 - 5. to attend to a qualifying exigency arising out of the deployment of a service member who is a Family Member of the employee.
- B. An employee is eligible for an additional 12 weeks of PFML in an Application Year when they need Parental Leave and experience their own Serious Health Condition. Under these circumstances, the employee is eligible for a maximum of 24 work weeks in an Application Year, pro-rated to FTE.
- C. No other combination of Qualifying Reasons shall enable an employee to receive more than 12 work weeks of PFML in an Application Year.

IV. Intermittent Leave

- A. Intermittent leave is leave taken in separate blocks of time for a single qualifying reason. Reduced schedule leave is a type of intermittent leave that reduces an Employee's usual number of working hours per workweek or workday for a period of time.
- B. For the purposes of PFML, an employee may not take intermittent leave in an increment of less than 4 hours.
- C. If leave is taken on an intermittent leave schedule, the Employee shall:
 - 1. provide reasonable and practicable prior notice of the reason for which the intermittent leave is necessary; and
 - 2. make a reasonable effort to schedule intermittent or reduced schedule leave for planned medical treatment so as not to unduly disrupt the operations of the Institution's applicable unit.

If the Employee neglects to consult with the Institution to make a reasonable effort to arrange the schedule of treatments so as not to unduly disrupt the Institution's operations, the Institution may initiate discussions with the Employee and require the Employee to make a reasonable effort to make such arrangements, subject to the approval of the Health Care Provider.

V. Regular Rate of Pay

- A. Subject to any adjustments provided below, during a period of approved PFML, an employee will be paid their base weekly salary or hourly rate for their regular work schedule exclusive of any premiums, e.g., shift differential or on-call pay.
- B. When an employee's appointment is less than full-time, the PFML benefit will be determined based on their current appointment's full-time equivalence (FTE), regular work schedule, or workload commitment established in the employee's contract or appointment letter.
- C. Pay adjustments for purposes of calculating PFML:
 - 1. If prior to PFML an employee was receiving an increment for Temporary Assignments or Acting/Interim Capacity appointments, pursuant to USM Policy VII-9.50, the employee's salary shall be adjusted to their regular rate of pay exclusive of any adjustment for the acting or interim appointment for any continuous PFML lasting ten (10) business days or longer;
 - 2. If prior to PFML an employee was receiving an increment for administrative, teaching, and non-teaching overloads and the leave taken under PFML will result in the overload being negated, the employee's salary shall be adjusted to their regular rate of pay exclusive of any adjustment for the acting or interim appointment for any continuous PFML lasting ten (10) business days or longer;
 - 3. If an employee's PFML will negate the justification for special allowances (e.g., cell phone, car, housing) under an employee's contract or terms of employment, an institution may make adjustments to the special allowances; and/or
 - 4. If a furlough or salary reduction that would otherwise apply to the employee is in place prior to, or commences during and overlaps with an employee's PFML, the employee's salary shall be adjusted to reflect the application of the furlough or salary reduction.
- D. For contractual employees, PFML is only available during the term of a contract.

- E. For clinical faculty in the University of Maryland, Baltimore School of Medicine, please see the definition of “Regular Rate of Pay” in the Glossary at the end of this Policy.

VI. Status of Health Insurance During PFML

For employees enrolled in State health benefits, the employee’s share of health insurance premiums shall continue to be deducted from the employee’s paycheck, as scheduled, while on PFML.

VII. Job Rights and Protections

- A. Generally, an employee returning from an approved period of PFML shall be restored to the same position from which they took leave, or to an equivalent position at the institution, with the same benefits, pay, and other terms and conditions of employment as the position from which the employee took leave.
- B. If there are reductions in the work force while the Employee is on PFML and the Employee would have lost his/her position under USM BOR policies VII-1.30 – Policy on Layoff for Nonexempt Staff Employees, VII-1.32 – Policy on Layoff and Recall of Regular Exempt Staff Employees, and VII-9.61 – Policy on Reemployment and Reinstatement for Regular Status Nonexempt and Exempt Staff Employees had the Employee not been on PFML, then the Institution has no obligation to Restore the Employee to the position held by the Employee when PFML commenced or to an Equivalent Position.
- C. An Employee is not entitled to Restoration if the President or designee determines that the Employee had been hired for a specific term or only to perform work on a specific project defined in writing and the term or project is over and the Institution would not otherwise have continued to employ the Employee.
- D. Employees on PFML are subject to generally applicable changes in compensation, benefits, or other terms or conditions of employment.

