UNITED ACADEMICS PROPOSAL

ARTICLE 24
LEAVES

Leave Website

Section 1. The Administration, through the Office of Human Resources, will maintain a website that lists all leaves for which faculty are eligible.

This website will also allow faculty to track their individual current leave allotment, enroll in/contribute to the Faculty Leave Bank, and apply for leave.

Faculty Leave Bank

Section 2. The Faculty Leave Bank (Bank) shall be maintained for the benefit of faculty who have chosen, pursuant to these policies and procedures, to be members of the Bank.

Section 3. Effective one month from the effective date of his or her date of initial appointment, a faculty member shall automatically become a member of the Bank and one (1) day of his or her sick leave shall be assigned to the Bank. Faculty may choose not to participate in the Bank by completing a form for this purpose, which shall be made available on the Human Resources website. Faculty may also choose to donate additional days of accrued leave to the Bank at any time by completing a form for this purpose, which shall be made available on the Human Resources website. Bargaining unit members who have previously chosen not to participate in the Bank may become members of the Bank at any time by donating one or more days of accrued leave and completing a form for this purpose, which shall be made available on the Human Resources website.

Section 4. The Administration and the Union shall each provide two (2) members for a Faculty Leave Bank Committee (FLBC), which shall be responsible for managing the campus Faculty Leave Bank and carrying out the responsibilities mandated in this Article during the term of this Agreement; its decisions shall be final and binding and shall not be subject to Article 15, Grievance Procedure. The Committee may also recommend changes in Bank procedures, which shall, upon acceptance by the Administration and the Union, become part of this Agreement.

Section 5. After the exhaustion of accrued leave, any member of the Bank shall be entitled to use the Bank for any authorized sick leave purpose, effective upon notice to the Office of Human Resources.

The granting of such sick leave shall be subject to the same criteria as sick leave days and shall be consistent with university policy. A member is entitled to ninety (90) days of sick leave from the Bank unless a majority of the Faculty Leave Bank Committee (see Section

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5) votes to deny the request or to authorize a lesser amount. The member shall receive
days from the Bank until the Faculty Leave Bank Committee makes such a decision. The
number of days authorized by the Committee - if less than ninety (90) - or the ninety (90)
day limit may be extended if a majority of the Faculty Leave Bank Committee, acting on
a request from the member, votes to extend. If the member's request for extension is
denied, the individual is not entitled to use the Faculty Leave Bank for the same purpose
until the member returns to work for one full term.

Section 6. A member of the Faculty Leave Bank drawing upon the Bank who is also
entitled to accumulate sick leave in accordance with this Article shall continue to do so
except that the amount of such sick leave shall accrue in its full amount to the Faculty
Leave Bank and not to the member.

Section 7. A department head/chair or the Faculty Leave Bank Committee may request at
any time that any member who is drawing sick leave from the Faculty Leave Bank
Committee submit a physician's statement certifying the medical ground(s) for sick leave.
Any such member who thereafter fails or declines to submit such a letter shall not be
entitled to draw sick leave from the Bank for so long as he/she fails to submit the
requested certification.

Section 8. A member of the Bank who receives workers' compensation may not draw
upon the Bank to supplement such compensation.

Section 9. Whenever the accumulation of leave days in the Bank shall fall below one
hundred (100) days, the Office of Human Resources shall notify the Bank members.

Sick Leave

Section 10. All faculty at .50 FTE and above will be credited with eight (8) hours of sick
leave for each full month of employment, or two (2) hours for each full week of
employment less than one month. Faculty employed at less than .50 FTE will be credited
with a pro rata amount.

Sick leave is not earned or used during sabbatical leave, educational leave or leave
without pay. Sick leave credit shall be earned during sick leave with pay and during other
periods of paid leave. There is no limit on the amount of sick leave that may be accrued.

