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Sent:Thursday, December 10, 2020 5:08 PM
To:faculty-l <faculty-l@lists.uccs.edu>
Subject:[faculty-l] FAWC November Report

Message from:
Karin Larkin - klarkin@uccs.edu

Below, please find the Faculty Assembly Women's Committee report for December 2020 (thank goodness this year is nearly done!).

- The Family Leave subcommittee has sent a guidance document through Faculty-L to help clarify the FMLA process for family and medical leave. The document is attached here again for your convenience, or you can access it on the Women's Committee website under the Resources tab. Thank you to Katherine Mack, Tisha Mendiola, and Michelle Dorne for working so hard on this important issue and helping to demystify this very opaque process! This is a great resource.
- We are currently reviewing submissions for the fall round of mini-grants and plan to announce awards next week.
- Judith Scott organized a fantastic panel discussion on the benefits of joining the National Center for Faculty Development and Diversity (NCFDD). If you have not already signed up, you should consider doing so. They offer tips, support, webinars, mentorship, writing challenges, and resources for faculty and it is FREE to all UCCS faculty because we currently have an institutional membership. [You can access their website to sign up here.](#)
- Finally, we are continuing to work on drafting a review of the current research on the impact of COVID on female faculty and developing recommendations for both short-term and long-term approaches to mitigating these impacts. We hope to have that out by the end of the year.

If you have any questions, please feel free to contact FAWC@uccs.edu or me directly.

Thank you
Karin Larkin, Co-chair FAWC

Purpose

The Faculty Association Women's Committee (FAWC) is concerned about the transparency of the process of accessing Family Medical and Parental Leave; the ease/difficulty of navigating the Human Resources' website; inconsistencies in the flexibilities for teaching and service loads for faculty who pursue these benefits; and, the behind-the-door negotiations among faculty, department chairs, and deans that could lead to bias.

In consultation with the Office of Human Resources, we updated this document so that all faculty will be aware of the relevant policies and options available to them.

We thank the faculty who offered accounts of their experience negotiating various kinds of leave and thereby contributed to the creation of this document.

Fact Sheet on Family Medical Leave Act (FMLA)

- FMLA is federally mandated with eligibility requirements and qualifying reasons for leave.
- FMLA allows eligible employees to take job-protected, unpaid leave, or to substitute accrued paid leave, for up to a total of 12 workweeks in a 12-month period.
- To be eligible, an employee must have worked for the State of Colorado/CU/UCCS for at least 12 months and actually worked at least 1,250 during that 12 months.
- Qualifying reasons for leave are:
 - a. Serious health condition of self, child, spouse, or parent.
 - b. Childbirth, adoption, or placement for foster care.
 - c. Qualifying exigency or care for a covered service member (for family members in the military)
- The State of Colorado uses a rolling 12-month calendar to determine FMLA eligibility. Rather than the 12 weeks "renewing" at any single point in the year, a 12-month look back of FMLA leave used determines the amount of FMLA leave available. For example, if in the past 12 months an employee used 8 weeks of FMLA, then they are only eligible for 4 additional weeks.
- At UCCS, faculty member's accrued sick leave is used to substitute pay for absences when out on FMLA. All full-time nine-month faculty members, *regardless of rank* (IRC and TT/T), accrue sick leave*. The numbers of paid days during FMLA are based on a faculty's members own accrued sick leave. Faculty earn 5.5 sick days/semester. There are 90 days in a semester. The number of accrued sick days are paid at 100%; the remainder of the semester is paid at 50%/day.
- The nine-month contract runs from mid-late August to mid-May.
- CU Parental Leave and FMLA run concurrently. All faculty are entitled to 18 weeks of parental leave to provide care for the faculty member's child within 12 months of the birth, adoption, foster care placement or guardianship of a child, during which period the faculty member may use accrued sick leave. If the faculty member exhausts all accrued sick leave before the end of the 18-week period, then the faculty member may continue the leave for the remainder of the period at half pay with full benefits**.

* Retired PERA employees do not accrue any sick leave time.

** Employee contribution to the monthly cost of benefits may still apply.

To qualify for CU Paid Parental Leave:

- a. The faculty member must qualify for and receive FMLA.
- b. The faculty member must have at least one year of service to the university.*

*As an HR best practice, it has been determined that if a faculty member does not have at least one year of service prior to birth/adoption/placement, but will reach one year of service within 12 weeks following birth/adoption/placement, then the paid benefit option will become available at that time.

Options to Consider When Negotiating Your Leave

- Take a partial leave by having a reduced teaching load for one semester, with the approval of the chair and dean, which is reflected in an amendment. This results in a reduction in pay as well. Please refer to your contract or Letter of Offer for specific considerations concerning your circumstances.
- Bank a course prior to the leave so as to take an offload during the leave*.
- Teach an additional course upon return to make up an offload from the previous semester.*
- Teach your courses, but not on the traditional 16-week semester schedule (e.g., an 8 week course, a 1 month leave in the middle of the regular semester about which students were informed at the start of the semester, etc.).
- Complete administrative work during the semester leave to increase the number of days at full pay.

*HR expects that banked and/or make-up courses be completed in the same academic year as the leave for purposes of annual/contract compensation. A summer course can be counted as a make-up course, if approved by the departmental chair and dean.

Return from Semester Leave

There is no regent policy concerning the required teaching load for TT/T faculty returning from a semester leave. Faculty must adhere to the workload formula specific to their contract or Letter of Offer. Faculty should reach an agreement with their department chair, which will then need to be approved by the dean, about whether they are expected to teach two or three courses in their “return” semester.

Tenure Stop

Faculty who take FMLA leave get an automatic tenure stop clock. Faculty who do not take FMLA must request a stop, which must be approved by the Chair, Dean, Provost, and Chancellor.

HR Contact Info

For more information about FMLA or parental leave, please contact:

Cindy Rhoads, Employee Relations Professional
Andrew Lane, Manager, Employee Relations and Employee Experience

Relevant Links

For more information, please go to:

UCCS Human Resources Sites

- “Paid Leave”: <https://hr.uccs.edu/current-employees/leave/paid-leave>
- “Family Medical Leave”: <https://hr.uccs.edu/current-employees/leave/family-medical-leave>

CU Sites

- Faculty Leave Policies: <https://www.cu.edu/employee-services/faculty-leave-policies>
- “Parental Leave”: <https://www.cu.edu/ope/aps/5062> and click on the “Parental” tile.
- Paid Parental Leave Policy FAQ:
<https://www.cu.edu/employee-services/paid-parental-leave-policy-faq>
- FMLA for Pregnancy FAQs:
<https://www.cu.edu/employee-services/fmla-pregnancy-frequently-asked-questions>

US Department of Labor Sites:

- *Family Medical Leave Act (FMLA)*: <https://www.dol.gov/general/topic/benefits-leave/fmla>
- *Employee Rights Under FMLA*:
<https://www.dol.gov/sites/dolgov/files/WHD/legacy/files/fmlaen.pdf>

Colorado Department of Personnel and Administration site:

- *Understanding Your Rights and Responsibilities*:
https://www.colorado.gov/pacific/sites/default/files/FMLA%20Your%20Rights%20and%20Responsibilities_0.pdf

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