VIII. Relationship to Other Types of Leave

- A. Paid Family Leave and federal Family and Medical Leave (FMLA)
 - 1. PFML and FMLA shall run concurrently when the eligibility for both types of leave overlap. See USM Policies on Family and Medical Leave (II-2.31 for Faculty and VII-7.50 Staff);
 - 2. Leave taken under the Federal Family and Medical Leave act may be counted against an Employee’s maximum duration of leave available under this subtitle in an application year for the same purpose, if:
 - a. a period of leave is designated as covered by the FMLA for an employee who would also qualify for leave under PFML;

- b. the employee is notified of the employee's eligibility for leave under PFML; and
 - c. the employee declines to apply for PFML.
- B. An employee shall not be required to use or exhaust their accrued paid vacation, sick leave, or other paid time off prior to or during a period of PFML. Notwithstanding this provision, an employee that is eligible for and has earned a holiday that is observed during an Employee's approved PFML shall be observed in accordance with the institution's published holiday schedule and shall count toward PFML.
- C. Annual leave and Sick and Safe Leave will not accrue while an employee is on PFML.

IX. Leave Requests

- A. Employees shall provide notice of the need for PFML to their supervisor or institution human resources representative and file a request for PFML using the template developed by the USM, in accordance with the following schedule:
 - 1. Foreseeable – when the need for PFML is foreseeable, an employee shall provide at least 30 calendar days' notice, but not more than 60 calendar days' notice, in advance of when the leave is anticipated to begin.
 - 2. Unforeseeable – when an employee did not or could not have known about the need for PFML 30 calendar days before the commencement of leave, the employee shall be required to provide notice as soon as practicable. With good cause, a request for PFML may be submitted after the leave has begun but not later than 60 calendar days after the start date.
 - 3. Intermittent PFML – an employee requesting intermittent leave shall:
 - a. make a reasonable effort to schedule the intermittent PFML in a manner that does not unduly disrupt operations; and
 - b. provide reasonable and practicable prior written notice of the reason, dates and duration for which intermittent PFML leave is necessary.

If an employee who is approved for intermittent PFML fails to provide reasonable and practicable prior notice to their employer of the intermittent leave schedule, they may be subject to the institution's established absence policy, pursuant to the applicable USM policies and in accordance with any applicable collective bargaining MOU.
 - 4. The notice deadlines above shall be waived for good cause. If the employee does not have good cause for the delay in completing the application, leave may be denied.

- B. Institution Human Resources Office representatives shall respond to requests for PFML including:
1. **Receipt of Incomplete Request** – Within five (5) business days of receipt of an incomplete Request for PFML, an employee shall be notified what information is missing from the Request. The employee shall provide the missing information as soon as practicable, but no more than ten (10) business days after the notice of an incomplete request. An institution will not begin the determination review of the employee’s Request for PFML until it is complete.
 - a. When an employee is notified that their Request for PFML is incomplete, they shall provide the required information as soon as possible, but no later than ten (10) business days after being notified of the incomplete Request.
 - b. Failure to provide the information within the ten (10) business-day period, absent good cause, may result in the PFML request being denied.
 2. **Receipt of Complete Request – Determination** – Within ten (10) business days of receipt of a Complete Request for PFML, which must include all required documentation and certifications, an employee will be notified of the institution’s Determination on their Request for PFML. This notice shall include at least the following information:
 - a. Whether the Request is approved or denied. If approved, the notice will indicate the beginning and end dates of their regular PFML or intermittent PFML, the duration of the leave, a statement about their PFML running concurrently with FML (if applicable), and any other conditions that may apply.
 - b. If denied, the notice will include a brief, concise statement on the reasons why the Request for PFML was denied, along with information about employee’s right to request a Reconsideration of the PFML Determination, within the timeframe established by this Policy. The employee should be advised that absent good cause, a failure to request Reconsideration will result in the institution’s PFML Determination being final.
- C. Required Documentation and Certifications
1. To submit a complete request for PFML, an employee is required to use the USM’s PFML Request template, and include the following documentation:
 2. Proof of relationship
 - a. Affidavits attesting to qualifying relationships;

