

Legislative History
University Policy 8-002 Revision 1 (formerly PPM 8-8.2). Faculty Parental Leave—
School of Medicine

[http://regulations.utah.edu/health-sciences/
appendices_8/8-002R1_legislativehistory_2007-03-12.pdf](http://regulations.utah.edu/health-sciences/appendices_8/8-002R1_legislativehistory_2007-03-12.pdf)

**As approved by the Academic Senate February 5, 2007, and finally approved by the Board of
Trustees March 12, 2007
(prepared by Bob Flores, for the Institutional Policy Committee)**

This Policy, originally numbered as PPM 8-8.2, was renumbered to Policy 8-002 in 2008 as part of the University's overall renumbering of all policies, in conjunction with creation of the new system of University Regulations.

It was originally part of Policy 8-8.1 (later renumbered as Policy 6-315), which was originally enacted in 2006, and then this version was split off to become a separate Policy as of the March 12, 2007 approval of this Revision 1.

1. Excerpt from minutes of Academic Senate, February 5, 2007.

Intent Calendar

b. Dean David Bjorkman presented the proposed School of Medicine Leave Policy. He explained the need to draft a separate policy was due to its significantly different academic culture in that the Medical School uses a 12 month calendar rather than a 9 month calendar, and the funding for the policy would come from clinical income and research grants. To cover all faculty salaries, have flexibility for the faculty, and clarify the definition of time as it differs from semesters, the revised policy was created. Ted Liou, chair of the Annuities and Salaries Committee, commented that his committee discussed the policy and indicated that there were no significant questions. The policy will be reviewed in two years. *Joanne Yaffe made a motion to move this to the debate calendar which was approved with no exceptions or abstentions. A motion to approve the SOM Leave Policy on the debate calendar was also unanimously approved.*

2. Excerpt from the agenda of the of the Academic Senate, February 5, 2007.

Academic Senate – February 5, 2007 Executive Committee – January 22, 2007

**Parental Leave Policy Special Task Force
Summary of Draft Recommendation
December 20, 2006**

Members: Kurt Albertine (co-chair), Mary Murray (co-chair), Cynthia Best, Dana Carroll, Ed Clark, Peter Jensen, Kirtly Jones, Patty McCarroll, Kathryn Morton, Brent Price, Sheryl Scott, Steve Sutch, Kathryn Peterson, Charles Saltzman.

The charge of the Special Task Force was to create a parental leaves of absence policy for the School of Medicine. Of specific consideration was creating an equitable plan that can be financed by the School of Medicine. The focus was solely on parental leaves, not child care issues or family medical leave issues. Principal, but not exclusive, challenges were determination of the faculty tracks that would be covered, duration of leave, and management of cost. The main topics identified and proposals to address them are:

1 All benefit-eligible faculty should be included. Thus, the policy includes benefit-eligible, regular faculty and auxiliary faculty.

2 A standard time frame for leaves should be used. The model selected was FMLA, which guarantees 12 weeks of unpaid leave. Thus, the Special Task Force proposed 12 weeks for the parental leaves period. To maximize choice, recommendation is made that the maximum period of parental leaves, per occurrence, would be 12 weeks per faculty member (family unit if both partners are faculty at the School of Medicine). A total of 24 weeks of parental leaves would be available per faculty member (family unit if both partners are faculty at the School of Medicine) during a faculty member's employment at the School of Medicine. The faculty member (family unit if both partners are faculty at the School of Medicine) may choose the number of parental leaves of absence periods, up to but not to exceed a maximum of 24 weeks during a faculty member's employment at the School of Medicine. Latitude is proposed for special circumstances, which would require prospective administrative approval.

