
**POLICY ON EXTENDED ILLNESS, DISABILITY, AND FAMILY LEAVE FOR FACULTY
(OTHER THAN TWELVE-MONTH)**

THE UNIVERSITY OF NORTH CAROLINA AT GREENSBORO

(Approved by the Board of Trustees, March 31, 1994)

(Amended by the Board of Trustees, November 6, 2003, August 31, 2006, September 6, 2007)

(Revision by Committee for Faculty Professional Development, Compensation and Welfare, May, 2015)

(Approved by the Board of Trustees, December 4, 2015)

PART A: Extended Illness, Disability or Extended Family Leave (other than parental leave)

I. Purpose

To provide a period of paid leave ("salary continuation") for faculty members for extended illness, disability purposes or extended family leave (other than parental leave) as dictated by the Family Medical Leave Act of 1993 (FMLA).

II. Explanation of Benefit

A faculty member who experiences extended illness or disability or who must provide extended care for an immediate family member (defined as spouse, parents, and children - including step-relationships), domestic partner or dependent, may request salary continuation for up to sixty calendar days under this policy. The sixty-day period begins no sooner than the first day the absence is necessitated.

In such cases where leave under this policy can be construed as family leave under FMLA, the entitlement of 12 weeks without pay will run concurrently with any period of paid time off.

More than one disability leave may be granted in an academic year, so long as the second illness or disability or extended family care need for which leave is sought is unrelated to the first.

Unused leave shall neither accumulate nor be carried forward from academic year to academic year.

III. Eligibility of Faculty Member

This policy applies to persons holding regular faculty appointments (tenured, tenure-track, or non-tenure-track) who: (a) do not accrue sick leave, (b) are eligible for participation in either the North Carolina State Retirement System or the Optional Retirement Program and, (c) are also eligible under the provisions of the Family Medical Leave Act (FMLA).

An eligible faculty member must work for the University for one full academic year before becoming eligible for salary continuation under this policy.

With the exception of the tenure clock policy of Section VII of both the extended illness and parental policies, this document *does not apply* to faculty members with twelve-month appointments annually as these persons are covered under a separate leave policy of the Board of Governors.

Faculty members with a balance of accrued sick leave from a previous 12-month appointment will be required to exhaust that leave before receiving leave under this policy.

IV. Qualifying Conditions

Serious health conditions of the faculty member that prevent that person from performing the essential functions of his or her duties as a faculty member, including pre-birth complications due to pregnancy.

Serious health conditions of the faculty member's immediate family member, domestic partner or other legal dependent that require the faculty member's care.

Care for an immediate family member or next of kin injured while on active military service, and for certain life events triggered by an immediate family member's call to active military service.

V. Administration of Benefit – Faculty Member's Responsibilities

It is the responsibility of the faculty member to request the use of leave provided by this policy as soon as possible upon learning of the need for the leave. This request will be made in a letter to the department head.

The department head may request medical verification of the faculty member's illness or disability, including a physician's statement about the probable length of absence from normal duties. If the request is for the purpose of caring for a faculty member's immediate family member, domestic partner, or dependent, the department head may also request medical verification of the illness or disability of that person and may also inquire about the circumstances which make it impossible or difficult for the faculty member to carry on with normal duties. Expenses for obtaining medical verification must be borne initially by the faculty member.

VI. Administration of Benefit – University Responsibilities

The department head will consider the request for paid leave by the faculty member and make a recommendation in written form to the dean. In some cases a second or third opinion regarding provided medical documentation may be required by the department head. In such cases, the expense for further verification will be covered by the department requesting it. The department head may require, on a reasonable basis, subsequent re-verifications at the department's expense during the period of leave.

When the request is the result of the faculty member's illness or disability, the department head will recommend leave if the need for leave is readily evident or if it is supported by sufficient medical verification in the view of the department head.

When the request is to care for the faculty member's family member, domestic partner, or dependent, the department head may base the recommendation on other factors, including the needs of the unit, timing within the academic year, effect on students, etc.

Leave with salary continuation may be granted only for a period actually required by the disability, not to exceed sixty days, or the end of the faculty member's contract, whichever comes first.

The dean will review the leave request, and if approved, will forward the request for approval to the Provost.

The Provost will provide a written copy of the approval for paid leave to the faculty member, department head, dean, and Human Resources.

The department head is responsible for securing, to the extent possible, substitute personnel for the duration of the faculty member's leave. Any adjustments in work schedules within the department are at the discretion of the department head (with the approval of the dean) and are subject to departmental and institutional needs and resources.

The cost of substitute personnel is the responsibility of the dean and respective school or college.

VII. Coordination with other UNCG Policies (*this section also refers to faculty with 12-month appointments*)

When a non-tenured, tenure-track faculty member is granted a sixty-day leave for extended illness or disability, an automatic one-year extension of the tenure clock will be granted. The tenure clock extension will be verified in the Provost's approval letter. A maximum of two (2) one-year extensions of the tenure clock will be granted to an individual, as stated in the University's *Promotion, Tenure, Academic Freedom, and Due Process Regulations*.

The *Regulations* do not specify a minimum probationary period; therefore, a faculty member, in consultation with the department head, may at some point make the determination that the faculty member's dossier is ready for tenure review earlier than the date of extended deadline.

Faculty members should be aware that decisions about the tenure clock must be made no later than the end of the spring semester prior to the review year.

