



University of New Mexico Staff Council 2024 Resolution

Name: A More Inclusive and Compassionate Bereavement Policy

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1. Whereas, The United States Office of Personnel Management defines family members and immediate relatives for purposes of paid leave as “Any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.”ⁱ The federal government set a standard that expands the definition of family to include close relationships regardless of legal or biological standing; and
2. Whereas, a more inclusive definition of family members in the University of New Mexico bereavement policy would benefit employees with nontraditional family structures, chosen families, and/or those who choose not to marry. Chosen families, rather than families of origin, are especially important for LGBTQIA+ individuals; and
3. Whereas, the current UNM bereavement policy excludes “cousins” in the definition of family members. In many Native American communities, the status of “cousin” is the equivalent of a sibling and may indicate a close relationship without equivalence in Western nuclear family structures. This has been an issue of contention for indigenous staff at UNM seeking bereavement leave for the death of cousins; and
4. Whereas the New Mexico State Personnel Office bereavement policy applies to “the death of a relation by blood or marriage within the third degree.”ⁱⁱ The third degree includes first cousins; and
5. Whereas, the current UNM bereavement policy utilizes gendered terms “sons- and daughters-in-law” and “nieces, nephews, aunts, uncles.” New language such as “children-in-law” and “siblings of parents and their children and spouses” removes gendered references; and
6. Whereas, the current UNM bereavement policy begins, “Eligible employees receive paid leave,” which could be interpreted to mean that employees may be *required* by a supervisor to take bereavement leave. Rephrasing this as “Eligible employees *may elect to use* paid bereavement leave” indicates that supervisors may not require employees to take bereavement leave, but must accommodate requests; and
7. Whereas, considering potential travel and legal, financial, and emotional tasks, three days is often not an adequate period to attend or plan a funeral or memorial during the grieving process. Extending the bereavement time to five days with an additional five, rather than two,

days of sick or annual leave reflects families today, often not residing in the same geographic area; and

8. Whereas, supervisors who require a death certificate, obituary, or notice from a funeral home imply that employees may lie about the death of a family member. Assuming malintent creates a work environment of mistrust at a vulnerable time, and in many situations the “proof” of death is not available within the time an employee may take their bereavement leave. Removing this from the policy further respects employees and empowers them to grieve in their own way, in their own time, and in many cases, intermittently; and
9. Whereas, the UNM Time Entry Guideⁱⁱⁱ notes, “Non-exempt employees who are absent due to a death in the employee’s immediate family will enter Earn Code 300-Paid Leave. A comment must be added to the time transaction specifying the date and the relation of the person that has passed” (page 54). The previous page (53) referencing paid leave states, “Ask employee to submit request in writing including who died or is getting married.” This may imply that the name of the deceased should be entered into Banner payroll records, which seems a questionable process; and
10. Whereas, the UNM Time Entry Guide definition of eligible family members does not match the UNM bereavement policy, stating “For the purposes of this policy, immediate family is defined to include the employee's spouse, children, parents (includes present mother-in-law and father-in-law), grandparents, and siblings.” Specifically, this guide excludes individuals such as domestic partners and other family members included in the current policy; and
11. Whereas, there is a national trend to add pregnancy loss to bereavement policies.^{iv} Adding this additional leave into the UNM policy recognizes that the loss of a pregnancy involves a grieving process. It is important that pregnancy termination, regardless of medical condition, is not excluded from the policy by only specifically approving miscarriage or stillbirth; and
12. Whereas, several companies have begun offering bereavement leave in the case of the death of a pet.^v Rather than adding this to the UNM policy at this time, supervisors should be encouraged to approve annual leave for the death of a pet or service or emotional support animal.
13. Resolved, That Staff Council requests the amendment of UAP Policy 3415: Leave with Pay Section 1. General and Section 3.4 Death in the Family and Bereavement Leave as outlined below; and
14. Resolved, That Staff Council requests changes in the Time Entry Guide to exclude requirements for documentation of the death or pregnancy loss.

