



## Review of the Interim University of Maryland Procedures Related to Family and Medical Leave for Faculty (Senate Document #18-19-03)

Faculty Affairs Committee | Chair: Jack Blanchard

The Senate Executive Committee (SEC) and Senate Chair Walsh request that the Faculty Affairs Committee review the interim University of Maryland Procedures Related to Family and Medical Leave for Faculty (II-2.31[A]).

Specifically, it asks that you:

1. Review the [USM Policy on Family and Medical Leave for Faculty \(II-2.31\)](#).
2. Review the interim [University of Maryland Procedures Related to Family and Medical Leave for Nonexempt and Exempt Staff Employees \(VII-7.50\[A\]\)](#).
3. Review similar policies and procedures at Big 10 and other peer institutions.
4. Consult with a representative of University Human Resources.
5. Consult with a representative of the Office of General Counsel to better understand the new federal guidance on family medical leave.
6. Consult with a representative of the Office of Faculty Affairs on the implications of the staff procedures for faculty in administrative roles.
7. Coordinate the review of the faculty procedures with the Staff Affairs Committee in order to ensure consistency across the faculty and staff procedures.
8. Consult with a representative of the Office of General Counsel on any proposed changes to the University's procedures.
9. If appropriate, recommend whether the procedures should be revised and submit recommended revisions for Senate consideration.

We ask that you submit a report to the Senate Office no later than **February 1, 2019**. If you have questions or need assistance, please contact Reka Montfort in the Senate Office, extension 5-5804.



## **II-2.31(A) UNIVERSITY OF MARYLAND PROCEDURES RELATED TO FAMILY AND MEDICAL LEAVE FOR FACULTY**

(Approved on an interim basis by the President, August 31, 2018 pending University Senate review)

The University of Maryland adheres to University System of Maryland (USM) II-2.31 *USM Policy on Family and Medical Leave for Faculty* (Approved by the Board of Regents on October 6, 1995; Amended on April 20, 2018.) For complete policy requirements and provisions, refer to USM II-2.31.

### **I. PURPOSE AND APPLICABILITY**

The procedures herein are implemented by the University of Maryland (UMD) in accordance with the USM Policy II-2.31 – *Policy on Family and Medical Leave for Faculty*, amended April 20, 2018, (the “Policy”) and are the exclusive procedures that govern the calculation of Family Medical Leave (FML) at UMD. Under the Policy, eligible faculty are granted up to 12 work weeks of unpaid or paid leave within a 12-month period (leave year) for qualifying family and medical reasons.

### **II. ELIGIBLE FACULTY MEMBER**

- A. Eligible Faculty Member: An employee who is covered under the provisions of USM BOR policy II-1.00 – *University System Policy on Appointment, Rank, and Tenure of Faculty*; and
  1. Has been employed for a total of at least twelve (12) months as a USM or State of Maryland employee; and
  2. Whose employment during the twelve- (12-) month period immediately prior to the beginning date of the FML was at least 50 percent or greater of full-time under a nine- (9-) month or longer contract, or who has worked for at least 1,040 hours during the twelve- (12-) month period immediately prior to the beginning date of the FML as a USM or State of Maryland employee.
  
- B. Concurrent Administrative Appointment: If a faculty member holds a concurrent administrative appointment under USM BOR policy II-1.03 – *University System Policy on Concurrent Faculty and Administrative Appointments*, FML shall be governed by USM BOR policy VII-7.50 – *Policy on Family and Medical Leave for Nonexempt and Exempt Staff Employees*, and VII-7.50(A) *University of Maryland Procedures Related to Family and Medical Leave for Nonexempt and Exempt Staff Employees*. However, application of the Staff FML Policy and Procedures shall not result in any loss of rights applicable to the concurrent faculty appointment, including the right to postpone mandatory tenure review.

### **III. PROCEDURES FOR CALCULATING FML LEAVE**

Effective April 20, 2018, the method of calculating a faculty member's FML entitlement shall change from a calendar year to a rolling 12-month period measured backward from the date a faculty member uses FML. Under the rolling 12-month period measured backward, each time a faculty member takes FML, the University will "look back" over the last 12 months, add up all of the FML leave taken during that period of time, and subtract it from the standard 12-week/60-day FML entitlement. The remaining balance is the amount of FML available for the faculty member's use at the start of their FML. Faculty taking FML in the period between April 20, 2018 to January 1, 2020 will do so under whichever method (calendar year or rolling 12-month period) yields the greatest benefit to the faculty member.

### **IV. DESIGNEE TO IMPLEMENT FML LEAVE**

The Associate Provost for Faculty Affairs shall be the UMD designee to implement FML for Faculty and shall coordinate implementation with the Assistant Vice President/University Human Resources.