3. The financial burden had to be understood by the committee members, as well as faculty, department chairs, and senior administrators of the School of Medicine. A tax could be levied to pay for the expense centrally, but many individuals may dislike that approach because they would never see the benefit of the tax. Ultimately, modeling of financial cost was performed and repeated. Modeling included the number of dependents that have been added to insurance since 2000, for both males and females. Modeling is based on figures for the Department of Pediatrics. Hidden cost was considered, such as the cost of hiring temporary coverage while clinical faculty would be absent because of parental leaves. For the first 2 years of this policy, those costs would be absorbed by departments, tracked, and reassessed (item 6). Recommendation is made to establish a blendable salary option, based on available paid sick leave (annual salary), paid vacation leave (annual salary), and what is dubbed "SOM Contribution". The "SOM Contribution" is proposed to be prorated on a tiered, annualized salary basis (currently, Instructor/Assistant Professor, \$30,000; Associate Professor, \$40,000; Professor, \$50,000). Proration would be based on the number of weeks of parental leave, with a maximum of 12 weeks per occurrence. Benefits would be determined by salary (annual salary versus prorated "SOM Contribution").

3 Input was obtained repeatedly from faculty in basic science and clinical departments, the Women in Medicine group, department chairs, and senior administrators at the School of Medicine.

4 Form letters would be used to make communication and understanding clear.

5 The policy would be used for two (2) years, at which time the effectiveness of the policy and cost analysis of the policy would be assessed. Adjustments would be made as warranted.

1/26/07

Draft from suggested changes from Senate Executive Committee January 22, 2007 reviewed and

modified by Kurt Albertine and David Bjorkman Policy: 8-8.1 Rev: Date: , 2007

Subject: School of Medicine (SOM) Faculty Parental Leaves of Absence

I. PURPOSE

To outline the University of Utah's School of Medicine (SOM) policy for parental leaves of absence and/or modified duties for the birth or adoption of children by benefit-eligible regular and auxiliary faculty. Any questions regarding this policy will be referred to your Department Chairman, the cognizant Associate Vice-President for Academic Affairs, and/or the cognizant Senior Vice-President.

II. EFFECTIVE DATE

The effective date of this policy shall be July 1, 2007. Current policies on Family and Medical Leave Act (LA) in PPM 2-21 and on probationary period extensions in PPM 8-6 will remain in effect until June 30, 2007.

REFERENCES

[PPM 2-21](#), Leaves of Absence (Health-Related) [PPM 2-22](#), Leaves of Absence (Non Health-Related) [PPM 8-6](#), Faculty Retention and Tenure of Regular Faculty [PPM 8-1](#), Faculty Parental Leaves of Absence 29 Code of Federal Regulations 825.100 et seq., Family and Medical Leave Act Regulations

III. DEFINITIONS

- A. "Academic year" is July 1 to June 30 for SOM faculty members on twelve-month appointments.
- B. "Adopted child" refers to a child under six years of age or a special needs child placed for adoption. "Special needs child" means a child under the age of 18 who is incapable of self-care on a daily basis because of a mental or physical disability that substantially limits one or more major life activities.
- C. "Annual salary" refers to the academic (base and negotiated) salary, as approved in the annual operating budget by the Office of the Senior Vice-President for Health Sciences. The compensation to a faculty member is for normal and expected working time and effort, not in excess of 100% of full-time, for all services performed under all assignments during the appointment period.
- D. "Clinical Incentive Pay (CIP)" refers to incentive pay for clinical activities. (See [PPM 2-26](#) 1. Medical Practice Plan for the University of Utah SOM Full-Time Faculty.)

E. "Benefits" refers to discretionary and non-discretionary items such as health and long-term disability insurance, retirement contributions, etc. For the purposes of this policy, benefits will be based on the actual salary paid during the parental leaves period, as described in the next paragraph (Section III.F). Long-term disability insurance premiums and benefits will be based on the salary paid immediately prior to the parental leaves period. Faculty members are urged to review their benefits with the Human Resources Department at the University.

F. "Parental Leaves Period" refers to the period of absence for parental leaves and/or modified duties for the birth or adoption of children by an eligible faculty member. The proposed period of leaves is a maximum of 12 weeks per occurrence, and no more than 24 weeks during a faculty member's employment with the School of Medicine. The faculty member may apportion the 24 weeks of total parental leaves of absence in any increment desired, not to exceed 12 weeks per occurrence.

