
SUBJECT: FACULTY PAID LEAVE (FULL-TIME FACULTY)

1.0 PURPOSE

- 1.1. The College recognizes that health related events sometimes cause a Faculty Member to need leave. The College also recognizes the importance of taking time off to bond with a newly born, adopted, or foster child or for other reasons. Therefore, this Policy is being adopted to provide a comprehensive Leave Policy for Faculty.

2.0 DEFINITIONS

- 2.1. BIRTH AND ADOPTION LEAVE: Leave provided upon the birth or adoption of a newly born, adopted, or foster child.
- 2.2. EXTENDED MEDICAL LEAVE: Any Eligible Absence that is not an Occasional Absence.
- 2.3. ELIGIBLE ABSENCE: A longer term health related absence from work due to an illness of a spouse, dependent child, parent, or the Faculty. In addition, the birth or adoption of a child qualifies as an Eligible Absence. The FMLA, associated regulations and case law may be used to determine if an Eligible Absence qualifies for Paid Extended Medical Leave.
- 2.4. FACULTY or FACULTY MEMBER: As referred to solely for purposes of this Policy, Faculty or Faculty Member are full-time tenure, tenure-track, or professional-track Faculty. Only these Faculty are eligible for leave under this Policy.
- 2.5. FMLA LEAVE: Leave taken in accordance with the Family and Medical Leave Act and College Policy 349.
- 2.6. FREQUENT INTERMITTENT ABSENCES: Health related absences that are not continuous, but are frequent enough to jeopardize course quality.
- 2.7. HUMAN RESOURCES or HR. The office in the College charged with the administration and record maintenance of personnel matters or such other person as may be specially designated by the President to act in regard to this Policy.
- 2.8. IMMEDIATE FAMILY: An employee's father, mother, husband, wife, son, daughter, sister, brother, grandchildren, grandparent, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law.
- 2.9. IMMEDIATE SUPERVISOR: the lowest level of salaried supervision of an Employee. The Immediate Supervisor may designate a Line Supervisor or higher level as the Immediate Supervisor for purposes of this Policy.
- 2.10. OCCASIONAL ABSENCES: Health related absences of short duration and frequency for which departments do not need to cover classes with adjunct instructors or overload assignments and for which overall course quality is not jeopardized (as determined by the College). Examples are a short term cold, stomach upset, or minor injury that require cancelling a class for only one or two sessions.
- 2.11. PAID EXTENDED MEDICAL LEAVE: Extended Medical Leave for which a Faculty Member receives regular salary and benefits. Paid Extended Medical Leave is granted only for absences that will last at least one week and is granted in week long increments.

- 2.12. **PROFESSIONAL DEVELOPMENT:** An activity that will improve the Faculty Member's ability to teach or otherwise serve Snow College.
- 2.13. **ROLLING 5-YEAR PERIOD:** A 5-year period measured backward from the date an eligible Faculty Member uses any Paid Extended Medical Leave. Under the Rolling 5 Year Period, each time an eligible Faculty Member takes Paid Extended Medical Leave, the remaining leave entitlement would be the balance of the 26 weeks which has not been used during the immediately preceding 5 years. For example, Professor X requests three weeks of Paid Extended Medical Leave to begin on January 1st. The College looks back 5 years to see if any Paid Extended Medical Leave had been used. Professor X had not taken any previous extended medical leave, so he is entitled to the three weeks he requested and has 23 more weeks available.
- 2.14. **SERVICE OPPORTUNITY:** An opportunity to serve Snow College students or the broader Snow College community.
- 2.15. **WORKING DAY:** For purposes of this Policy, a day on which a Faculty Member is scheduled to teach a class or hold office hours.

3.0 GENERAL POLICY

- 3.1. Snow College full-time tenure, tenure-track, and professional-track Faculty members do not accrue vacation or sick leave. However, in recognition that health related or other events sometimes cause a Faculty Member to need leave, this Policy provides for different types of leave for Faculty Members as detailed below.
- 3.2. Faculty are generally expected to teach during each scheduled class period, but may cancel classes under the following circumstances:
 - 3.2.1. For Occasional Absences as defined by Section 2.7 of this policy.
 - 3.2.2. Professional Development and Service Opportunities as approved by the Supervisor beforehand.
 - 3.2.3. Cancelling classes for personal reasons, such as medical appointments or non-medical events, should be extremely rare. Faculty should make a reasonable effort to schedule personal events at days and times that do not conflict with classes. However, classes may on rare occasions be cancelled for personal reasons with prior approval from the Supervisor.
- 3.3. This Policy is intended to work in concert with Policy 349: Family and Medical Leave Act Policy and the College's obligations to reasonably accommodate Faculty. All Faculty are entitled to the minimum protections granted by law including the FMLA and disability law and this Policy shall be interpreted and applied consistent with those protections.
- 3.4. Leave under this policy is not an entitlement, and a Faculty Member will not be paid for unused leave upon termination.
- 3.5. Faculty are not charged Paid Extended Medical Leave when taking a semester or block off for medical reasons if they otherwise complete their required academic load for the academic year either by being approved for and teaching extra classes in other semesters (such as in the summer) or through approved alternate assignments as outlined in the Faculty Workload Document.
 - 3.5.1. The College is under no obligation to create extra classes or alternate assignments, and these will only be assigned if available.

