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DEPARTMENT OF INDUSTRIAL AND SYSTEMS ENGINEERING, UW-MADISON

Procedure Number:	ISyE P 06.1
Subject:	Parental Leave in the Industrial Engineering Department
Date Issued:	11/15/2002
Supersedes:	None
Written by:	IE Chair
Approved by:	IE Executive Committee
Review/Approved Date:	11/15/2002

1. Purpose:

The purpose of the following procedure is to define the general policies, guidelines, and steps followed in the IE Department when working with individual faculty to ensure that his/her rights for parental leave are protected and implemented, while ensuring that the needs of the students are met. This procedure is necessary since parental leave policies and procedures currently vary for different employee groups and are not easily summarized by or implemented with current documentation at the UW-Madison campus level.

2. Scope:

This procedure applies to IE Faculty who are requesting a parental leave in an instructional environment. The procedure addresses the roles and responsibilities of the faculty member requesting the leave, the department chair, the department's, and the Dean's office in achieving parental leave agreements that ensure the faculty member's rights for parental leave are protected and implemented, while ensuring that the needs of the students are met.

3. Related Procedures and Other Documentation:

<u>Procedure No.</u>	<u>Description of Procedure</u>
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Other Documents

Specific information about eligibility requirements and a faculty member's rights under the Federal Family and Medical Leave Act (FMLA) and the Wisconsin Family and Medical Leave Act (WFMLA) can be found at the following web sites:

FMLA: <http://www.dol.gov/esa/whd/fmla/>

WFMLA: http://www.dwd.state.wi.us/dwd/publications/225e_28a.htm

A guidebook that helps explain an employee's options for dealing with family leave under the University's policies and federal/state laws can be found at the following web site:

<http://www.ohr.wisc.edu/polproced/fambroch.pdf>

4. Policy and Guidelines:

4.1 The UW-Madison Family-Related Leave Policies for Faculty, Academic Staff and Limited Appointees entitled "Balancing Family and Work" provides the following policy regarding **Paid Leave for Birth or Adoption:**

4.1.1 ***Sick Leave.*** Accumulated sick leave can be used for birth or adoption in the following three circumstances:

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1. When the faculty member's medical condition precludes work (the rule of thumb is that six weeks is generally the amount needed for a normal birth, but the actual amount needed varies by individual). *[This only applies to birth mothers.]*
2. When the condition of a child or spouse/partner requires the faculty member's direct care. *[This applies to all parents.]*
3. If eligible, a faculty member may use up to six weeks of accrued sick leave as "family leave" under the Wisconsin Family and Medical Leave Act (WFMLA) – no one need be ill. Family leave must be started within 16 weeks of birth or adoption (for 9-month employees, summer weeks off the payroll do not count towards the 16-week limit). The leave also may be taken, at the employee's option, on an intermittent or part-time basis so long as it does not create an undue hardship on the University. If used intermittently, the last segment of leave must begin within 16 weeks of birth or placement. *[This applies to all parents].*

NOTE 1: Full-time faculty are granted 22 days of sick leave at the start of employment and do not earn any more until after 18 months (or three semesters). Thereafter they earn 12 days of sick leave per year.

- 4.1.2 **Colleague Coverage.** A faculty member is eligible to use colleague coverage instead of sick leave under 4.1.1 numbers 1 and 2 when a colleague assumes their responsibilities without extra compensation.
- 4.2 The UW-Madison Family-Related Leave Policies for Faculty, Academic Staff and Limited Appointees entitled "Balancing Family and Work" provides the following University policy regarding **Unpaid Leave after Birth or Adoption:**
 - 4.2.1 A faculty member has the right to take a leave of absence without pay after any paid leave has ended. Those on 9-month appointments may take the rest of the semester in which the birth or adoption occurs and the entire following semester. The department and college may agree to other options, including partial leaves.
- 4.3 The IE Department supports and adheres to the spirit of the College of Engineering's Philosophy on Faculty Assignment following Childbirth or Adoption which states the following:
 - 4.3.1 The CoE has historically encouraged and supported departments in accommodating faculty members who were seeking flexibility in their departmental assignments following the birth or adoption of a child and encourages this tradition to continue. Providing an environment in which faculty members can thrive without concern that the birth or adoption of a child will jeopardize their career is critical for the faculty community.
 - 4.3.2 Assigning faculty member responsibilities consistent with UW policies [See 4.1 and 4.2 above] is the responsibility of departments, and department chairs are in the best position to assess the circumstances in their department. Specialized workload assignments, such as committee responsibilities, coordination of departmental seminars, curriculum redesign, new course development, or course redesign and preparation, are legitimate alternatives to in-class teaching, and can provide faculty members who have significant child care responsibilities greater flexibility in determining when and where they will perform their instructional duties as part of their overall mission of teaching and research in their discipline and department.
- 4.4 UW-Madison Faculty Policies and Procedures 5.21A states that *"the departmental executive committee has authority to make recommendations concerning faculty appointments, recruitment, leaves, nonretentions, dismissals, promotions, and salaries and other departmental budget matters, which are transmitted through the chair to the dean"*. Thus the Executive Committee should vote on the proposed parental leave plan defined by the IE Faculty member and the IE Chair. The IE

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Executive Committee cannot, however, contravene either the state or federal Family and Medical Leave Acts, or Regent Policies.

