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Maternity and paternity/co-parent guidelines for VLIRUOS scholars

Introduction

In order to make the scholarship allowances more gender-sensitive, a set of guidelines are developed to describe what VLIRUOS, ICOS, promoters and institutions should do when a scholar is pregnant. It covers VLIRUOS approach regarding scholar pregnancy, maternity, paternity and co-parent leave. Relevant staff at the institutions should be made aware of these guidelines and their responsibilities if a student discloses a pregnancy. Reference to these guidelines should also be incorporated in new contracts with scholars and institutions. Pregnant scholars[1] should be given equal chances to finalise their studies or research, without being disadvantaged in time because of the pregnancy. Therefore, it is possible to suspend the scholarship period during and after pregnancy allowing the scholar to dedicate time to the new-born baby just before and after giving birth, and to resume studies or re-search shortly after the suspension period.

1.1. Objective of the guidelines

The objective of this guideline is to inform involved Flemish and partner Higher Education Institutions (HEIs), promoters and scholars about the options to suspend the scholarship period due to pregnancy. It is important to keep in mind that every pregnancy is different, calling for an individual approach based on a set of principles but taking into account the specific situation of the scholar, the type of scholarship and diversity of academic tasks, such as lab work implying higher risks, and taking into account that scholars are not employees of the Flemish HEIs and thus do not have an employment contract. Solutions have to be tailored to the situation of the scholar ensuring equal chances and equal time to finalise studies or research compared to non-pregnant scholars. Due attention should be paid to clear communication and feasible arrangements between the scholar and promoter / institution and flexibility to adjust initial research and study plans.

1.2. Background

Suspension of scholarship

VLIRUOS acknowledges that planning a pregnancy is the right of every scholar and should not be negatively influenced by holding a scholarship. It is the scholar's own personal responsibility and decision when and where they want to have children. Therefore every scholar has the right to suspend the scholarship period during and after pregnancy and to continue her studies or research after giving birth. The duration of suspension per scholarship type is determined in this guideline.

The suspension period may vary between scholars conducting lab or fieldwork, and scholars doing desk research. Hence the suspension period may last up to one year, depending on the specific situation of the scholar. Projects that are severely delayed and cannot achieve important results within the foreseen project duration because of a

[1] In case of same sex couples, partners taking up parenting responsibilities are also considered for maternity / paternity leave. Only one person in the relationship may take maternity leave, while the partner has the option to take paternity leave / co-parent leave.

scholarship suspension due to pregnancy are allowed to request extension (without additional budget) so that the scholar can finalise her lab work and PhD research. How this extension is to be organised, is to be discussed with DGD as part of the proposal for revision of the scholarship guideline.

Maternity leave is unpaid for VLIRUOS scholars, unless in case of a research scholar that unexpectedly delivers in Belgium (see Part 3, paragraph 3.1). In case of scholarships funded via the Global Minds programme, please check the respective scholarship regulations of the institution concerned.

Residence status

An important complexity for pregnant VLIRUOS scholars is the current Belgian migration regulation and the residence status they have in Belgium. This is especially difficult for scholars who are not in Belgium for the full consecutive period of their PhD scholarship allowance (e.g., 24 months), but visit Belgium multiple times for a short research stay of a couple of months, the so-called sandwich PhD scholars. Although the scholar can freely decide where to give birth, the right to stay in Belgium is subject to visa regulations and its requirements such as proof of financial solvability which is based on the DGD/VLIRUOS scholarship guarantee. If the scholarship period is suspended, VLIRUOS scholars should be aware that there may be implications for the scholar's visa. The right to stay in Belgium can no longer be permitted unless other financial guarantees are provided (see Part 2, paragraph 1). Moreover, the scholars should be aware that giving birth in Belgium possibly comes with the challenge of not having their family or social network present. VLIRUOS cannot arrange nor act as guarantor for the visa of family members due to the fact that VLIRUOS is only mandated by Belgian government to arrange visa for scholars themselves. Due to the student status, it is not evident to request and obtain family reunion to bring the partner or family to Belgium. These procedures take time and usually result in a refusal.

The role of the Flemish institution

The involved units of the Flemish institutions (e.g. ICP programme coordinator / promoter / ICOS / mobility office) have a key role in informing the scholars since they are the first in line for direct contact and support. They are responsible for awareness-raising on the topic and the appointment of a confidant, preferably female due to cultural sensitivity, at the Flemish institution to turn to for information and support when being pregnant. Every institution should make the same information available to VLIRUOS scholars as is done for other students, for example information on the available spaces for breastfeeding mothers and refrigeration within the department building if applicable, and nearby day-care facilities. Departments may wish to extend facilities they already make available to breastfeeding staff to scholars. The institutions should ensure that any scholar who becomes pregnant is accommodated as far as practicable in completing their programme of study or PhD research.

