McMicken College of Arts and Sciences Guidelines
For Faculty Extended Medical Leave for Childbirth and Recovery

McMicken College of Arts and Sciences guidelines for AAUP Faculty requesting:
- extended medical leave for childbirth and recovery
- provisions for extending the tenure clock
- child-rearing leave
- adoption

AAUP faculty requesting extended medical leave for childbirth and recovery need to be aware of federal, university and AAUP contract policies and procedures. Some aspects of each of the three area’s policies and procedures are unique while other aspects overlap and appear to be redundant. However, providing the required information is necessary in order to comply with the policies and procedures of each of the three constituencies- Federal FMLA, UC and AAUP.

All requests for leave should be discussed with your department head prior to submission of your formal leave request. Dean Valerie Harcastle, the college associate deans and Provost John Bryan are additional contacts to discuss balancing your academic career and family responsibilities. Jeri Smith in the A&S Business Office is the primary contact for policy, procedures, and sick time available for extended medical leaves.

Below are the reference sources:
1. Family Medical Leave  http://www.uc.edu/hr/benefits/leaves_of_absence.html
2. Extended Medical leave AAUP Article 17.6 and Article 17.2
3. Extension of the tenure clock: AAUP Article 19.2.4
4. Child-Rearing Leave: AAUP Article 19.2.1,2,3
5. Special Leave for Adoption AAUP Article 20

AAUP Contract: http://www.uc.edu/hr/lrpd/collective_bargaining.html#agreements

If the leave qualifies and you are eligible, the family medical leave and extended medical leave occur simultaneously. The two leaves are not considered to occur at separate times.

1. Federal Family Medical Leave Act - FMLA

Facult Member:
Contact the Arts & Sciences Business Office (Jeri Smith – 556-5854), or refer to the HR Benefits website (see below), to obtain a “Certification of Health Care Provider” (CHCP) form for your physician to complete and sign. The CHCP form must be returned to University Health Services (instructions and addresses are included on the form). Once the CHCP is reviewed by University Health Services, a notice (FMLA Medical Review Form) is sent to Gloria Woods in the Office of Labor Relations.

HR- FMLA website: http://www.uc.edu/hr/benefits/leaves_of_absence.html
Academic Unit and College Business Office:
The FMLA Medical Review Form should be forwarded to the college business office. You may keep a copy of the form in your departmental file. The college business office will work with Human Resources to process the FMLA leave for the faculty member in the human resources system and notify the employee regarding their leave status.

2. Extended Medical Leave of Absence – AAUP Agreement Articles 17.6 and 17.2

Faculty Member:
After discussion with your department head, submit a formal leave of absence request for childbirth and recovery to your department head. Article 17.6 states the specifics allowing the use of sick days during your leave of absence. The extended medical leave is for the time period documented on the CHCP form. The faculty member may also request a special leave of absence for additional time off not covered by the medical leave. This leave may be approved for a period before or after the medical leave.

Article 17.2 allows faculty to borrow sick days from the Sick Leave Bank. If you have insufficient sick days to remain in paid status during the requested leave of absence, then you may request to borrow the additional days needed to remain in paid status. Since each quarter of each academic year varies in the number of instructional days, an individual review of sick time availability to cover the leave time is necessary. Jeri Smith can assist with this review. If you want to borrow sick days, include that information in the same written request for leave to the department head stating the number of days needed to be borrowed from the sick leave bank.

Example of sick day calculation:
A faculty member requests a medical leave of absence for 6 weeks (240 hours) as documented on the CHCP form. A current sick balance of 200 hours would require borrowing 40 hours from the AAUP sick leave bank to remain in paid status.

Academic Unit and college business office:
The department head forwards the faculty member’s request for leave to the dean. The dean forwards the request to the provost’s office for final approval of leave and if necessary, approval to borrow sick days from the sick leave bank.

The academic unit should not report sick days via CATS. The college business office and the payroll office coordinate the use of and if applicable the borrowing of sick days. The college business office will process the medical/FMLA leave for the faculty member in the human resources payroll system.

If the leave qualifies and you are eligible, the family medical leave and extended medical leave occur simultaneously. The two leaves are not considered to occur at separate times.

Resources/Reference: UC/AAUP Contract -- Select Article 17 – Section 17.6 and 17.2
http://www.uc.edu/hr/lrpdp/collective_bargaining.html#agreements
3. Extension of the tenure-clock  AAUP Agreement Article 19.2.4

A tenure-track faculty member who is in the probationary period and who has substantial responsibility for the care of newly born infant or newly adopted child under the age of five may request an extension of the seven-year probationary period of up to one year for each event of birth or adoption, provided that all time off the tenure clock totals no more than two years during the probationary period. This request must be approved by the Academic Unit Head, Dean and Provost. Female and male tenure-track faculty members may request an extension of the tenure-clock.

This provision does not require that a formal leave of absence be taken.

An untenured Faculty Member, who has substantial childcare responsibilities that begin after the start of the Winter Quarter of the penultimate year of service toward the tenure clock limit, will not be granted an extension of the probationary period.

Resources/Reference: UC/AAUP Contract -- Select Article 19 – Section 19.2.4
http://www.uc.edu/hr/lrpd/collective_bargaining.html#agreements

Faculty Member:
1. The faculty member may request an extension of the tenure clock with their initial extended medical leave request.
2. The faculty member may request an extension of the tenure clock in a separate request at any time within the allowable dates stated in the article. The faculty member may consult with their academic unit head, dean, and provost to determine an optimal time that this request should be initiated.

4. Child-Rearing Leave  AAUP Agreement Article 19.2.1

After discussion with your department head, you may want to request additional time off after the extended medical leave for childrearing purposes. This is an individual decision. Child-rearing leave is unpaid leave, and covered in detail in the article. This leave may be full-time or reduced time. This leave is normally requested at least ninety (90) days in advance of the date the proposed leave shall begin. Examples of reduced responsibilities may be 50% on duty and 50% on leave; 75% on duty and 25% on leave; 67% on duty and 33% on leave. These are only examples and the actual percentages should be mutually agreed upon with your department head and reflect your work assignments during the child-rearing leave.

Resources/Reference: UC/AAUP Contract -- Select Article 19 – Section 19.2.1
http://www.uc.edu/hr/lrpd/collective_bargaining.html#agreements

5. Special Leave for Adoption  AAUP Agreement Article 20

After discussion with your department head, submit a formal leave of absence request to your department head. A special leave may be granted for the adoption of a child. The leave request should be for both special leave and family medical leave.

If the leave qualifies and you are eligible, the family medical leave and special leave occur simultaneously. The two leaves are not considered to occur at separate times.
Resources/Reference: UC/AAUP Contract -- Select Article 20 – Section 20.1
http://www.uc.edu/hr/lrpd/collective_bargaining.html#agreements

**Request Extension of Leave or Notify Business Office of Return**
At the end of the approved leave period, the department should inform the A&S Business Office of the employee’s return date. If an extension of the medical leave is necessary, the same process described in steps 1 and 2 above will need to be initiated for the new period of absence. If the 12 weeks of FMLA have been exhausted, only step 2 above is needed.

**Returning to Work:**
Prior to returning to work from a medical leave, the employee must go to the University Health Services (513-556-2564) with a medical statement from their physician that states the date that they are able to return to work. This statement should indicate if there are any restrictions on their return. University Health Services will then provide the required certificate of approval to return to work with or without restrictions.