Section 11. Faculty who have earned sick leave credits must use the credits for any
period of absence from service that is due to the employee's illness, injury, disability
resulting from pregnancy or other conditions, medical or dental care, exposure to
tuberculosis disease, or attendance upon members of the employee's immediate family
(employee's parent(s), spouse or partner, spouse or partner's parent(s), children, brother,
sister, grandmother, grandfather, son-in-law, daughter-in-law, or another member of the
immediate household) where the employee's presence is required because of illness or
death. As an alternative, the faculty member can request to be on sick leave without pay. The Administration may require a physician’s certificate to support the sick leave claim for any absence in excess of fifteen (15) consecutive calendar days. The Administration may require a physician’s certificate before allowing the employee return to work to certify that the return would not be detrimental to the academic staff member or to others.

Section 12. Faculty shall be permitted to utilize sick leave without pay for up to one (1) year after exhausting all accrued sick leave with pay. The faculty member must submit a written request for leave and shall be required to submit a physician’s certificate. Extensions beyond one year may be granted on a year-by-year basis.

Section 13. Faculty are eligible for salary continuance for up to ninety (90) calendar days of absence due to illness through a combination of accrued sick leave, advance sick leave, and use of the Bank. Each faculty member employed at .50 FTE or greater is entitled to receive a sick-leave-with-pay advance as needed to provide the difference between sick leave earned as of the onset of the illness or injury and 520 hours; faculty employed at less than .50 FTE are eligible to receive a sick-leave-with-pay advance proportional to FTE to provide the difference between sick leave earned as of the onset of the illness or injury and a prorate of 520 hours. As sick leave is earned, the amount shall replace any sick leave advanced until all advanced time is replaced with earned time. More than one sick leave advance is possible as long as the total advance does not exceed 520 hours. Faculty on fixed term appointment cannot receive an advance that extends beyond the end date of the fixed term appointment except upon written approval of the President of the University or designee.

Section 14. A faculty member is entitled to transfer any unused sick leave earned with any other agency of the State of Oregon including sick leave earned in the classified service provided the break in service upon transfer does not exceed two (2) years. A faculty member who leaves employment with the State of Oregon and then returns is entitled to reinstate the previous unused, accrued sick leave. A faculty member who terminates employment is entitled to compensation for unused sick leave including in the calculation of the Public Employees’ Retirement System (PERS) retirement benefit as provided in ORS 237.153. As used in this subsection, and for these purposes only, the term "any other agency of the State of Oregon" shall include and apply to the Oregon Health & Science University (OHSU).

Section 15. Faculty employed to teach summer session or to work on summer wage appointments are eligible to accrue and to use sick leave during the period of such appointment.

Section 16. Upon request of the faculty member, following the birth or adoption of a child, faculty will be granted a six (6) weeks full-salary paid leave. Faculty may also use accrued sick leave and/or the Faculty Leave Bank up to a maximum of an additional
twelve (12) weeks. In the event that the faculty member does not have sufficient accrued sick leave, advanced sick leave may be borrowed for the remainder of the first twelve weeks. Based on the timing of the birth or adoption, this paid leave may extend into a second term or semester, in which case this paid leave extends into the term or semester designated for modified duties.

Section 17. In addition to the paid family leave described above, an eligible faculty member has the option to take up to one term of modified duties at full pay status. Modified duties status provides full or partial release from classroom and classroom-related teaching responsibilities at full pay following birth or adoption, without using accrued or advanced sick leave. This constitutes an extension of the existing leave policies regarding birth or adoption.

Any release from or reduction of teaching responsibilities does not mean that the faculty member will be required to carry more than a normal load before or after the leave. Because the timing of births and adoptions is not easily accommodated by academic quarters or semesters, the implementation of modified duties needs to be flexible. Department heads should consult with the appropriate dean regarding any questions or issues that arise regarding implementation.

Section 18. To be eligible for paid family leave and/or modified duties as described in this policy, faculty members must have a tenure-related or Career NTTF appointment.

When both parents are eligible faculty members, both parents are eligible to receive paid family leave and modified duties status as described in this policy.

Section 19. The Administration and the university colleges expect that faculty members giving birth or adopting children will routinely use this benefit. Use of this benefit shall not adversely affect the faculty member’s standing or salary in any manner.

Faculty members experiencing pregnancy, childbirth, or the adoption of a child shall have the option of an additional probationary year before a tenure or promotional review, as described in Article 12, Section 5 and Article 13, Section 5.

Vacation Leave

Section 20. Vacation means absence from work permitting rest and recreation for a specified period of time during which regular compensation continues. Faculty gain vacation privileges when employed at .50 FTE or more on a 12-month appointment.