Administrative Policies and Procedures Manual - Policy 3415: Leave with Pay

Current policy:

1. General

The employee's supervisor may request supporting documentation, and proof of relationship or residency in the household may be required for leave with pay for marriage, bereavement, and paid parental leave.

3.4. Death in Family and Bereavement

Eligible employees receive paid leave for an absence due to a death in the employee's immediate family, up to three (3) working days. Bereavement leave may be extended to five (5) days by the use of two (2)

days of sick or annual leave. Additional annual leave may be used to extend the family bereavement period if approved by supervisors. Family members may be natural, step, adopted, or foster. For the purposes of this policy, immediate family is defined as the employee's spouse or domestic partner, children, sons- and daughters-in-law, parents, parents-in-law, grandchildren, great grandchildren, grandparents, great grandparents, siblings, nieces, nephews, aunts, uncles, or is living in the household of an eligible employee. In the case of the death of a family member that falls outside this definition or the death of a close friend, supervisors are encouraged to allow the employee to take annual leave in the same manner as bereavement leave would normally be allowed.

Suggested new policy:

1. General

The employee's supervisor may request supporting documentation, proof of relationship, or residency in the household, for leave with pay for marriage and paid parental leave. A formal, written leave request may be required for bereavement leave; however, supervisors may not require additional supporting documentation or the details of the death or pregnancy loss.

3.4. Bereavement

Eligible employees may elect to use paid bereavement leave for an absence of up to five (5) working days due to a death in the employee's family, or a pregnancy loss. Bereavement leave may be extended to ten (10) days by the use of five (5) days of sick or annual leave. Additional annual leave may be used to extend the bereavement period if approved by a supervisor. Bereavement leave does not have to occur immediately following the loss, as each individual processes grief in their own time.

For the purposes of this policy, family members are defined as any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship. This inclusive definition acknowledges the diverse structures and significant personal bonds employees may have. Examples of family members include, but are not limited to, the employee's spouse, domestic partner, children (including adopted, foster, step, and chosen), children-in-law, parents, parents-in-law, legal guardians and wards, grandchildren, great grandchildren, grandparents, great grandparents, siblings, siblings of parents and their children and spouses, and cousins. Individuals related by affinity include unmarried partners, household members, chosen family, and any person with whom the employee has a significant personal bond that is like a familial relationship, regardless of biological or legal relationship. In the case of a death that falls outside these definitions, supervisors are encouraged to allow the employee to take annual leave in the same manner as bereavement leave would normally be allowed.

Supportive Measures:

Supervisors are encouraged to show flexibility and empathy when considering bereavement leave requests, recognizing both the variability and diversity of how each individual grieves, and the emotional and psychological impact of such losses on employees. Decisions regarding bereavement leave should be made with compassion, ensuring that employees feel supported during their time of grief. Employees should feel comfortable discussing their bereavement leave needs with their supervisors, who are expected to respond with compassion, understanding, and consideration.

Copies of this Resolution shall be sent to:

Policy Owner Kevin Stevenson, Vice President for Human Resources; Board of Regents; Dr. Garnett Stokes, President; Teresa Costantinidis, Senior Vice President for Finance and Administration; Dr. James Holloway, Provost and Executive Vice President of Academic Affairs; Dr. Mike Richards, Interim Executive Vice President for HSC and CEO of the UNM Health System; Dr. Assata Zerai, Vice President for Equity and Inclusion; Cinnamon Blair, Chief Marketing and Communications Officer; Sidney Mason Coon, Policy Officer; and The Daily Lobo.

ⁱ <https://www.opm.gov/policy-data-oversight/pay-leave/leave-administration/fact-sheets/definitions-related-to-family-member-and-immediate-relative-for-purposes-of-sick-leave/>

ⁱⁱ <https://www.srca.nm.gov/parts/title01/01.007.0007.html>

ⁱⁱⁱ <https://payroll.unm.edu/resources/banner-9-time-entry-guide.pdf>

^{iv} <https://www.shrm.org/topics-tools/news/benefits-compensation/growing-benefits-trend-time-pregnancy-loss>

^v <https://www.axios.com/2024/04/11/pet-bereavement-leave-work-benefit>