The role of the partner institution

VLIRUOS research scholars are expected to be linked to the partner institution in the home country on the basis of a contract and receive a research scholarship allowance in principle only for financing their research stay in Belgium. This implies that all suspension requests and allowances in the home country follow local procedures and social security regulations, where possible. The partner institution / promoter / scholar has to inform VLIRUOS about the local regulations for maternity / paternity/ co-parent leave in case the situation occurs. In case no local regulations are in place, VLIRUOS will raise awareness about the importance of having a gender policy with attention for maternity and paternity/co-parent leave.

1.3. Background

In Part 1 the general principles are described for pregnant VLIRUOS scholars. Three types of scholarships exist: short-term, study and research (PhD) scholarships.[2]

[2] A distinction is made between individual and embedded scholarships. Embedded means within the framework of a project. Individual scholarships are assigned on individual basis without a link to a project, for example ICP scholars. Global Minds scholarships can be embedded or individual, depending on the institution's framework.

In Part 2 the guidelines for study scholars are specified whereas in Part 3 the focus lies on research scholars. In Part 4, suspension for fatherhood / co-parenthood is considered for research scholars.[3]

Part 1. General principles

§1. Every pregnant VLIRUOS scholar with a (long-term) study or research scholarship allowance can request suspension of the scholarship period due to pregnancy. This means that the scholars can interrupt or postpone their studies or PhD research activities for a certain period of time and continue afterwards without losing time or being disadvantaged due to the pregnancy. The suspension period for study and research scholars is specified below in Part 2 and 3, respectively.

§2. Since the duration of trainings is limited, the scholarship period for scholars benefiting from a short-term scholarship allowance cannot be suspended due to pregnancy.

§3. The scholar has the freedom to choose where she wants to give birth. However, when giving birth in Belgium, VLIRUOS scholars cannot rely on the Belgian social security system for maternity leave and need to check what is covered by the standard (medical) insurance arranged by the Flemish HEI and seek additional information or financial help if needed. VLIRUOS can offer financial help under strict circumstances. However, VLIRUOS cannot provide a list of exceptional and/or unforeseen circumstances. More information for research scholars in Part 3, paragraph 3.1.

§4. Special attention should be given to scholars conducting laboratory work because certain activities can endanger the health of the mother and the unborn child. A risk assessment should be conducted if required. It is the shared duty of the promoter to inform every female scholar about the risks and restrictions to enter certain laboratories during pregnancy, and to make the scholar aware that if she comes to a Flemish HEI for laboratory work and is or tries to become pregnant, access to the lab will most likely be prohibited during pregnancy according to institutional regulations. Medical advice of the occupational physician will determine what is still allowed and what not. Hence it is better to postpone mobility visits for laboratory work at the Flemish HEI during pregnancy and suspend the scholarship for one year. The scholar and promoter need to discuss the consequences for research and lab work and propose an adjusted planning scheme.

§5. From the moment the scholar knows she is pregnant, it is in her interest to inform her promoter, especially when she is doing laboratory work because certain measures should be taken to protect her health and that of the unborn child (e.g. finding alternatives to lab work).

The scholar has to inform VLIRUOS without delay through the promoter by submitting the following documents to the Flemish HEI, which will be stored confidentially by the HEI administration:

- notification (medical certificate) of the pregnancy and the planned date of delivery;
- a request letter of promoter and scholar for suspending the scholarship indicating where the scholar will give birth;
- a request for adaptation of the initial scholarship study or research planning, including the proposal of a new planning scheme, with approval of the promoter.

§6. All other conditions as specified in the general VLIRUOS allowance guidelines and contract with the scholar remain valid.

[3] This is considered impossible for study scholars since the classes cannot be suspended for 15 days during the academic year.

