



## 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

1 5) votes to deny the request or to authorize a lesser amount. The member shall receive  
2 days from the Bank until the Faculty Leave Bank Committee makes such a decision. The  
3 number of days authorized by the Committee - if less than ninety (90) - or the ninety (90)  
4 day limit may be extended if a majority of the Faculty Leave Bank Committee, acting on  
5 a request from the member, votes to extend. If the member's request for extension is  
6 denied, the individual is not entitled to use the Faculty Leave Bank for the same purpose  
7 until the member returns to work for one full term.  
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9 **Section 6.** A member of the Faculty Leave Bank drawing upon the Bank who is also  
10 entitled to accumulate sick leave in accordance with this Article shall continue to do so  
11 except that the amount of such sick leave shall accrue in its full amount to the Faculty  
12 Leave Bank and not to the member.  
13

14 **Section 7.** A department head/chair or the Faculty Leave Bank Committee may request at  
15 any time that any member who is drawing sick leave from the Faculty Leave Bank  
16 Committee submit a physician's statement certifying the medical ground(s) for sick leave.  
17 Any such member who thereafter fails or declines to submit such a letter shall not be  
18 entitled to draw sick leave from the Bank for so long as he/she fails to submit the  
19 requested certification.  
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21 **Section 8.** A member of the Bank who receives workers' compensation may not draw  
22 upon the Bank to supplement such compensation.  
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24 **Section 9.** Whenever the accumulation of leave days in the Bank shall fall below one  
25 hundred (100) days, the Office of Human Resources shall notify the Bank members.  
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## 27 **Sick Leave**

28 **Section 10.** All faculty at .50 FTE and above will be credited with eight (8) hours of sick  
29 leave for each full month of employment, or two (2) hours for each full week of  
30 employment less than one month. Faculty employed at less than .50 FTE will be credited  
31 a with a pro rata amount.  
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33 Sick leave is not earned or used during sabbatical leave, educational leave or leave  
34 without pay. Sick leave credit shall be earned during sick leave with pay and during other  
35 periods of paid leave. There is no limit on the amount of sick leave that may be accrued.  
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37 **Section 11.** Faculty who have earned sick leave credits must use the credits for any  
38 period of absence from service that is due to the employee's illness, injury, disability  
39 resulting from pregnancy or other conditions, medical or dental care, exposure to  
40 contagious disease, or attendance upon members of the employee's immediate family  
41 (employee's parent(s), spouse or partner, spouse or partner's parent(s), children, brother,  
42 sister, grandmother, grandfather, son-in-law, daughter-in-law, or another member of the  
43 immediate household) where the employee's presence is required because of illness or

1 death. As an alternative, the faculty member can request to be on sick leave without pay.  
2 The Administration may require a physician's certificate to support the sick leave claim  
3 for any absence in excess of fifteen (15) consecutive calendar days. The Administration  
4 may require a physician's certificate before allowing the employee return to work to  
5 certify that the return would not be detrimental to the academic staff member or to others.

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

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

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

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

38 **Section 16.** Upon request of the faculty member, following the birth or adoption of a  
39 child, faculty will be granted a six (6) weeks full-salary paid leave. Faculty may also use  
40 accrued sick leave and/or the Faculty Leave Bank up to a maximum of an additional

1 twelve (12) weeks. In the event that the faculty member does not have sufficient accrued  
2 sick leave, advanced sick leave may be borrowed for the remainder of the first twelve  
3 weeks. Based on the timing of the birth or adoption, this paid leave may extend into a  
4 second term or semester, in which case this paid leave extends into the term or semester  
5 designated for modified duties.

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

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

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

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

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

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

### 34 **Vacation Leave**

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

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40 **Section 21.** Eligible faculty accrue vacation on a monthly basis, beginning the first of the  
41 month following date of hire or on the first of the month if an employee is hired the first  
42 working day of the month. Vacation accrues on the last day of the month and is available  
43 for use the first day of the next month, subject to the restrictions in Section 22 of this

1 Article. Faculty originally appointed to a 9-month contract subsequently appointed to a  
2 12-month contract shall receive credit for the previous 9-month contract on a pro-rata  
3 basis.

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

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

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

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

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

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

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

#### 8 9 **Bereavement Leave**

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

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

#### 23 24 **Personal Leave**

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

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

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

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

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