4.0 BIRTH AND ADOPTION LEAVE

4.1. The College will provide up to 10 Working Days of Birth and Adoption Leave for Faculty upon the birth or adoption of the Faculty Member's child or the placement of a foster child with a Faculty Member. This leave is provided in addition to any other leave available.

- 4.1.1. When practical, the Faculty Member should give their Immediate Supervisor at least 30 calendar days' notice of their intent to take Birth and Adoption leave. Failure to provide 30 days' notice may result in the employee's request for birth and adoption leave being denied.
- 4.1.2. Birth and Adoption Leave may not be used before the birth or actual adoption of a child. Other leave may be used before or after the birth if the employee qualifies under the FMLA and other College Faculty leave policies but Birth and Adoption Leave is intended to provide extra time to bond and care for a newborn or adopted child or foster child so it must be used only after the birth, adoption or placement.
- 4.1.3. Birth and Adoption Leave may be used for 10 consecutive working days or on an intermittent basis as agreed upon in writing with the Immediate Supervisor.
- 4.1.4. Birth and Adoption Leave must be used within 30 calendar days of the birth, adoption or placement of a child.
- 4.1.5. Birth and Adoption Leave may be used only for the Faculty Member's own child, it cannot be used for grandchildren or other children even if an Eligible Employee is a de facto parent to that child.
- 4.1.6. If a Faculty Member uses Paid Extended Medical Leave to extend bonding time with a new child, the Faculty Member is limited to the maximum time off guaranteed by FMLA, except HR, in consultation with the Faculty Member, Department Chair, Dean, and Provost, may require that the Faculty Member take off the entire semester/block if it is in the best interests of students to not have a change in teachers and alternate assignments are not available or practical.
- 4.1.7. Adjunct Faculty and other part-time Faculty are not eligible for Birth and Adoption Leave.

5.0 MEDICAL MATERNITY LEAVE

5.1. A Faculty Member who is pregnant or who gives birth may request up to an additional 31 consecutive calendar days of paid leave if the employee is disabled due to pregnancy related conditions or birth. This leave is in

addition to leave provided for Birth and Adoption Leave which is provided for bonding regardless of disability and Paid Extended Medical Leave. This leave is counted as FMLA leave.

- 5.2. This Leave is granted so that a Faculty Member may have extra time off due to pregnancy or the birth of a child when those cause a temporary disability. Calendar days are used to recognize that this Leave is to be used during the pregnancy or after the birth during a consecutive period even if that time period occurs when a Faculty Member would not normally be teaching due to breaks in the academic calendar such as fall break or summer.
- 5.3. Whether the Faculty Member is “disabled” will be determined in accord with the standards provided by the FMLA and state and federal laws, rules and regulations regarding disabilities. To qualify, the Faculty Member must submit the necessary FMLA paperwork to Human Resources.
- 5.4. Medical Maternity Leave is offered in addition to any other leave available to the employee and does not count against Paid Extended Family/Medical Leave.
- 5.5. Medical Maternity Leave must be taken within 6 months prior to or after birth. Employees who need disability leave due to pregnancy or childbirth outside of this window or in addition to this Leave may apply for FMLA leave and/or Paid Extended Medical Leave in accord with those provisions of those Policies.

6.0 PAID EXTENDED FAMILY/MEDICAL LEAVE

- 6.1. The College will provide Paid Extended Medical Leave for Faculty for Eligible Absences from work due to an extended illness of a spouse, dependent child, parent, or themselves, or to extend Birth and Adoption leave and/or Medical Maternity Leave, where the Faculty Member reasonably, and in good faith, anticipate that they will be able to return to work after the leave.
- 6.2. Paid Extended Medical Leave is intended to provide for the continuation of a Faculty Members regular salary and benefits during extended absences of two weeks or more and is granted in week long increments.
- 6.3. Paid Extended Medical Leave shall be applied for by a Faculty Member by completing the Faculty Sick Leave Medical Verification Form, submitting it to Human Resources, and notifying their Department Chair, Dean, Human Resources and Vice President of Academic Affairs. To be used, a Paid Extended Medical Leave must qualify under this Policy and Procedures and be approved by the Division Dean and the Vice President for Academic Affairs.