- b. copies of official orders, certifications, or registrations from a government entity; or
 - c. copies of documentation from licensed foster care and/or adoption providers.
3. Certification of Qualifying Event
- a. For care or bonding with a child,
 - i. a certification of live birth;
 - ii. documentation of placement from a licensed child placement agency or government agency responsible for child placement;
 - iii. a court order;
 - iv. an affidavit of an informal kinship care arrangement; or
 - v. other reasonable documentation, as determined by the USM institution.
 - b. For a family member's Serious Health Condition - certification from a licensed health care provider establishing:
 - i. the first date on which the employee took or intends to take PFML and whether the PFML will or is intended to be taken for a continuous period of time or intermittently;
 - ii. date of the family member's diagnosis;
 - iii. the date on which the Serious Health Condition of the family member commenced;
 - iv. the probable duration of their Serious Health Condition;
 - v. the appropriate facts related to the Serious Health Condition within the knowledge of the licensed health care provider;
 - vi. a statement that the employee is needed to care for a family member and an estimate of the amount of time required to provide the care; and
 - vii. if intermittent PFML is requested, the expected frequency and duration of the intermittent PFML.

- c. For the employee's own Serious Health Condition, the employee shall submit documentation from a licensed health care provider, establishing:
 - i. the first date on which the employee took or intends to take PFML and whether the leave is intended to be for a continuous period, or to be taken intermittently;
 - ii. the date on which the Serious Health Condition of the employee commenced;
 - iii. treatment dates;
 - iv. period of incapacity;
 - v. probable duration of the Serious Health Condition;
 - vi. the appropriate facts related to the Serious Health Condition within the knowledge of the licensed health care provider;
 - vii. a statement that the employee is unable to perform the functions of their job or position;
 - viii. if intermittent PFML is requested, the expected frequency and duration of the intermittent leave.

- d. For military caregiving - to certify a request for PFML to care for a next of kin who has been injured while in active duty with the United States Military, the employee shall submit documentation from a licensed health care provider establishing:
 - i. the first date on which the employee took or intends to take PFML and whether the leave is intended to be taken for a continuous period of time or intermittently;
 - ii. the date on which the serious health condition of the service member commenced;
 - iii. the probable duration of the serious health condition;
 - iv. the appropriate facts related to the serious health condition within the knowledge of the licensed health care provider; and
 - v. if intermittent PFML is requested, a statement that the covered individual needs to care for a service member and PFML.

- e. For military exigency - to certify an application for qualifying exigency arising out of the deployment of a service member who is a family member, the employee shall submit a copy of the family member's active duty orders or a letter of impending activation from the family member's commanding officer.

D. Cancelling or Changing a Request for PFML

- 1. Before a PFML leave commences, if an employee determines they no longer need to take PFML, they shall notify the institution, in writing as soon as possible.
- 2. If during a PFML period the need for such leave changes, the employee shall notify the institution, in writing, of the pertinent facts and circumstances. If the institution deems it necessary, it may request an updated certification in accordance with this policy.

X. False Statements or Misrepresentations

An employee who makes false statements or misrepresentations, or fails to provide or conceals material fact(s) in a PFML Request, which induces the institution to approve PFML benefits, shall be subject to the following:

- A. Repayment of the invalidated PFML by retroactive charge to the employee's accrued Sick Leave, Personal Leave, Annual Leave, earned Holiday Leave, and earned Compensatory Leave;
- B. Absent the availability of such leave, repayment of the invalidated PFML may be made by cash payment or agreement with the employee to recover the amount through payroll deduction, or by a method established by institution policy and procedure; and
- C. Discipline up to and including termination, pursuant to the relevant USM and institution policies and procedures and any applicable collective bargaining Memorandum of Understanding the employee is covered by.