G. "Salary during the parental leaves of absence" is proposed to come from a mixture of three sources: sick leave (paid by the faculty member's home (primary) department, at current annual salary (refer to Section III.C); accrued at 1 day per month of employment), vacation leave (also paid by the faculty member's home (primary) department, at current annual salary (refer to Section III.C); maximum of 5 weeks), and "SOM Contribution" (refer to Section III.G).

H. "SOM Contribution" refers to the School of Medicine's potential financial contribution during the period of absence for parental leaves, based on rank. The faculty member's home (primary) department will be responsible for the "SOM Contribution". The "SOM Contribution" is prorated based on FTE.

I. "Domestic partner" definition will adhere to university guidance with definition provided by Human Resources.

J. "Primary caregiver" means a faculty member who provides the majority of child contact hours during the faculty member's regular working hours for the leave period.

IV. SOM FACULTY PARENTAL LEAVES OF ABSENCE

A. Eligibility

Benefits under this policy are available to any regular or auxiliary faculty who is "benefits-eligible", and who either gives birth to a child or serves as the primary caregiver of her or his own newborn child or domestic partner's child, or of a newly adopted child, within the period for which the leave is sought.

This policy does not apply to birth mothers who do not anticipate becoming the legal parent of the child following birth. In such cases, the faculty member will be covered by sick leave and FMLA policies.

Modified duties under this policy shall begin no more than three (3) months prior to the birth/placement of a child and be completed no more than six (6) months following the birth/placement. Exceptions must be approved by the Department Chairman and cognizant Senior Vice-President.

Only one University of Utah faculty member in a family unit will qualify for parental leaves of absence and/or modified duties for a given instance of childbirth or adoption.

B. Notification

The eligible faculty member should notify her/his department chair of a request for modified duties as soon as possible, and normally no later than three (3) months prior to the start of the expected modified duties. The request for an extension to the pre-tenure probationary period or post-tenure review process must be initiated before a review begins. An application form is available (see attached).

- C. Modified Duties During Parental Leaves of Absence.** During the period of parental leave, the faculty member may choose to be fully absent from the SOM workplace or the faculty member may choose to continue some professional activities (e.g., meeting students, doing research, participating in hiring or RPT decisions) during this period. The modified duties may be assigned, through negotiation with the department chairman, for up to 12 weeks per occurrence of parental leave, and no more than 24 weeks total during the eligible faculty member's employment with the SOM. Any subsequent requests will be subject to the approval of the Department Chairman and cognizant Senior Vice President.

Parental leaves under this policy are in addition to paid or unpaid (FMLA) sick leave for which the faculty member may be otherwise eligible (e.g. sickness associated with or not associated with pregnancy). Eligible faculty members may in addition qualify for unpaid leave under the FMLA during the same period but only in connection with a serious health condition.

Other leaves taken or scheduled to be taken by an eligible faculty member shall not preclude parental leaves under this policy. Correspondingly, parental leaves taken or scheduled under this policy shall have no bearing on decisions regarding other leave for an eligible faculty member, provided adequate coverage for their faculty duties are maintained.

D. Compensation Sources During Parental Leaves of Absence

The parental leaves period may be drawn from sick and/or vacation leave accruals, as well as from the SOM Contribution, as outlined in Section III, G and H. Sick leave and vacation accruals are paid at the annual salary level, as outlined in Section III, G. A faculty member may choose to receive the SOM Contribution exclusively for each parental leaves of absence occurrence, as outlined in Section III, H.

12 Weeks (Maximum per occurrence)

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Sick Leave Vacation Leave SOM Contribution

The faculty member who requests parental leaves of absence chooses among the three sources (one of three, two of three, three of three sources of salary).

If a portion of the faculty member's compensation is received from grants or contracts, that portion of compensation must be based on actual effort performed for the award. All award requirements must be met.

