

9 Month Faculty Leave Committee Final Report and Resolution

This document contains the following items from the 9 Month Faculty Leave Ad Hoc Committee, charged by Faculty Senate with exploring medical leave policies for all full-time 9-month faculty at UTC:

1. A resolution put forth by the committee on Paid Medical Leave for 9-month faculty (found on page 2)
2. A recommendation for a paid medical leave policy for 9-month faculty at UTC (found on page 3)
3. A summative report of the peer, aspirational, regional, and other Tennessee universities that have paid medical leave policies for their 9-month faculty (pages 4-13)

Resolution Recommending Paid Medical Leave for 9-month Faculty

WHEREAS the University of Tennessee at Chattanooga provides regular staff and 12-month faculty with paid medical leave to protect them against loss of earnings due to extended leave for personal or family (spouse, child, or parent) illness, injury, and/or due to childbirth, child placement, or adoption;

WHEREAS the University does not provide 9-month faculty with paid medical leave to protect them against loss of earnings due to extended leave for personal or family (spouse, child, or parent) illness, injury, and/or due to childbirth, child placement, or adoption; AND

WHEREAS other Tennessee universities as well as other peer, aspirational, and regional universities, including, but not limited to, Stephen F. Austin State University, University of Nebraska Omaha, Murray State University, Northeastern State University, University of North Carolina at Greensboro, Appalachian State University, University of North Carolina at Wilmington, University of North Florida, ETSU, University of Memphis, Austin Peay State University, Vanderbilt University, East Carolina University, Kennesaw State University, Sewanee - University of the South, University of Central Florida, Florida Atlantic University, Tennessee State University, and Tennessee Board of Regents schools; AND

WHEREAS other major universities across the country, including, but not limited to, the University of Georgia System, University of Texas System, University of North Carolina System, University of South Carolina, University of Kentucky, University of Michigan, University of Iowa, University of Washington, University of Kansas, and University of California provide 9-month faculty with paid medical leave;

THEREFORE BE IT RESOLVED that the Faculty Senate recommends the University of Tennessee at Chattanooga implements a paid medical leave policy for 9-month faculty to protect them against loss of earnings due to extended leave for personal or family (partner, child, or parent) illness, injury, and/or due to childbirth, child placement, or adoption.

This committee makes the following recommendations:

- 1) That the university adopts a parental leave policy for all full-time 9 month faculty allowing up to 16 weeks of paid leave for the birth, adoption, or placement of a child, similar to the policies held by ETSU¹ and TSU².
- 2) That the university adopts a separate extended illness policy for all full-time 9 month faculty allowing up to 16 weeks of paid leave for an extended illness of the faculty member or someone in their immediate family. This policy would be similar to the one offered by UNC Greensboro³, but offering up to a full semester of leave.

¹ https://www.etsu.edu/human-resources/documents/ppps/ppp22_parental_leave.pdf

² <http://www.tnstate.edu/hr/documents/updatedpoliciesandprocedures/Leave%20Parental.pdf>

³ <https://drive.google.com/file/d/0B2Wt59zS7O1kRGhGRk9VeFpkMkk/view>

Summative Report

Below is a summary of leave policies from other peer, aspirational, regional, and Tennessee universities.

Peer and Aspirational Universities

Stephen F. Austin State University

Summative Statement

SFAU provides both a family and medical leave and sick leave policy. “Employees are able to take family/medical leave within any 12-month period and be restored to the same or an equivalent position upon return as long as the employee has worked for the state of Texas for at least 12 months and for at least 1250 hours within the previous 12 month period.” Reasons for family/medical leave include: 1) The birth of a child or placement of a child with the employee for adoption or foster care, 2) To care for a spouse, child, or parent who has serious health condition, 3) For serious health conditions that make the employee unable to perform the essential functions of their job, or 4) For any “qualifying exigency”, defined as situations arising from the military deployment of an employee’s spouse, son, daughter, or parent to a foreign country. Sick leave may be used in conjunction with FMLA leave when the child is under the age of three.

Employees with less than 12-months of service or less than 1250 hours of work in the 12 months immediately preceding the start of leave must use all available and applicable paid vacation and sick leave while on parental leave. I interpreted this as folks having to use vacation time if they’ve been at the institution for less than 12 months

Links to Policy Language

Family and medical leave: <http://www.sfasu.edu/policies/family-and-medical-leave-12.9.pdf>

Sick leave: <http://www.sfasu.edu/policies/sick-leave-12.18.pdf>

University of Nebraska Omaha

Summative Statement

University of Nebraska Omaha provides up to 12 weeks of leave in accordance with FMLA, and 8 weeks of paid leave for a mother who delivers a child; 5 days of paid leave are offered for a male employee who wishes to take part in the birth of a child. For adoption, the primary caregiver (gender neutral) is allowed 8 weeks, while the non-primary caregiver is allowed 5 days.