Part 2. Suspension of the study scholarship allowance due to pregnancy

§1. Study scholars receiving a study scholarship allowance in Belgium (ICP (Connect) scholars):

- When the scholar reports the pregnancy before starting the ICP educational programme, she can postpone the start of the educational programme or interrupt the programme with max. one intake year due to pregnancy. Pregnant scholars cannot be refused when registering for an educational programme. They do have the right to start the educational programme in Belgium and suspend their studies during (part of) and after the pregnancy, but this situation is not ideal since they have to restart / continue the educational programme after birth without having been able to follow the (precedent) courses. Therefore it is advised to postpone or interrupt the studies with a full academic year.
- No allowance will be provided during the suspension period. The foreseen allowance is frozen until the scholar returns.
- When the scholar reports the pregnancy during the educational programme, the scholarship period can be suspended for maximum one academic year. The scholar should decide whether she will stay in Belgium or return home during suspension.
- If the scholar stays in Belgium and the scholarship period is suspended,
    - she is required to prove financial solvability by depositing sufficient own financial means to cover for the suspension period in a blocked account.
    - The involved HEI has to follow-up with the scholar on the proof of financial solvability.
    - When financial solvability through a blocked account cannot be proven, the HEI has the legal obligation to inform the Belgian government about the study suspension which could cause invalidity of the residence permit.
- In case the scholar returns home to give birth:
    - An additional return ticket can be included in the educational programme budget so that the scholar can return after the maternity leave to finalise her studies in Belgium.
    - The scholar should restart / continue the educational programme the following academic year without delay to avoid that the completion of the educational programme is threatened. The allowance will be frozen during the suspension period.
    - When the scholar decides not to intermit her scholarship period and she is allowed to follow the rest of the programme online in her home country (with permission of the programme promoter and feasibility of this study mode), she is still entitled to the full scholarship (100%) even though she is no longer present in Belgium. The scholarship period cannot exceed the max. duration of the one or two-year master programme (12 or 24 months of scholarship allowance).

§2. Embedded study scholars receiving a local study scholarship allowance in the home country:

- A pregnant study scholar embedded in a VLIRUOS funded project can also request a suspension of the study scholarship for maximum one academic year, implying that the scholar does not receive a scholarship allowance during the suspension period but can postpone and restart the studies afterwards without losing the scholarship (within the timeframe of the financing of the VLIRUOS project in which the scholar is embedded).
- When the suspension period runs longer than the foreseen duration of the project, the project should be able to request extension (without additional budget) so that the scholar can complete the planned activities.
- Pregnant scholars cannot be refused or replaced due to pregnancy when selected for a scholarship, but they do have the right to suspend their studies.

Table 1. Overview of suspension modalities due to pregnancy for study scholars

	Study scholars (ICP)	**Embedded study scholars (VLIRUOS projects)**
Possibility to suspend	Upon request & submission of documents Before start of the studies: postpone intake with max. 1 year During studies: possibility to suspend and restart the following academic year	Upon request & submission of documents Possibility to suspend and restart the following academic year
Suspension period	Suspend for max. 1 academic year	Suspend for max. 1 academic year
Allowance when in Belgium	No allowance during suspension	No allowance during suspension
Allowance when in home country	If the scholar does not intermit the scholarship period and is given permission to complete studies / thesis at home through online modalities (upon approval of promoter / education programme), 100% of full scholarship allowance for the remaining scholarship period will be paid	No allowance during suspension

Part 3. Suspension of the research (PhD) scholarship allowance due to pregnancy

§1. The scholarship period can be suspended for 15 weeks (in case of a single birth) or 19 weeks (in case of a multiple birth) divided in:

- Prenatal: max. 6 weeks (for single birth) or 8 weeks (for multiple birth) and min. 1 week are to be taken before birth;
- Postnatal: minimum 9 weeks.

§1.1 In the case the laboratory or research work can no longer be performed due to the pregnancy, the scholarship period can be suspended for max. one year. It is recommended that the pregnant scholar postpones her research stay in Belgium if there are no alternative tasks available to the planned laboratory work in Belgium.

§2. The period of suspension will be added to the scholarship period (15 weeks as standard). The suspension period does not count for the 24 scholarship months in Belgium so the scholar is not disadvantaged in time to finalise her research. When scholarship period and suspension period run longer than the foreseen duration of the project, the project can request more time to use the budget reserved for finalising the PhD.[4]

§3. The general rule is that no research scholarship allowance is paid during the suspension period.

§3.1. Only in exceptional circumstances that occurred in Belgium, such as early birth, the research scholarship allowance payment will be replaced by 75% of the full scholarship allowance the scholar normally receives when staying in Belgium. No research / supervision allowance can be paid to the unit of the promoter during this period.

[4] How to arrange this is to be discussed with DGD as part of the proposal for revision of the scholarship guideline.