E. Adjustments to Tenured or Tenure-Eligible Appointments

Upon request, an eligible faculty member will automatically receive a one-year extension on her or his timetable for RPT or post-tenure reviews. Faculty members are not expected to maintain normal scholarly productivity during an extension granted under this policy. A faculty member may receive this extension no more than twice. Any subsequent requests will be subject to the approval of the Department Chairman and cognizant Senior Vice-President.

F. Unanticipated Events

Not all events surrounding pregnancy, childbirth, adoption, and the health of a young child can be fully anticipated by this policy. Requests for exceptions to this policy should be directed to the Department Chairman and cognizant Senior Vice-President.

G. Obligation to Return

The obligation to return to university service following the leave, applicable to other leaves under PPM 8-8S, Sec. 9, B., applies to this policy as well.

V. RELATIONSHIP TO OTHER POLICIES

This policy does not preclude a department from providing similar benefits to other faculty members. A department can give more extensive benefits for parental leaves as long as this is consistent throughout the department. If any other University policy is inconsistent with the provisions herein, this policy shall govern.

VI. POLICY REVIEW

The implementation and the fiscal impact of this parental leaves policy will be reviewed in two (2) years from the date of passage. The report will be given to the Academic Senate. Concerns should be reported to the Dean of the SOM and cognizant Senior Vice-President.

Approved: Academic Senate (Date)

Approved: Board of Trustees (Date)

APPLICATION FOR PARENTAL LEAVE UNDER PPM 8-8.2 IN CONNECTION WITH BIRTH OR ADOPTION OF A CHILD

Please check appropriate boxes and complete blanks. The request for modified duties or for an extension to the pre-tenure probationary period or post-tenure review clock must be made within three months of the arrival of the child. A faculty member requesting modified duties should notify her or his department chair as soon as possible.

To: Department Chairman Faculty Name (please type) Department Date Copies to: Academic Dean and cognizant Senior Vice-President I hereby apply for parental leave with a modification of my duties, or extension of my tenure

clock, or both, under the School of Medicine's parental leave policy.

1. I am eligible for the parental leave policy which I request at this time
as a birth mother.
as the primary caregiver for my or my partner's newborn child or newly adopted child
(please complete the affidavit below).

2. The anticipated (or actual) date of arrival of my child is/was

I will be fully absent during the specified time period of
I request a modification of my duties for the specified time period of
I am not requesting a modification of my duties.

3. Requests to extend the tenure or post-tenure review clock must be made before external reviewers are solicited to begin a formal review or within three months after the arrival of the child, whichever is earlier.

I wish to extend my tenure or post-tenure review clock by one year.
I do not wish to extend my tenure or post-tenure review clock by one year.
I am not applying at this time, but may do so within the limits stated above.

4. My proposed salary distribution during this parental leave period is: Percent sick leave
Percent vacation leave
Percent "SOM Contribution leave

AFFIDAVIT OF ELIGIBILITY FOR FACULTY PARENTAL LEAVES OF ABSENCE

POLICY (COMPLETE IF APPLICABLE)

I attest that I will be providing the majority of child contact hours during my regular academic working

hours for a maximum of 12 weeks per occurrence (24 weeks total parental leaves of absence during employment at the SOM, apportioned in increments according to the faculty member/family unit).

Name (please type) Department

Signed Application date

Letter to Faculty Member from her/his Chairman

Date:

To: (Faculty Member) (Rank)

Your request for parental leave during the time period has been approved. *[If applicable:]* In addition, your request to extend the tenure review process also is approved.

The parental leaves period will be funded as follows: weeks of sick leave, weeks of vacation leave, and/or weeks of “SOM Contribution” leave. Please contact the Human Resources Office to discuss your individual benefits. Also, if you have extramural grant and/or contract funding, please contact the funding agency to obtain their policy for leaves of absence.

Sincerely yours,

(Department Chairman) cc: Cognizant Senior Vice-President