Links to Policy Language

<https://nebraska.edu/-/media/unca/docs/offices-and-policies/policies/board-governing-documents/board-of-regents-policies.pdf?la=en>

Murray State University

Summary Statement: In terms of family/parental leave policies, Murray State offers 26 weeks (six months) of unpaid leave per year, which is more than the federally-mandated 12 weeks (provided under the FMLA Act). This can be used by all qualified employees (not just faculty). Murray State also offers paid sick leave that accrues at the rate of 7.5 hours (1 working day) per month. This can be used toward maternity leave (unclear if this is parental leave) for up to six weeks (which would be paid). After six weeks, it seems like you must transfer over to unpaid family leave.

Northeastern State University

Summative Statement

9-month faculty earn personal time at a rate of 12 hours per month. Faculty can accrue a maximum of 180 days, which can be used at any time; however, it is expected that it be arranged in advance with a supervisor when possible. For the purposes of FMLA, 30 days notice is requested.

University of North Carolina at Greensboro

Summative Statement

UNCG does not offer paid sick leave for 9 month faculty, but they do have an “extended illness” policy. This allows all full-time, 9 month faculty a paid leave period of up to 60 days for an extended illness or to care for an immediate family member (spouse, domestic partner, or child, including step children) with an extended illness.

The UNC system recently adopted a parental leave policy for all universities. This policy offers 4 weeks of paid parental “bonding” leave for all new parents, including those adopting or fostering a child. An additional 4 weeks of paid “recovery time” is allowed for birthing mothers to recover from childbirth. This allows 8 weeks of paid leave for mothers who give birth and 4 weeks for all other parents/guardians who have a child. Surrogates get the 4 weeks of “recovery” time.

Policy Links

Extended Illness Leave:

<https://drive.google.com/file/d/0B2Wt59zS7O1kRGhGRk9VeFpkMkk/view>

https://hrs.uncg.edu/leave_management/sick_leave/

Parental Leave: https://hrs.uncg.edu/leave_management/paid-parental-leave/

Appalachian State University

Summative Statement

Appalachian State allows full-time employees to earn 8 hours of sick leave each month they are regularly working for a total of 96 hours per year. There is no maximum amount of leave an employee can accrue, and a department head can advance sick leave up to the maximum amount the employee can earn that calendar year.

The UNC university system recently adopted a parental leave policy for all of their universities. This policy offers 4 weeks of paid parental “bonding” leave for all new parents, including those adopting or fostering a child. An additional 4 weeks of paid “recovery time” is allowed for birthing mothers to recover from childbirth. This essentially allows 8 weeks of paid leave for mothers who give birth to a child and 4 weeks for all other parents/guardians who have a child. Surrogates get the 4 weeks of “recovery” time.

Appalachian State does not offer paid family illness leave. FMLA provides 12 weeks of unpaid leave to care for a sick family member, and Appalachian State offers an additional 52 weeks of unpaid leave during a 5 year period to care for a sick family member.

Policy Links

Sick Leave: <https://hr.appstate.edu/hr-services/benefits/types-leave/sick-leave>

Family Illness Leave: <https://hr.appstate.edu/hr-services/benefits/types-leave/family-illness-leave>

Parental Leave: https://hr.appstate.edu/sites/default/files/ppl-faqs_-_121719.pdf

University of North Carolina at Wilmington

Summative Statement

UNCW provides multiple avenues of leave for 9-month faculty. They offer salary continuation for faculty, running concurrently with FMLA, such that pay continues for up to 12 weeks taken concurrently with FMLA. They provide lactation support documentation, extension of unpaid work for up to 52 weeks (in 5 years) for family care, and intermittent work schedules. Their Salary Continuation for Faculty is helpful and provides a basis for how UTC can provide pay for their 9-month faculty while they are also on FMLA. Their document includes BOTH illness (personal, family) and birth/adoption of a new child. Their documents also provide language for how tenure and post-tenure review are affected by applying for Salary Continuation. Faculty are automatically granted an extension of one academic year for the permanent tenure decision or post-tenure review.