Section 21. Eligible faculty accrue vacation on a monthly basis, beginning the first of the month following date of hire or on the first of the month if an employee is hired the first working day of the month. Vacation accrues on the last day of the month and is available for use the first day of the next month, subject to the restrictions in Section 22 of this
Article. Faculty originally appointed to a 9-month contract subsequently appointed to a 12-month contract shall receive credit for the previous 9-month contract on a pro-rata basis.

Eligible faculty with a 12-month, 1.0 FTE contract accrue fifteen (15) hours of vacation per month; eligible faculty on a .50 FTE or more 12-month contract accrue vacation in proportion to their FTE. Faculty who terminate their OUS employment before completing the 6-month wait period receives no vacation and are not entitled to compensation for vacation accrued.

Section 22. Vacation accrual is available to eligible faculty for use six (6) months after vacation accrual begins. No employee may accrue in excess of 260 hours, and any accrued vacation leave in excess of this cap will be forfeited, unless donated to the Faculty Leave Bank.

Section 23. If an eligible faculty member transfers to another unclassified position and remains eligible for vacation accrual, he or she shall transfer all accrued vacation leave to the new position. If, however, there is a break in service of more than thirty (30) days, all accrued vacation pay will be paid off by the sending institution and the employee will be considered a new hire in the new position. Moving from position to position within the same institution shall not be considered a transfer or a break in service for purposes of this rule.

Section 24. If a classified employee at the university receives a faculty appointment at the university and is eligible for vacation leave, the employee may bring up to 80 hours of accrued vacation leave; the receiving department or institution may accept up to 250 hours maximum. The former classified employee shall receive cash compensation from the sending department or institution for any remaining accrued vacation leave. The former classified employee may use accrued vacation without serving a 6-month wait period.

Section 25. The accrual of vacation leave is reduced on a pro-rata basis for the period of leave without pay, sabbatical leave and educational leave. Vacation leave is accrued during other periods of paid leave.

Section 26. Faculty are not entitled to payment for unused vacation leave except upon termination of employment or upon transfer within the university to another position if not eligible for vacation benefits. Unclassified employees who transfer to a classified position within State of Oregon employment are subject to applicable OUS rules or collective bargaining agreements governing payment for accrued vacation. The maximum number of hours that can be paid upon termination or transfer is 180 hours.
Section 27. Vacation leaves are scheduled with the approval of the employee's supervisor and should be planned cooperatively with the employee. Supervisors may not unreasonably deny vacation requests. For purposes of calculation, one normal work day is the equivalent of eight hours of vacation leave for a full-time employee.

Section 28. Each department or institution is responsible for maintaining the individual records of vacation accrual and use.

Bereavement Leave

Section 29. Faculty members shall be granted a leave of absence with pay for a maximum of five (5) days upon the death of a employee's parent(s), spouse or partner, spouse or partner's parent(s), children, brother, sister, grandmother, grandfather, son-in-law, daughter-in-law, a person for whom the faculty member is the legal guardian, a person for whom the faculty member is primarily responsible for making funeral arrangements, or a person living in the faculty member's household. If necessary, a faculty member may use additional leave credits, including sick or vacation leave, or leave from the Faculty Leave Bank.

Section 30. When death of an above-mentioned individual occurs while a faculty member is on a scheduled vacation, the faculty member's vacation will be converted to bereavement leave for the period of time for which the employee would have otherwise qualified.

Personal Leave

Section 31. Personal leave may be used at the faculty member's discretion, unless such use would unduly burden the department or employing unit.

Section 32. All faculty employed at .50 FTE or above shall earn eight (8) hours of personal leave for each term they are employed, beginning on their first day of employment.

Section 33. All faculty employed at less than .50 FTE shall earn eight (8) hours of personal leave pro rated to their FTE for each term they are employed, beginning on their first day of employment.

Section 34. No employee may accrue in excess of 64 hours. Any accrued personal leave in excess of this cap will be forfeited, unless donated to the Bank.

Section 35. No faculty member can be required to pay for a substitute or in any way be required to remunerate his or her employing unit when utilizing earned personal leave.