XI. Determination

Within ten (10) business days of receipt of a Complete Request for PFML, the institution shall issue a Determination, in writing:

- A. If the PFML is approved, the Determination notice shall indicate the beginning and end dates of the PFML, the duration, whether and to what extent the PFML will run concurrently with FMLA and any other terms and conditions that apply.
- B. If there is an Adverse Determination, the notice shall indicate the basis for the denial and information on the employee's right to request a review of the determination. A denial may be rendered because:

1. an employee's request is not made within the established timeframes;
2. an employee files an incomplete PFML Request, and failed to cure the deficiency on a timely basis, absent good cause;
3. the reason for the leave is not a Qualifying Reason or the Employee is not eligible;
4. the employee's PFML entitlement has been exhausted in the Application Year;
5. the employee misrepresented, concealed or failed to provide relevant facts used to establish the basis for PFML; or
6. the institution otherwise has good cause for the denying in whole or in part the employee's request.

XII. Request for Reconsideration of Adverse Determination

- A. Within ten (10) business days of receiving an Adverse Determination from the institution, an employee may request Reconsideration of the decision if they believe the benefits approved are less than they are entitled to, or if their request for PFML benefits was denied in whole or in part. Requests must include the reason the Employee believes the Adverse Determination was in error.
- B. The Reconsideration shall be conducted by institution personnel who did not participate in the initial Adverse Determination. A written decision on the Request for Review will be issued within ten (10) business days of receipt by the institution's Human Resources Office, which time may be extended if the decision maker deems a conference necessary to review the facts with the employee or their representative. Such conference must occur within the initial ten-day period, unless there is mutual agreement to convene later. If a conference is held, the written decision will be issued within ten (10) business days of the conference.
- C. An employee may appeal an adverse Decision in the Request for Reconsideration to the Chief Human Resources Officer (CHRO) within twenty (20) calendar days, unless there is good cause. The CHRO shall issue a final Decision within thirty (30) calendar days. The decision of the CHRO is final and not subject to further review or appeal.

XIII. Appeal of Final Determination

Upon implementation, Employees may appeal their PFML benefit determination to the Department of Labor in accordance with the procedures established by the Secretary of Labor for the Family and Medical Leave Insurance Program (FAMLI).

XIV. Overpayments

Overpayment recovery shall be sought when:

- A. benefits were paid in error;
- B. benefits were paid as a result of a misrepresentation, inaccurate or misleading information by the employee;
- C. benefits were paid before a request for PFML is rejected; or
- D. an employee engages in outside employment that is inconsistent with the purpose of the leave being taken pursuant to this Policy.

The institution shall recover the costs of providing PFML benefits to the employee, including the regular wages paid and health insurance premiums paid on the employee's behalf. Overpayments shall be recovered by retroactively charging the employee's accrued leave. After retroactively charging the employee's accrued leave, any additional outstanding payments owed may be collected through the collection process.

XV. Prohibited Acts

An employee may not have an adverse action taken against them because they have:

- A. filed for, applied for, or received PFML benefits, or taken family or medical leave which qualifies for PFML;
- B. inquired about the rights and responsibilities under the PFML statute;
- C. communicated to their supervisor or institution human resources office their intent to file a good faith claim, a complaint, or an appeal under the PFML statute; or
- D. assisted in a proceeding under the PFML statute.

XVI. Institution Record Keeping Requirements and Periodic Reporting to the USM Office

- A. Institutions shall collect and maintain the following PFML records, with all relevant documentation, for a period of at least five years:
 - 1. All PFML Requests received (both complete and incomplete);
 - 2. PFML approvals, with leave durations and dates for each;

3. Adverse determinations (denials with reason, PFML benefits approved at a lesser amount than requested by the employee);
 4. Requests for Reconsideration received;
 5. Determinations;
 6. Appeals of Determinations to CHRO;
 7. Outcomes of Appeals;
 8. Costs associated with payments under PFML.
- B. The PFML information and records that are required to be maintained by the institutions shall be subject to periodic reports to the USM Office, using a standard format that will be promulgated, for the purposes of ensuring compliance with the statute.
- C. All information and records that are acquired and maintained by USM institutions related to the provision of PFML benefits to USM employees are subject to applicable federal and State laws and regulations.