Policy Links

https://uncw.edu/policies/documents/08.227_faculty_disability_and_family_medical_leave_salary_continuation_policyaug07.pdf

University of North Florida

Summative Statement

The UNF leave policy operates under the collective bargaining agreement between the University of Florida Board of Trustees and the United Faculty of Florida. 9-month faculty members accrue 4 hours of sick leave during each two week pay period (19.5 pay periods per year). 9-month faculty do not accrue annual leave. UNF employees utilizing FMLA must use a combination of their accrued paid leave and non-paid leave during this time. The collective bargaining agreement also allows for six months of parental leave and an additional year of part-time parental leave. Faculty can be paid during parental leave by using an advance of their future sick leave. This leave must be repaid to the university within 6 years. A one year probationary extension is granted to pre-tenure faculty who take leave due to the birth/adoption of a child or the need to care for an immediate family member who is seriously ill.

Policy Links

Collective Bargaining Agreement (Other Leaves):

<https://sites.google.com/site/uffuf20172019cba/home/article-21-other-leaves>

- 21.6 Family and Medical Leave
- 21.7 Parental Leave
- 21.8 Sick Leave

Collective Bargaining Agreement (Tenure and Promotion):

<https://sites.google.com/site/uffuf20172019cba/home/article-19-tenure-and-promotion>

- 19.4 Extension of the Probationary Period

Faculty Handbook (Compensation and Benefits):

https://www.unf.edu/acadaffairs/faculty_handbook/Chapter06.aspx

- 6.1 Payroll Schedule

Human Resources (Sick Leave): https://www.unf.edu/hr/pay_leave/Sick_Leave.aspx

Human Resources (FMLA):

[https://www.unf.edu/hr/pay_leave/Family_Medical_Leave_\(FMLA\).aspx](https://www.unf.edu/hr/pay_leave/Family_Medical_Leave_(FMLA).aspx)

TN Public Universities

ETSU

Summative Statement

All ETSU employees earn sick leave at the rate of 7.5 hours (1 day) per month for no more than 12 days per year. Sick leave can be cumulative for days not used. However, for an extended illness, the policy states employees may use annual leave once sick leave has been exhausted, and annual leave is not available for 9 month faculty. All employees at ETSU are provided with 4 months of leave for the birth or adoption of a child.

Policy Links

Sick Leave: https://www.etsu.edu/human-resources/documents/ppps/ppp24_sick_leave.pdf

Parental Leave:

https://www.etsu.edu/human-resources/documents/ppps/ppp22_parental_leave.pdf

University of Memphis

Summative Statement

University of Memphis offers sick leave benefits to 9-month faculty and employees, as well as part-timers. No leave (vacation) accumulation for any staff not on 12-month schedule. All faculty are eligible for sick leave bank participation. FMLA can draw from sick leave.

Policy Language:

-Regular full-time employees employed on a twelve-month or nine-month basis accrue sick leave at the rate of 7.5 hours per month of actual service. A regular full-time employee may not earn more than 90 hours of sick leave per year.

-**Full-time, nine-month academic personnel** may accrue sick leave for periods of employment during the summer based on the number of credit hours taught during the summer sessions. -

-**Regular nine-month academic personnel** accrue 67.5 hours of sick leave for full-time employment for the full academic year, and no more than 22.5 hours of sick leave for full-time employment during summer sessions.

Accrued hours of sick leave are cumulative for all hours not used. There is no maximum accumulation.

Eligible employees accrue sick leave after working the major portion of the month, i.e., more than 50%.; however, the leave will not be available for use until the following pay period.

Policy Links

Sick Leave: HR5022:

<https://memphis.policytech.com/dotNet/documents/?docid=538&public=true>

Austin Peay State University

Summative Statement

Gives parents additional flexibility—providing six weeks (225 hrs) of paid parental leave. In addition, following the birth or adoption of a children, tenure-track faculty may request a one-year extension to the tenure clock. Faculty may request modified duties at the end of the six

weeks paid parental leave, but not to extend beyond the semester in which the 6 weeks ends. Dept Chairs, Supervisors encouraged to accommodate such requests. (There is some language about what this looks like...) It may be used with other benefits (sick leave, annual leave, disability).

Policy Links

https://www.apsu.edu/policy/5s_personnel_policies/5034-paid-parental-leave.php

Tennessee State University

Summative

Tennessee State University follows TBR policies outlined in the next section. Tennessee State University offers 4 months of paid parental leave for the birth or adoption of a child.

Policy Links

Parental Leave:

<http://www.tnstate.edu/hr/documents/updatedpoliciesandprocedures/Leave%20Parental.pdf>

Tennessee Board of Regents Schools

All Tennessee Board of Regents Schools offer sick leave for faculty to care for themselves in the event of an illness, or for an immediate family member. Sick leave is accrued at the rate of 1 day per month, not to exceed 12 days per year.