- 6.4. In determining whether to approve Paid Extended Medical Leave, the Division Dean and Vice President for Academic Affairs shall, in conjunction with HR, review the Form, determine if the requested leave qualifies under this Policy, review any documentation submitted and determine whether additional documentation is needed. After review, the leave may be approved, denied, or additional information requested from the Faculty member. Contingent approval may be given and revoked if the contingencies are not satisfied. HR may enact additional procedures.
- 6.5. Paid Extended Medical Leave may be granted only where the Faculty Member reasonably and in good faith anticipates that she/he will be able to return to work after the leave.
- 6.6. To the extent possible, Faculty should apply for Paid Extended Medical Leave prior to it being taken (i.e. when Faculty can reasonably anticipate leave such as for surgery or when an illness is expected to affect an upcoming semester). If not pre-approved, application should be made as soon as possible.
- 6.7. To the extent allowed by law, Snow College may request medical or other appropriate documentation supporting an application for Paid Extended Medical Leave and as a condition of qualifying for Paid Extended Medical Leave the Faculty Member must supply appropriate medical or other documentation.
- 6.8. With the approval of Human Resources and the Vice President of Academic Affairs, a Division Dean may require that a Faculty Member apply for and use Paid Extended Medical Leave if absences, including Occasional, Frequent Intermittent, or Eligible Absences, during a semester jeopardize course quality and leave is available. If leave is not available or a Faculty Member declines to apply, use, or cooperate in the process, then the termination process may be started.
- 6.9. Termination is subject to consideration of Policy 349: Family Medical and Leave Act Policy and related applicable law; and
- 6.10. Consideration of reasonable accommodations pursuant to applicable disability law and policy.
- 6.11. FMLA Leave will be discussed with a Faculty Member approved for Paid Extended Medical Leave. Faculty must take FMLA Leave, if available and the leave qualifies, while taking a Paid Extended Medical Leave. Paid Extended Medical Leave, if available and the leave qualifies, must be taken while on FMLA. The intent is to require that FMLA leave and Paid Extended Medical Leave be used concurrently when and to the extent both are available and

- qualifying. But FMLA leave may be taken as allowed by law, even if Paid Extended Medical Leave has been exhausted.
- 6.12. Faculty must submit a return to work release after use of approved Paid Extended Medical Leave signed by an appropriate licensed health care provider indicating the Faculty Member can return to regular duties with or without reasonable accommodation.
 - 6.13. Paid Extended Medical Leave is limited to 26 weeks in a Rolling 5-year Period. Human Resources will maintain a record of leave taken.
 - 6.14. When it is apparent that a Faculty Member will not be able to return to work after a leave, the College, after consultation with its ADA Coordinator, may revoke the right to Paid Extended Medical Leave. A Faculty Member on Paid Extended Medical Leave agrees to periodically and/or as requested provide the College with information related to the Paid Extended Medical Leave and their ability to return to work after it. If a Faculty Member fails to return to work after a Paid Extended Medical Leave, they may be required to repay the College for salary and benefits paid during the Paid Extended Medical Leave. The College's obligations to reasonably accommodate disabilities will be considered in making these determinations.
 - 6.15. Revocation shall occur if a Faculty Member applies for or begins long-term disability coverage.
 - 6.16. Termination shall be pursued upon revocation or exhaustion of Paid Extended Medical Leave if the Faculty Member is unable to return to work.
 - 6.17. Termination is subject to exhaustion of leave under Policy 349: Family Medical and Leave Act Policy; and
 - 6.18. Consideration of reasonable accommodations pursuant to disability law and College Policy.
 - 6.19. Faculty who Terminate from the College for health related reasons may apply for subsequent positions for which they are qualified.
 - 6.20. Adjunct Faculty, Faculty on limited-term contracts, and other non-regular full-time Faculty are not eligible for Paid Extended Medical Leave.
 - 6.21. A Faculty Member will not be required to use Paid Extended Medical Leave for Occasional Absences. Whether an absence is an Occasional Absence or Extended Medical Leave shall be determined in the College's sole discretion after consultation with the Faculty Member, Division Dean, and VP for Academic Affairs.
 - 6.22. A Faculty Member will not receive overload compensation or other extra pay while on Paid Extended Medical Leave.
 - 6.23. Paid Extended Medical Leave is not available for non-Eligible Absences.

7.0 BEREAVEMENT LEAVE

7.1. Faculty may be granted 3 Working Days of leave in the event of each death in the Immediate Family.

8.0 JURY LEAVE

8.1. Faculty necessarily absent from work in compliance with an official requirement to appear for jury service will continue to receive regular pay.

8.2. This allowance covers only time while actually engaged in jury service and time spent in reasonable travel to and from the place of such service.

8.3. This policy does not apply when an individual appears in court for other reasons.

9.0 MILITARY LEAVE

9.1. *Training Leave.* Employees who are members of military reserve units of the U.S. Armed Forces or the National Guard, who are required to attend annual training sessions, will be granted leave for each Working Day for which the employee has orders to attend training. Such leave will be in addition to any annual leave entitlement. Faculty shall notify their supervisors in advance of such leaves in order to permit proper scheduling of the workload.

Employees requesting such leave are required to provide a copy of their orders to the Human Resources Office before the leave will be granted.

9.1.1. Where the days of training are known in advance, the Faculty Member and Department Chair should schedule classes to accommodate leave while providing as little disruption to classes as possible.

9.2. *Active Duty.* Employees who are called to active duty will be treated according to State Code. Medical benefits will continue until the College is notified that military insurance has been activated. Employees requesting such leave are required to provide a copy of their orders to the Human Resource Office before taking leave.

9.3. Supervisors shall keep an accurate accounting of military leave taken by subordinate employees and shall forward a copy of this report to the Human Resource Offices.