VIII. Coordination with Other Federal and State Policies

If the illness or disability requires an absence from faculty duties of longer than sixty calendar days, the faculty member may petition for a leave of absence without pay in accordance with prescribed procedures and University policies implementing the Family and Medical Leave Act (FMLA) and the North Carolina Family Illness Act (NCFIA).

The NCFIA allows for an extension of up to 52 weeks of leave without pay during a five-year period in cases of serious illness of a child, spouse or parent.

The faculty member may also apply to Human Resources for salary continuation through the Disability Income Plan or through another disability program offered to University employees on an optional basis.

IX. Confidentiality

Communications concerning leave requested or granted under this policy are subject to the same confidentiality requirements as other personnel records.

PART B: Parental Leave due to Birth, Adoption, or Foster Care of a Child

I. Purpose

To provide a period of paid leave ("salary continuation") for faculty members eligible for family leave purposes as dictated by the Family Medical Leave Act of 1993 (FMLA).

II. Explanation of Benefit

Upon request, a faculty member will be entitled to receive salary continuation for up to a full semester or a minimum of 12 consecutive weeks over 2 semesters (inclusive of academic breaks,) within twelve months of the birth, adoption or foster care placement of a child, for leave that occurs during periods when the faculty member is under contract.

Because all periods of leave under this policy will be construed as family and medical leave under the FMLA, and because the FMLA entitlement of 12 weeks of leave without pay will run concurrently with any period of paid time off, the employee seeking to use the leave described in this policy must be approved for FMLA. More than one parental family leave may be granted in an academic year, if endorsed by the Dean, so long as the second parental leave sought is unrelated to the first.

Unused leave shall neither accumulate nor be carried forward from academic year to academic year.

III. Eligibility of Faculty Member

This policy applies to persons holding regular faculty appointments (tenured, tenure-track, or non-tenure-track) who: (a) do not accrue sick leave, (b) are eligible for participation in either the North Carolina State Retirement System or the Optional Retirement Program and, (c) are also eligible under the provisions of the Family Medical Leave Act (FMLA).

An eligible faculty member must work for the University for one full academic year before becoming eligible for salary continuation under this policy.

With the exception of the tenure clock policy of Section VII of both the extended illness and parental policies, this document *does not apply* to faculty members with twelve-month appointments annually as these persons are covered under a separate leave policy of the Board of Governors.

It does not apply to persons with adjunct faculty appointments.

IV. Qualifying Conditions

Birth of a child or care for a child within one year after birth.

Placement of or care for a child placed with the faculty member for adoption or foster care within one year of placement.

V. Administration of Benefit – Faculty Member’s Responsibilities

It is the responsibility of the faculty member to request the use of leave provided by this policy as soon as possible upon learning of the need for the leave. This request will be made in a letter to the department head.

For purposes of adoption or foster care placement, a request for leave must be supported by reasonable proof of the adoption or foster care situation. Reasonable proof includes documentation from the licensed adoption agency or court documents.

VI. Administration of Benefit – University Responsibilities

The department head will make a written recommendation to the dean in support of the faculty member’s request for leave with salary continuation. The dean will then forward his or her approval to the Provost, who will finalize the approval process.

- The type and nature of the faculty member’s duties during pregnancy shall be determined by the department head in consultation with the faculty member and upon advice received from the physician. Faculty will not be penalized in their condition of employment because they require time away from work caused by or attributed to conditions such as pregnancy, miscarriage, childbirth, or recovery.

The Provost will provide a written copy of the approval for paid leave to the faculty member, department head, dean, and Human Resources.

The department head is responsible for securing, to the extent possible, substitute personnel for the duration of the faculty member’s leave. Any adjustments in work schedules within the department are at the discretion of the department head (with the approval of the dean) and are subject to departmental and institutional needs and resources.

In the event it is necessary to provide replacement instruction during the period of leave, the Provost and Dean will share equally the associated cost, at a rate of \$3,500 per course.

VII. Coordination with other UNCG Policies (*this section also refers to faculty with 12-month appointments*)

When a non-tenured, tenure-track faculty member is granted a leave with continuation pay, an automatic one-year extension of the tenure clock will be granted. The tenure clock extension will be discussed and verified in the Provost’s approval letter. A maximum of two (2) one-year extensions of the tenure clock will be granted to an individual, as stated in the *Promotion, Tenure, Academic Freedom, and Due Process Regulations*.

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The *Regulations* do not specify a minimum probationary period; therefore, a faculty member, in consultation with the department head, may at some point make the determination that the faculty member's dossier is ready for tenure review earlier than the date of extended deadline.

Faculty members should be aware that decisions about the tenure clock must be made no later than the end of the spring semester prior to the review year.

When a tenured faculty member is granted a leave with continuation pay, post-tenure review will be delayed automatically by one year.

VIII. Coordination with Other Federal and State Policies

If the parental leave requires an absence from faculty duties of longer than one semester (or 12 consecutive weeks over 2 semesters) the faculty member may petition for a leave of absence without pay under procedures described in the Faculty Handbook and in University policies implementing the Family and Medical Leave Act (FMLA) and the North Carolina Family Illness Act (NCFIA).

The FMLA entitlement of 12 weeks of leave without pay will run concurrently with any period of paid time off.

The faculty member may also apply to Human Resources for salary continuation through the Disability Income Plan or through another disability program offered to University employees on an optional basis.

IX. Confidentiality

Communications concerning leave requested or granted under this policy are subject to the same confidentiality requirements as other personnel records.