Policy Links

Sick Leave: <https://policies.tbr.edu/policies/sick-leave>

Faculty Sick Leave: <https://policies.tbr.edu/guidelines/faculty-sick-leave>

<https://policies.tbr.edu/guidelines/formation-operation-faculty-sick-leave-bank>

Regional and Other Universities

East Carolina University

Summative

Nine-month faculty are eligible for 12 weeks of paid leave when the qualifying event (including personal or family member sickness, childbirth, adoption, and foster placement) occurs during the academic year, or up to 12 weeks from when the event occurred if the event itself occurred in the summer (outside of regular 9 month appointment). ECU has a clearly written and favorable policy, which includes 12-week paid leave for both maternal/paternal leave AND in instances of personal or family illness. The 12 week period is consistent with FMLA guidelines for leave, adding the benefit of pay to the legal requirement of 12 weeks unpaid leave. The policy provides consistent benefits for both parents in situations of birth, adoption, or foster placement. Leave may be extended without pay in some circumstances. There are also clear statements that tenure/promotion and other benefits will not be affected by taking leave; extensions can be requested for tenure and promotion following leave.

Policy Links

Faculty Serious Illness and Parental Leave: <https://www.ecu.edu/prt/06/45/01>

Kennesaw State University

Summative

KSU includes all faculty in accumulating sick leave. KSU does not accumulate leave (vacation) for less than 12-month faculty. KSU's policies include discussion considering diverse faculty workloads and timing, as well as responsibility to address plans for classes and meetings to be missed. This could provide guidance for some considerations at UTC.

Policy Links

Official University System of Georgia Policy on Sick Leave:

https://www.usg.edu/policymanual/section8/C224/#p8.2.7_leave

KSU Excerpt: <http://catalog.kennesaw.edu/content.php?catoid=52&navoid=3773>

Sewanee - University of the South

Summative

Sewanee offers a *modified paid* leave policy, accounts for multiple-parent faculty households, and addresses release from service with a required 4-month advanced notice of the anticipated birth of a child. (While the policy includes the adoption and foster care of a child of 5 years of age or younger, the 4-month notification does not address adoption- or foster-care related timelines.)

If both parents are faculty at Sewanee, only one faculty is eligible for family leave, but, with dean and department head consent, may split the options b and c in the course release policy below:

- a. one course reduction during the year at full annual pay with full benefits; or
- b. two course reduction during the year at 80% annual pay with proportional benefits; or
- c. three course reduction during the year at 60% annual pay with proportional benefits.

Faculty members can also request to be released from university and academic service for the duration of the family leave. This family leave policy extends up two years. Importantly, this policy gives faculty an option to request a one-year hold on the tenure clock. This policy runs concurrently with other leaves for which the faculty member is eligible. This policy also provides language on hiring part-time faculty to ensure a complete curriculum when courses of a faculty member on leave cannot be accommodated through the rearrangement of staffing.

This statement addresses key issues such as a tenure review extension, potential hiring of part-time faculty to ensure that departments maintain curricular offering and the faculty member's

leave does not impede on colleagues' workloads, and the request to accommodate multi-UTC faculty parent households.

Policy Links

Paid parental link: <https://new.sewanee.edu/files/resources/staff-handbook-201912.pdf>

University of Central Florida

Summative

UCF offers paid parental leave and modified instructional duties (MID). Faculty have some flexibility in determining which policy is best for them. Faculty are eligible for one semester paid parental leave (to begin the same or the following semester as the birth/adoption). If faculty do not wish to take a full semester, they can instead select MID, but faculty cannot do both. Faculty cannot participate in any research, service, or teaching if they take paid parental leave. If both parents are faculty, only one can receive paid parental leave. There is no waiting period to receive this benefit. Before faculty elect to take MID or paid parental leave, they can use their accumulated sick and vacation leave (9 month faculty accrue sick leave but not vacation leave). Sick leave can be used for 2 weeks before the due date.

Policy Links

Paid parental leave: <https://facultyexcellence.ucf.edu/leaves/paid-parental-leave/>

Sick leave: https://hr.ucf.edu/files/Sick_Leave.pdf
<https://hr.ucf.edu/prospective-employees/time-off/>

University of Michigan

Summative

Provides at least 12 weeks paid maternity leave and 6 weeks paternity leave; has extended sick leave for benefits. The sick leave language is helpful for demonstrating how other universities are working with long-term illness of faculty.

