



University Policy: Faculty Policy for Modified Work Arrangement Due To Qualifying Family or Medical Events

Policy Category: Employment, Benefits, and Workplace Policies

Subject: Arranging for Modified Work Duties by Faculty Due to FMLA Events

Office Responsible for Annual Review of this Policy: Dean of Academic Affairs

Procedures: Not Applicable

Related University Policies: Family and Medical Leave, Short-Term Disability, Long-Term Disability Policies

I. SCOPE

This policy applies to tenure-track and tenured faculty, and temporary faculty appointed to multi-year contracts.

II. POLICY STATEMENT

This policy supplements the university's Family and Medical Leave Policy (FMLA Policy) which recognizes the right of eligible faculty to take unpaid leave for certain medical and family situations. This policy provides family-friendly and flexible options for managing faculty leave and work responsibilities when confronted with a serious health condition, or family or parental obligations.

III. DEFINITIONS

“Qualifying Family or Medical Event” or “FMLA Event”: Family or medical events which qualify for protection under the university's FMLA Policy.

Modified Duties, Modified Work Plan, or Modified Work Arrangement: These terms refer to activities that foster teaching and learning in settings outside the classroom or allow faculty members to serve their teaching units in ways that support curriculum and other development. Examples of these duties include, but are not limited to, student advising, recruitment, curriculum development, dissertation supervision, distance education, unit administrative work, and banked or deferred teaching assignments.

Banked Course: A course taught up to one year preceding the FMLA Event.

Deferred Course: A course taught within one year from the end of the semester in which the FMLA Event occurred.

IV. POLICY

FMLA Certification & Leave

To receive the benefits of this policy, a faculty member must have a FMLA Event as determined by the Office of Human Resources.

This policy in no way affects the ability of faculty to take unpaid leave pursuant to the university's FMLA Policy or to receive benefits under the University's disability policies. There is no requirement for faculty to take unpaid leave to receive benefits under this policy.

The University recognizes however that the unique nature of the academic calendar and teaching duties present challenges for coordinating workload adjustments due to a FMLA Event. Thus, a primary goal of this policy is to allow both the faculty member and the university the opportunity to maintain the integrity of the classroom and avoid placing undue burden on the individual or the department. The university recognizes that no policy can anticipate all circumstances; therefore, the policy leaves room for accommodating individual situations.

Modified Work Plans

A. If a faculty member has a FMLA Event and needs a workload adjustment, s/he may request a modified work plan. The primary components of such plans include but are not limited to:

- 1) The faculty member receives a single course release, usually during the semester of the FMLA Event or the semester after the FMLA Event;
- 2) Aside from the single course release, if the FMLA Event causes the faculty member to miss additional teaching assignment, the faculty member may ask to makeup those assignments as a Banked Course or Deferred Course. When banking or deferring teaching obligations, due consideration should be given to total workload in any single semester. Requests to teach courses that would normally be considered an overload will be strongly discouraged.

B. Modified work arrangements must be in writing, approved by the department chair, dean, and dean of academic affairs.

Parental Delay of Tenure Consideration

For tenure-track faculty, requests for modified duties may be combined with requests for parental delay of consideration for tenure as specified in the *Faculty Manual*. A faculty member who is the primary care-giver for a newly born or newly adopted child may postpone tenure consideration for up to one year per event up to a maximum number of two years of delay, including all other types of leave. All such delays must be requested and approved before the sixth, or final, year of pre-tenure service.

Family and Parental Coach

Teaching units should designate a "Family and Parental coach," a faculty member experienced in work/living balance issues who is available to consult with peers contemplating Modified Work

Arrangements under this policy.

V. RESPONSIBILITIES

Applying for FMLA Certification & Modified Work Plan

A. When need for FMLA benefits is anticipated, the faculty member must do the following:

1. Submit an FMLA application to Human Resources as soon as possible within the required timeframe under the university's FMLA Policy. Faculty must provide all requested documentation to facilitate the processing of these applications.

2. In consultation with the department chair or division director, write an agreement identifying the timing and duration of the FMLA Event and Modified Work Arrangement. Modified duties must be specified in detail and should include expectations for specific tasks and outcomes, for time spent on campus as part of the duties (if any), and means for assessing the effectiveness of the Modified Work Arrangement. Such Modified Work Plans must specify course equivalencies for each assignment.

B. After the faculty member and the department chair or division director develop a Modified Work Plan, the chair or director will forward it to the unit dean for review. The dean may approve, modify, or request changes, subject to the final review and approval of the dean of academic affairs. The dean of academic affairs will review these proposals to ensure equity across colleges and schools and compliance with university policies and legal requirements.

Record-Keeping

This policy provides an important financial benefit; therefore, accurate records must be maintained. Human Resources and the Provost's offices will maintain the official records.

Implementation of Policy

The dean of academic affairs is charged with overseeing the implementation of and interpreting this policy. This policy is intended to comply with the requirements of all applicable regulations, including the federal and District of Columbia family and medical leave laws.

VI. EFFECTIVE DATE, APPROVAL, AND FREQUENCY OF REVIEW

This policy is effective April 1, 2009.

VII. FREQUENCY OF REVIEW AND UPDATE

This policy will be reviewed at least on an annual basis. Changes may be made from time to time with or without notice.

VIII. SIGNATURE, TITLE, AND DATE OF APPROVAL

This policy needs to be signed by the appropriate officer (listed below) before it is considered approved.

This document was approved and signed by

Scott Bass
Provost

Cornelius Kerwin
President

on March 19, 2009