- An unexpected circumstance is beyond reasonable control of the scholar and could not be planned nor prevented from happening. VLIRUOS does not provide a list of exceptional and/or unforeseen circumstances.
- For these exceptional cases, the involved institution's responsible authorities (e.g. social support commission, confidant, promoter) should advise VLIRUOS on the basis of an assessment of the personal situation (trajectory, when the pregnancy was reported, etc.). It is never the promoter alone who has to formulate an advice.
- This additional allowance will not have to be covered by the individual project budget, but by VLIRUOS who will create a budgetary provision for this as part of the scholarship revision.

§4. In case the pregnant research scholar gives birth in Belgium,

- If the scholarship period is suspended during her stay in Belgium, she is required to prove financial solvability by depositing sufficient financial means to cover for the suspension period in a blocked account. The involved HEI has to follow-up with the scholar on the proof of financial solvability. When financial solvability through a blocked account cannot be proven, the HEI has the legal obligation to inform the government about the scholarship suspension due to pregnancy which could cause invalidity of the residence permit.

§5. When the pregnant research scholar gives birth in the home country,

- the partner institution's regulation for personnel applies because VLIRUOS scholars are expected to be linked to the partner institution on the basis of a contract and only receive a Belgian research scholarship allowance during their stay in Belgium. This implies that all suspension requests and allowances in the home country follow local procedures and social security regulations. In case no local regulations are in place, VLIRUOS recommends the partner institution to review or prepare a gender policy with attention for pregnancy and birth as part of the implementation of the gender policy.

§6. For individual research scholarship allowances funded via the Global Minds programme, the agreed terms of the scholarship contract apply and can differ per Flemish HEI.

§7. In case the scholar is not allowed to continue the research activities as planned, the scholar and local / Flemish promoter should look for alternative tasks in consultation with the HR department of the institution / medical doctor so that the scholar can continue her research during the pregnancy. When no alternative tasks could be found, paragraph 7.1 describes the possibility to suspend the scholarship period due to long-term incapacity to work during the pregnancy period leading up to giving birth.

§7.1. In the case of incapacity to work occurring during the pregnancy period leading up to giving birth, due to a physical situation or condition (illness caused by pregnancy), the research scholar has to inform VLIRUOS hereof through the promoter without delay. The scholar has to provide an official medical certificate – specifying the cause and nature of the incapacity to continue the PhD research as planned.

§7.2. In case the incapacity is confirmed and no suitable alternative work for the scholar's (lab)work can be found as advised by the medical doctors,

- the scholarship period will be suspended for the period prescribed by the medical doctors (max. up to 1 year);
- the scholarship allowance payment will not be continued during the suspension period due to incapacity.

Table 2. Overview of suspension modalities due to pregnancy for research (PhD) scholars

	Embedded research scholars[5]
Possibility to suspend	Upon request & submission of documents In home country local institution regulations apply
Suspension period	Pregnancy: 15 weeks in case of single birth (19 weeks in case of multiple births) Laboratory work: possibility to suspend for 1 year Those additional weeks are not counted as part of the max. of 24 scholarship allowance months in Belgium
Allowance when in Belgium	Scholarship allowance payment frozen for the period, in exceptional circumstances payment can continue at 75% of allowance scholar normally receives in Belgium
Allowance when in home country	No VLIRUOS allowance in home country, local social security regulations apply as contracted staff member at home institution

Part 4. Suspension of the research scholarship allowance due to paternity/co-parent leave

§1. In case the research scholar is with his/her partner in Belgium and the partner is having a baby in Belgium,

- the scholar can request co-parent/paternity-related absence following the birth of their child and suspend the scholarship period for maximum 15 days in Belgium within a period of four months after birth;[6]
- the scholarship allowance is replaced by 75% of the full scholarship allowance the scholar normally receives in Belgium during the suspension period of max. 15 days;
- the period of suspension (15 days) will be added to the scholarship period. These 15 days are not part of the max. of 24 scholarship allowance months in Belgium;
- no research or supervision allowance can be paid to the unit of the promoter during this period.

§2. The scholar has to inform VLIRUOS through the promoter by submitting the following documents to the Flemish HEI, which will be stored confidentially by the HEI administration:

- notification (medical certificate) of date of birth in Belgium;
- birth certificate indicating the scholar is the father / co-parent;
- a request letter of promoter and scholar for suspending the scholarship, including the proposal of a new planning scheme, with approval of the promoter.

§3. In case the research scholar's partner is having a baby in the home country, the local staff regulations for paternity/co-parent leave of the institution apply.

[5] Embedded research scholars receiving a scholarship allowance in the framework of a project should in principle be affiliated with a contract to their home institution.
[6] This leave may be available to research scholars, regardless of gender, if they are in an established relationship with the mother of the child, adopting or having a baby through surrogacy. Valid (birth) certificate has to proof this.