XVII. Implementation Procedures

Each President shall identify their designee(s) to develop procedures as necessary to implement this policy, communicate this policy and applicable procedures to their institutional community, and post it on its institutional website with other human resources policies for faculty and staff.

XVIII. Glossary of Terms

- A. **Adverse Determination** – An institution’s written Determination which denies in full or in part, an employee’s Request for PFML.
- B. **Application Year** - the 12-month period beginning on the Sunday of the calendar week for which benefits are first approved.
- C. **Business day** –Regular business hours, defined as 8:30AM to 5:00PM, on Monday, Tuesday, Wednesday, Thursday, Friday, except those days when an institution holiday is observed, pursuant to the institution’s published schedule.
- D. **Complete PFML Request** – means the PFML request form from an employee that includes all necessary information and required documentation and certifications. An institution may deny an incomplete PFML Request, absent demonstration of good cause by the employee.

- E. **Continuing Treatment by a Licensed Health Care Provider** – means any one or more of the following:
1. examinations or testing to determine the extent to which a serious health condition exists or persists;
 2. ongoing or periodic evaluations of the serious health condition; and
 3. actual treatment by a health care provider.
- F. **Deployment** – any day when a service member on garrison duty at the service member’s duty station or homeport and acting under official orders, is performing service in a training exercise or operation at a location or under circumstances that make it impossible or infeasible for the service member to spend off-duty time in the housing in which the service member resides.
- G. **Domestic Partner** – the person with whom someone is in a domestic partnership with.
- H. **Domestic Partnership** - is defined as a relationship between two individuals who:
1. are at least 18 years old;
 2. are not related to each other by blood or marriage within 4 degrees of consanguinity under civil law rule;
 3. are not married or in a civil union or domestic partnership with another individual; and
 4. agree to be in a relationship of mutual interdependence in which each individual contributes to the maintenance and support of the other individual and the relationship, even if both individuals are not required to contribute equally to the relationship.
- I. **Equivalent Position** - an employee returning from an approved period of PFML shall be restored to their same position from which they took leave, or to an equivalent position at the institution, with the same benefits, pay, and other terms and conditions of employment as the position from which the employee took leave.
- J. **Family Member** -
1. a biological child, an adopted child, a foster child, or a stepchild of the eligible employee;
 2. a child for whom the eligible employee has legal or physical custody or guardianship.

3. a child for whom the eligible employee stands *in loco parentis*, regardless of the child's age;
4. a biological parent, an adoptive parent, a foster parent, or a stepparent of the covered individual or of the eligible employee's spouse;
5. the legal guardian of the covered individual or the ward of the covered individual or of the covered individual's spouse;
6. an individual who acted as a parent or stood *in loco parentis* to the covered individual or the covered individual's spouse when the covered individual's spouse was a minor;
7. the spouse of the covered individual;
8. a domestic partner of the covered individual;
9. a biological grandparent, an adopted grandparent, a foster grandparent, or a step-grandparent of the covered individual;
10. a biological grandchild, an adopted grandchild; a foster grandchild, or a step-grandchild of the covered individual;
11. a biological sibling, an adopted sibling, a foster sibling, or a stepsibling of the covered individual

K. **Good Cause** – means failure by an employee to submit a complete PFML Request or other action required by this policy within the established timeframes because of

1. the employee's serious health condition that resulted in an unanticipated and prolonged period of incapacity;
2. a demonstrated inability to reasonably access a means to file a claim or take other action required by this policy in a timely manner, such as due to a natural disaster, a prolonged power outage, or a significant and prolonged system outage; or
3. a demonstrated failure of the institution to provide the applicable notice to the employee, required by this Policy.

L. **In Loco Parentis** - "In the place of a parent; instead of a parent; charged, factitiously, with a parent's rights, duties and responsibilities." Any Eligible Employee claiming *in loco parentis* relationship with a child, or an Employee claiming to be the child in an *in loco parentis* relationship, may be requested to provide documentation of such relationship.

