

Family and Medical Leave Options for STPF Fellows

Policy Purpose And Fellows' Responsibilities

STPF is providing this information to provide context for the benefits available because we recognize that many applicants and hopeful fellows need ample information on benefits and leave policies to make their own personal decisions about whether to apply for or accept the fellowship. Please note that while we provide this information for the benefit of applicants and fellows, AAAS cannot attest to whether the information provided by employers other than AAAS Fellowship Programs, Inc. (AFPI) is accurate and up to date. It is the responsibility of the individual to explore and follow up on the requirements necessary for each type of leave and confirm whether they are indeed a covered employee for the purposes of the leave they are seeking.

What are the options for medical/parental/family/paid leave during the fellowship?

One of the most important federal statutes that affects leave options for fellows is the [Family and Medical Leave Act \(FMLA\)](#) which entitles eligible employees of covered employers to take *unpaid*, job-protected leave for specified family and medical reasons.

FMLA

Below is specific information on the eligibility parameters for FMLA and it is taken directly from the [Department of Labor website](#).

The Family and Medical Leave Act (FMLA) entitles eligible employees of covered employers to take **unpaid, job-protected leave for specified family and medical reasons**. This fact sheet provides general information about which employers are covered by the FMLA, when employees are eligible and entitled to take FMLA leave, and what rules apply when employees take FMLA leave.

Covered Employers

FMLA only applies to employers that meet certain criteria. A **covered employer** is a:

- Private-sector employer, with 50 or more employees in 20 or more workweeks in the current or preceding calendar year, including a joint employer or successor in interest to a covered employer;
- Public agency, including a local, state, or Federal government agency, regardless of the number of employees it employs; or
- Public or private elementary or secondary school, regardless of the number of employees it employs.

Eligible Employees

Only eligible employees are entitled to take FMLA leave. An **eligible employee** is one who:

- Works for a *covered employer*;



- Has worked for the employer for at least *12 months*;
- Has at least *1,250 hours of service* for the employer during the 12-month period immediately preceding the leave; and
- Works at a location where the employer has at least *50 employees within 75 miles*.

Note from the eligibility information above, **first-year fellows are not eligible for FMLA because eligibility does not start until after an individual has been employed in their position for 12 months. Second-year fellows might be eligible if FMLA is available to them via their placement mechanism and they remain in their placement under the same mechanism for their second year.**

According to the Department of Labor website, paid parental leave is also available to covered federal employees via the [Federal Employee Paid Leave Act \(FEPLA\)](#), specifically in connection with a qualifying birth or adoption of a child.

Specific to Washington, DC

There are also statutes relevant for employees of Washington, D.C.-based employers, that affect leave options that fellows may have access to. Two DC statutes that could affect leave options for fellows are below:

- [DC Family and Medical Leave Act \(DC FMLA\)](#)
- [DC Paid Family Leave \(DPFL\)](#)

Please note that paid leave options also require a person to have worked for a covered employer for 12 months prior to accessing FMLA benefits, and DC Paid Family Leave is only available to private-sector employees whose employer pays the PFL tax; District government and federal employees are excluded from DC PFL.

Specific to Maryland

Note that [Maryland will enact paid family leave in 2025](#).

Specific to Virginia

[Virginia allows for employers to offer paid family leave through private insurance](#) but does not currently require it.



Leave Options for STPF by Funding Mechanism

For fellows placed via Schedule A Temporary Term Federal Appointment (e.g., State, NIH):

Fellows placed through this mechanism are federal employees and their benefits are handled by [the Office of Personnel Management \(OPM\)](#), which is the federal government's human resources unit. Leave options for federal employees include annual leave and sick leave (comparable to Paid Time Off or PTO), and FMLA after employed for at least 12 months. Additional details and fact sheets can be found at: <https://www.opm.gov/policy-data-oversight/pay-leave/leave-administration/>.

As noted above, fellows hired as federal employees during their fellowship can access paid parental leave, provided they are eligible for FMLA.

For fellows placed via AFPI employment (e.g., NSF, VA):

Leave options for fellows employed by AFPI include PTO, specifically 21 days of Paid Time Off (PTO, including vacation, personal days, sick days, bereavement) in each 12-month fellowship term. There is a 10-day limit within the first six months of the fellowship and fellows can choose to pay towards both short-term and long-term disability benefits. If they are a second-year fellow and have been with AFPI for a full year as first-year fellow, AFPI-employed fellows can access FMLA and [paid family leave via the DC paid leave program](#) (which AFPI is subject to as a DC-based employer). Details on FMLA and eligibility for it can be found here: <https://www.dol.gov/agencies/whd/fact-sheets/28-fmla>.

For fellows placed via a third-party mechanism like ORISE, CDRF (e.g., DOE, DoD):

Leave options include allowable absences without a reduction in stipend, including holidays recognized by the host office and up to 21 days off per year. Extended absences for emergency or unplanned circumstances will be handled on a case-by-case basis. Because placement via ORISE does not constitute employment, fellows in this category do not have access to FMLA or other forms of paid family or parental leave.

For fellows whose fellowship payments will involve a memorandum of understanding (MOU) with their current employer (e.g., fellows maintaining their academic position and benefits of their home institution):

Fellows in this category will maintain the benefits they have with their current employer and thus, their leave options will be the same as provided by that employer. These fellows will, however, have to negotiate time off with their host office. Note that finalists and fellows seeking to be supported via an MOU with their current employer **MUST notify STPF staff as soon as possible during the finalist interviews or prior to the start of their fellowship and are responsible for identifying the point of contact at their current employer** that will work with STPF to set up and manage the MOU and connecting the STPF Finance team to that individual at their current employer.

This policy may be updated from time to time to stay current with national, state and/or local laws and regulations. This policy was last updated November 2022.