

The Department of Anthropology
April 12, 2010

Response from Faculty in the Department of Anthropology to Proposed Revisions to Faculty Serious Illness and Disability Policy

At a faculty meeting held on April 12, 2010, faculty members in the Department of Anthropology voted unanimously to recommend reconsideration of the following proposals in the most recent revision to the policy on Serious Illness and Disability Leave for Faculty formulated by the Administrative Council. These recommendations will be submitted to the Faculty Senate for consideration at the April 20th meeting.

Provisions 2.4. and 3.1.1.

Provision 2.4 states that faculty members on 9-month contracts would not be eligible for leave between the date of spring commencement and the opening day convocation of fall semester. None of our peer institutions restricts leaves in this way, which is discriminatory to 9-month faculty. Our 9-month faculty continue to receive health insurance benefits during the summer. Why should this benefit be any different? Faculty do a great deal of work for the university during the summer and also conduct research vital for tenure and promotion. Administrators, including department chairs, by virtue of having 12-month contracts, will qualify for the benefit but the majority of the teaching faculty will be disenfranchised. We recommend this provision be removed from the current version of the policy.

Provision 3.1.1. states that paid leave for illness, birth or adoption must occur at the time of the qualifying event. Many of our peer institutions require that paid leave must be taken "*within 12 months of the event.*" We recommend the latter because it provides greater flexibility to the individual and the unit to arrange leaves with timing in the best interests of unit priorities and the needs of students and faculty members. Second, the current wording disenfranchises 9-month faculty since any event that occurs between commencement in May and opening convocation in August would not be covered under the proposed revision. A person could become seriously ill on the day before convocation and not receive any paid leave. That does not seem congruent with the spirit of promoting faculty welfare. We recommend changing the language to state, "leave must be taken within 12 months of the qualifying event."

Provision 3.1.

The benefit of paid leave has been scaled back from the current 15 weeks to a proposed 12 paid weeks. On east campus, unit administrators are still going to have to hire a replacement to cover the full semester or 15 weeks. The replacement cost, therefore, will be the same whether or not the faculty member is accorded 12 or 15 weeks. If the length of leave time is an issue in health sciences and medicine, then we recommend a change of language to accommodate both situations. We recommend adoption of the language found in many of our peer institution policies, "a faculty member subject to these policies shall be granted up to 12 weeks or one academic semester of paid leave." The assumption contained in this statement is that the unit administrator and faculty member would negotiate the appropriate amount of leave time and thus flexibility would be preserved.

Provision 3.2.3.

This provision restricts the primary caregiver of a child to taking paid leave on the date of the qualifying event but allows the secondary caregiver to take it any time within the 12-month period following the documented qualifying event. This is inconsistent. We again recommend, for the same reasons stated above, that the language be changed to state that the primary and secondary caregivers may take leave any time within the 12-month period immediately following the documented qualifying event.

Provision 4.5.1.

This provision marks a significant change from the current policy and shifts the burden of securing replacement personnel and bearing the cost from the office of the appropriate Vice Chancellor to the administrative unit. The existing policy reads:

“The immediate supervisor 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 unit are at the discretion of the immediate supervisor with the approval of the dean and are subject to departmental and institutional needs and resources. In recommending approval of a leave, the immediate supervisor will develop a written plan to cover the responsibilities of the faculty member for the duration of the leave. Funding of substitute personnel is the responsibility of the appropriate vice chancellor (Section V)”.

If paid leave for serious illness and disability is a faculty benefit, then it should be covered by the university and not the individual unit. The proposed revision to this practice will discriminate against faculty members in small units with insufficient funds to cover paid leave. Such units will be forced to ask other faculty to cover classes or to drop sections and lose FTE. This provision places an undue burden and an unfunded mandate on individual units and could directly compromise the ability of the individual faculty member to take advantage of a universal benefit. The proposed policy explicitly states in provision 5.2 that *“faculty will not be penalized because they require time away from work caused by or contributed to by conditions such as pregnancy, miscarriage, childbirth or recovery.”* Yet the effect of provision 4.5.1. may be to create exactly this kind of penalty. For these reasons, we recommend changing the language of provision 4.5.1. back to the form it has in the current policy, to read, “Funding of substitute personnel is the responsibility of the appropriate vice chancellor.”