- M. **Kinship Care** – refers to both informal and formal kinship care. Informal kinship care has the meaning as stated in Md. Code Ann. Ed. 4-122.1. Formal kinship care has the meaning for kinship care as stated in Md. Code Ann. Fam. Law 5-501.
- N. **Licensed Health Care Provider**
1. A doctor of medicine or osteopathy who is authorized to practice medicine or surgery (as appropriate) by the State in which the doctor practices;
 2. Podiatrists, dentists, clinical psychologists, optometrists, and chiropractors (limited to treatment consisting of manual manipulation of the spine to correct a subluxation as demonstrated by X ray to exist) authorized to practice in the State and performing within the scope of their practice as defined under State law;
 3. Nurse practitioners, nurse midwives, clinical social workers and physician assistants who are authorized to practice under State law and who are performing within the scope of their practice as defined under State law; and
 4. Any health care provider listed above who practices in a country other than the United States, who is authorized to practice in accordance with the law of that country, and who is performing within the scope of his or her practice as defined under such law.
 5. Does not include Christian Sciences Practitioner
- O. **Next of Kin of a Service Member** – As defined by the FMLA, the nearest blood relative other than the service member’s Spouse, Parent or Child (of any age), in the following order of priority: blood relatives who have been granted legal custody of the service member by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the service member has specifically designated in writing another blood relative as their nearest blood relative for purposes of military caregiver leave under the FMLA. When no such designation is made, and there are multiple family members with the same level of relationship to the service member, all such family members shall be considered the service member’s next of kin and may take FML to provide care to the service member, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the service member’s only next of kin.
- P. **Parental Leave** – is PFML taken pursuant to Section III.A.1 of this Policy.

- Q. **Qualified Exigency Leave** – means any of the following reasons for which leave may be needed by a family member of a service member:
1. the service member has received notice of deployment within seven (7) calendar days before the deployment is to begin;
 2. to attend military events and related activities including family support programs related to the active duty of the service member;
 3. to arrange, provide, or attend child care or school activities only when the service member is on active duty call or active duty status;
 4. to make financial and legal arrangements for the service member's absence or because of the absence;
 5. to attend counseling that:
 - i. is needed due to the active duty or call to active duty status of the service member; and
 - ii. is provided by an individual who is not a licensed health care provider;
 6. to spend up to 15 calendar days with a service member who is on a short-term temporary rest and recuperation leave during the period of deployment;
 7. to attend post-deployment activities including reintegration services for a period of 90 calendar days immediately following the termination of active duty status;
 8. to attend to matters related to the death of the service member while on active duty status;
 9. to arrange for or provide alternative care for a parent of the service member with the parent is incapable of self-care and the covered active duty or call to active duty necessitates a change; or
 10. any other issues that arise out of active duty or a call to active duty that an appointing authority and employee agree should be covered.

- R. **Regular Rate of Pay** – means the employee’s base weekly salary or hourly rate of pay.

For clinical faculty in the UMB School of Medicine, the Regular Rate of Pay for purposes of benefits under this policy shall be determined by UMB, but generally will be consistent with the maximum benefit amount under the Family and Medical Leave Insurance Program (Md. Code Ann., Lab. & Empl. § 8.3-101 et seq.). The Regular Rate of Pay will not be less than the benefit amount under the Family and Medical Leave Insurance Program (Id.). Nothing herein will preclude clinical faculty in the University of Maryland Baltimore School of Medicine from using their earned sick, annual, or personal leave for Qualifying Reasons under this Policy.

Nothing herein shall preclude clinical faculty in the University of Maryland Baltimore School of Medicine from using their earned sick, annual, or personal leave for Qualifying Reasons under this policy.

- S. **Serious Health Condition**– means an illness, injury, impairment, or a physical or mental condition that involves:

1. inpatient care in a hospital, hospice, or residential health care facility;
2. continued treatment by a licensed health care provider; or
3. continued treatment or supervision at home by a licensed health care provider or other competent individual under the supervision of a licensed health care provider;
4. includes an illness, injury, impairment, or a physical or mental condition that continues over an extended period of time and requires intermittent treatment.

- T. **Service Member** - an individual who is an active duty or former member of:

1. The United States Armed Forces;
2. a reserve component of the United States Armed Forces; and
3. the National Guard of any state.