Policy Links

Parental leave: <http://www.provost.umich.edu/faculty/family/benefits.html>

Sick leave: <http://www.provost.umich.edu/faculty/handbook/16/16.C.html>

Vanderbilt University

Summative

Vanderbilt University has five types of leave in the Leave of Absence section of their Faculty Manual: Scholarly Leaves of Absence, Parental Leave, Family Leave (under FMLA and TMLA), Other Nonacademic Leave with Pay, and Nonacademic Leave Without Pay.

Their **scholarly leave** specifies how often (once every four years) and limitations on when the scholarly leave can be taken.

Parental leave is afforded to tenured, tenure-track, and non-tenure full-time faculty on a renewable, multi-year appointment related to the birth or adoption of a child by the faculty member, OR the faculty member's spouse. The faculty member has to request the leave in writing, at least 3 months in advance of the leave, including giving an expected return date. If both the faculty member and their spouse are faculty at Vanderbilt, one but not both at the same time, can take the leave. The faculty is entitled to leave of one semester at full pay. There are limitations to the leave period. For instance, they cannot pursue full-time employment elsewhere during the leave time. There is also allowance for additional leave time, as discussed and agreed upon by the faculty member and Dean. If additional leave is taken, it would then shift to the FMLA/TMLA category.

FMLA would be unpaid and can be offered up to the 12 weeks as stated in the FMLA policies. An employee would need to have worked at Vandy for at least 12 months and have worked at least 1250 hours within the previous 12 months to use FMLA.

TMLA is the Tennessee Maternity Leave Act. The TMLA policies pertain to employees with at least 12 months of continuous employment prior to taking the TMLA leave. This is applicable to "adoption, pregnancy, childbirth, and nursing an infant" and can last "for a period of up to four months." Under TMLA, both parents could take leave at the same time, but salary pay would only be available to one parent. Pay during a TMLA leave would be a combination of short-term illness pay and unpaid time.

Other nonacademic leave with pay pertains to short-term illness, intermittent leave (FMLA), and jury duty.

Nonacademic leave without pay pertains to personal reasons, military duty, medical leave for care for relatives, and FMLA leave related to military duty.

Policy Links

The entire Parental Leave and Family Leave sections: ([Sections B and C in the Faculty Manual.](#))

All of sections B: Parental Leave and C: Family Leave (FMLA and TMLA) are particularly helpful, but truly the entire [Leaves of Absence section of the Faculty Manual.](#)

This is the [Vanderbilt HR page for FMLA and TMLA Leave](#), which outlines the policies and procedures more specifically.

And this is the [Tennessee Maternity Leave Act](#) which is referenced in Vanderbilt's policies.

College of William and Mary
Summative

William and Mary offers a comprehensive and generous leave program for their faculty. Sick leave is granted at the beginning of each calendar year (although I am unclear based on the policy language of the exact amount received by 9-month faculty). 120 calendar days of paid leave are also available each year for personal illness, family illness, or the birth/adoption of a child. After this 120 days is used once, it can be rebuilt at the rate of 30 days per year. Any 9-month faculty member who takes 120 or more days of leave over the course of 2 calendar years can choose to delay the tenure clock by one year.

Policy Links

Human Resources site for 9-month faculty leave policies:

<https://www.wm.edu/offices/hr/currentemployees/benefits/9monthfaculty/ninemonth-facultyleave-b/index.php>

Florida Atlantic University

Summative

FAU allows full time faculty to earn 4 hours of sick leave each pay period and all medical leave of 3 or more days is considered an extended leave of absence. Employees with one or more years of continuous service may take up to six months extended leave with appropriate medical documentation. Parental leave may take up to six months unpaid leave (but can use paid leave accrued hours).

Policy Link

http://www.fau.edu/hr/employee_relations/attendance-and-leave.php

Miami University (OH)

Summative

The University provides all benefit-eligible employees with 12 weeks of parental leave; University will provide up to 6 weeks of paid parental leave (100% of regular salary or pay) to each birth mother. Fathers, domestic partners, and adoptive parents will receive up to 3 weeks of paid parental leave (100% of regular salary or pay).

Policy Link

<https://www.miamioh.edu/policy-library/employees/compensation-benefits/parental-leave.html>

University of Pittsburgh

Summative

Paid medical leave: faculty members will receive a regular salary for a period of up to 26 workweeks during any 12-month period in the event of their own serious medical conditions or illnesses.

Paid family leave: For faculty who have worked for the university for 24 months, they may earn up to a maximum of 4 weeks of paid leave. This leave is *in addition* to the paid medical leave.

Policy Link

<http://www.cfo.pitt.edu/policies/policy/02/02-11-01.html>