NOTE 2: The IE Department Chair is the agent of the IE Executive Committee for the purposes discussed in this document. References in the remainder of this document are to the Chair in that capacity.

- 4.5** The IE Chair, in conjunction with the Dean's office, has a two-fold responsibility:
- To work with the individual to ensure that his/her rights are protected and implemented; and
 - To ensure that the needs of the students are met.

4.6 In cases where the parental leave needs to address the question of "**To Teach or Not to Teach?**", it is the responsibility of the faculty member who will be absent or work only part-time for any significant portion of the semester to meet with the chair early on to discuss options to cover the teaching assignment(s) - at least three or four months ahead of time if at all possible. Although the faculty member and the chair should be discussing the options, it is ultimately the responsibility of the IE Executive Committee, in consultation with the Dean's office where applicable, to make the final decision.

5. Procedure:

5.1 Early on and at least three or four months ahead of time at which the leave is to be taken, the IE faculty member who wishes to take a parental leave contacts the IE Department Chair to initiate a discussion on their needs, intentions, and the options open to meet the needs of all parties concerned.

NOTE 3: Options that can be considered when a faculty member wishes to be relieved of assigned teaching and/or other assigned duties for purposes of parental leave include the use of accumulated sick leave (See 4.1.1) and specialized workload assignments of equivalent scope that have value to the IE Department. Such special workload assignments include but are not limited to:

- Additional committee responsibilities,
- Coordination of departmental seminars,
- Major curriculum redesign,
- New course development, or course redesign and preparation,
- Special assignments for the CoE that are "bought out" by the COE
- Other special assignments of value to the IE Department

NOTE 4: The normal workload for a full-time faculty member paid 100% on instructional funds is a minimum of twelve equivalent course credit hours of instruction each semester. Six equivalent course credit hours are normally allocated as "teaching" for an assignment of two group classroom sections per semester, and at least two individual instruction sections at the undergraduate and/or graduate level per semester. The other six equivalent course credit hours per semester are normally allocated as 3 credits of "research" and 3 credits of "service – both internal and external". The workloads proposed by faculty members may vary from this "normal allocation" due to planned teaching buyouts or reductions, sabbaticals, special assignments, and other factors as defined in steps 5.1 and 5.2 of IEP 05.1 – IE Merit and Salary Review Procedure.

5.2 The IE Chair and the IE Faculty member who wishes to take a parental leave meet and discuss the options as frequently as necessary in order to define an agreeable parental leave plan which best meets the needs of all parties.

5.2.1 If an agreeable parental leave plan is defined, then go to step 5.4.

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5.2.2 If an agreeable parental leave plan cannot be defined, then go to step 5.3.

5.3 The IE Chair meets with the IE Executive Committee to discuss the case and area(s) of disagreement, and to establish some guidelines and/or options to overcome the area(s) of disagreement. Go to step 5.2.

NOTE 5: While it is expected and strongly encouraged that a satisfactory parental leave plan will be defined at the departmental level, faculty members of course have the right to seek outside advice in defining an agreeable parental leave plan if necessary. For example, Section 8.15 of FP&P states that "A faculty member who believes that his/her rights have been violated or that he/she has been dealt with unfairly should first seek a mutually satisfactory resolution of the problem at the departmental level and then at the school or college level, unless the problem initially arises at a higher level. If a mutually satisfactory resolution cannot be found, the faculty member may bring the matter to the attention of the University Committee."

5.4 The IE chair documents the agreed upon parental plan, which is then signed and dated by both the IE Chair and the faculty member, and prepares to bring it to the IE Executive Committee for formal approval.

5.5 The IE Executive Committee meets to vote on a motion to approve the parental leave plan that has been established and agreed upon by the IE Faculty member wishing to take a leave and the IE Chair.

5.5.1 If the parental leave plan is approved by the IE Executive Committee, then go to step 5.7.

5.5.2 If the parental leave plan is not approved by the IE Executive Committee, then go to step 5.6.

5.6 The IE Executive Committee provides some guidelines and/or options to overcome the unacceptable issues in the currently defined parental leave plan. Go to step 5.2.

5.7 The IE Department Administrator maintains in the personnel file for the IE Faculty member the original signed and dated parental leave plan.

END OF PROCEDURE