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Sent: Thursday, December 13, 2018 5:47 PM
To: Faculty-All; Staff-All
Subject: POLICY INFORMATION: Expanded Sick Leave/FMLA Policy

IMPORTANT POLICY INFORMATION

Dear Faculty and Staff:

This is to provide notice of an important institutional policy change associated with illnesses and other Family and Medical Leave Act (FMLA) occurrences. As an idea originally proposed by the WKU Staff Council, the new provision of policy provides for an additional allocation of paid sick/medical leave up to 225 hours (30 working days) during a qualified 12 week FMLA period for "staff employees".

There is also a corresponding policy change associated with "faculty employees". The revised policy will provide paid leave benefits to faculty members during an FMLA event. Under prior policy, faculty members were only continued in a paid status during illnesses/FMLA events associated with the faculty member (self).

For purposes of brevity and simplicity, provided below are the summarized policy modifications. These changes are effective immediately and will be officially integrated into the comprehensive FMLA policy in January 2019.

Policy Revisions Applicable to Staff Employees

- a. During any eligible FMLA period, eligible staff employees shall use accrued sick/medical leave in order to remain in a fully paid status.
- b. If accrued sick/medical leave is fully exhausted, employees are required to use any accumulated vacation leave in order to remain in a fully paid status.
- c. If accrued sick/medical leave and accrued vacation leave are fully exhausted, employees are eligible for an additional allocation of up to 225 hours of "extended paid sick/medical leave" during any eligible FMLA period.

Policy Revisions Applicable to Faculty Employees

General Provisions

The provisions of FMLA leave related to eligible faculty employees have been developed based on 1) the rights and responsibilities of the faculty member, 2) ensuring continuity of classroom instruction, 3) the best interests of the affected department/unit. By definition, faculty employees do not accrue sick/medical leave; these guidelines denote the circumstances for release time and pay continuance.

For determining eligibility, the following criteria shall be used:

1. The faculty member must have been employed in a part-time or full-time capacity for at least 12 calendar months prior to start of the FMLA leave. The waiting period is only applicable to FMLA events associated with covered family members. There is no waiting period for qualifying events related to a faculty member's own illness or incapacity.
2. A part-time faculty member must have worked at least 1250 hours during the 12 month period immediately preceding the requested leave. Hours worked shall be computed as follows: each credit hour equates to 2.25 hours of work per week

Faculty employees who meet the eligibility criteria shall remain in a fully paid status during any qualified FMLA period.

Extended Qualifying Leave

If a faculty employee is unable to return to active work at the end of an eligible FMLA period due to the faculty member's own illness or incapacity, the faculty member is eligible for continued paid leave for up to one academic semester. For a nine-month faculty member, the period May 15 through August 14 shall not be counted toward the one semester of eligible pay continuance.

The provision for pay continuance applicable to extended leave will only be granted when supported by sufficient medical documentation. Such documentation must be provided to the Department of Human Resources.

Should a faculty member have a qualifying condition after having exhausted the pay continuation guidelines, the faculty member may be eligible for disability or other benefits offered by the University or applicable retirement system.

Faculty Reporting Responsibilities

It is the responsibility of the eligible faculty member to request FMLA leave as provided by this policy as soon as possible on learning of the need for such leave in order to minimize the impact on classroom instruction. The request for leave must be presented in writing to the applicable department head/chair. The faculty member must also complete the designated FMLA request form as provided by the Department of Human Resources. The request for FMLA leave and any extended leave, will be reviewed by the Department of Human Resources based on the criteria described in this policy, and in consultation with the applicable department head/chair. The faculty member will be notified in writing of approval or disapproval.

Option to Extend the Tenure Probationary Period

A non-tenured faculty member may request an extension of the tenure probationary period in conjunction with an approved FMLA leave or extended qualifying leave as provided for in Academic Affairs Policy 1.1240.

The "existing" FMLA policy (not including revisions noted above) is available [here](#) for review as helpful.

Tony

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