

Contact: Tom Evans  
Marcia Brunson

**PROPOSED MODIFIED DUTIES POLICY FOR FACULTY AT THE  
UNIVERSITY OF IOWA**

**Actions Requested:** Consider approval of the University of Iowa Modified Duties proposal as a pilot program ending December 31, 2009, with a report back to the Board at the September 16-17, 2009, meeting covering the topics outlined below.

**Executive Summary:** At its June meeting the Board received a report from the University of Iowa concerning the proposed Modified Duties for Faculty Policy. Interim Provost Lopes explained over the years faculty who became parents had been able to modify their duties to provide more flexibility in the care of the new child. A university task force on gender equity found the use of modified duties was not consistent throughout the university and recommended a centralized policy be developed.

The proposed policy is attached as Attachment A. The essence of the policy is that an eligible faculty member may request her or his duties be modified in order to provide more flexibility for one semester within the first year after a young child enters the home. The semester of modified duties is not a leave. Faculty granted modified duties continue at 100% effort during the affected semester. Modified duties would usually involve moving effort from classroom teaching to scholarship, service or other teaching-related duties.

During the discussion at the June meeting, Board members asked to be able to review similar policies from peer institutions. Board members also asked for policies or practices from private sector employers. A summary chart of policies at peer institutions is included as Attachment B. The complete policies from peer institutions are included as attachments to this memo as follows:

- University of Arizona – “Temporary Alternative Duty Assignment” (Attachment E)
- University of California, Los Angeles – “Family Accommodations for Childbearing and Childrearing” (Attachment F)
- University of Illinois, Champaign-Urbana – “Modified Teaching Duties for Faculty Members with a New Child” (Attachment G)
- University of Michigan – “Modified Duties for New Parents” (Attachment H)
- University of Texas, Austin – “Modified Instructional Duties” (Attachment I)

Numerous contacts were made with private sector employers to investigate the kinds of policies and/or practices in place to accommodate the arrival of a child in the home. The results of these contacts may be found in Attachment C.

The university also provided some examples of flexible work arrangements made for new parents other than faculty – Attachment D.

It is recommended the Modified Duties Policy for faculty at the University of Iowa be approved as a pilot program ending December 31, 2009. If the University wishes to continue the policy beyond December 31, 2009, the policy will be reviewed at the September 16-17, 2009, meeting.

In order for the Board to meet its stewardship responsibilities, the University is asked to provide a report on the operation of the policy during the 2008-09 academic year. The report should address the following subjects:

- Effect on the courses that would have been taught by the participant – was course cancelled, postponed to another semester or taught by another ranked faculty member, graduate assistant or adjunct.
- Number of classes reassigned due to modified duties; was reassignment to graduate assistant, other ranked faculty member in the department or adjunct
- Number of classes cancelled or postponed due to modified duties
- Cost of adjunct to teach class
- Number of participants
- Gender and ethnicity of participants
- College and Department of participants
- Types of work accomplished to maintain 100% effort without teaching responsibilities – provide examples
- Explain how productivity is measured at the end of the period
- Number of faculty who have applied for modified duties for the fall 2009 semester or the spring 2010 semester

A modified duties policy proposal is in the discussion phase at Iowa State University. According to the Provost, it is anticipated the Board will be asked to consider the ISU policy in the spring for implementation at the beginning of the 2009 academic year.

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Provost Policy: Modified Duties for Faculty Members with a New Child  
Draft 7/21/08

The purpose of this policy is to address the difficulties involved when a faculty member is responsible for semester-long teaching responsibilities (or other types of responsibilities in some cases) after a new child enters the home. This policy enables the primary caregiver (or co-equal primary caregivers) of a new child to spend more time with the child in the first year the child is in the home.

Upon approval by the DEO and Dean, tenured and tenure track, and clinical track faculty members at the Assistant, Associate, and Full Professor rank, who have a new child (or children) in the home under the age of 6 will be granted a period of modified duties without a reduction in effort or salary. It is expected that the faculty member will work with the DEO and Dean to design the modified duties portfolio in a way that provides the desired flexibility with the least disruption to the teaching program of the department.

This program is not a leave. Faculty members on modified duties status will generally be relieved of teaching but will be expected to be fully employed by fulfilling their other professional responsibilities that can be scheduled around the bonding period such as preparation of research proposals, papers, and course materials; supervision of graduate student research; and, in most cases, academic service. If academic service expectations require frequent on-campus attendance, modifications may be negotiated as well.

For faculty members with significant direct clinical responsibilities, limited teaching obligations, or for whom teaching is integral to the provision of clinical care, other modifications will be provided appropriate to their circumstances.

During the period of modified duties, faculty members will be expected to remain in the community, in order to be available to their students and colleagues. Absences from the community require the usual approvals from the department and college.

Because the period of modified duties is not a leave, it is not subject to the requirement for payback. Eligibility for modified duties is in addition to any paid parental leave received by the faculty member.

The maximum period for which modified duties will be assigned is one semester, and the semester must fall within 12 months after the child enters the home. This limit applies even if more than one child has entered the home (as in the case of a multiple birth or the simultaneous adoption of more than one child). If both parents are in the same department, they would generally be expected to request modified duties in different semesters.

The department (and/or College) shall be responsible for arranging for coverage of direct teaching responsibilities for the period of modified duties.

Procedures

A faculty member who wishes to request modified duties status should make the request in writing to her or his DEO (or Dean in non-departmentalized colleges). The request must include (1) a statement that the faculty member is the primary, or a co-equal caregiver, (2) the date the child entered (or is estimated to enter) the home, and (3) a proposal describing the work to be done in place of the applicant's normal classroom responsibilities. This proposal should describe the work in detail, define a work product, and include a method of evaluation of the work by the DEO or Dean.

Informing the DEO as early as possible is important to identify alternate faculty to teach the affected courses if relevant, or to make arrangements for coverage of other duties. The request should generally be made no later than 3 months in advance of the affected semester or activities. When a request for modified duties status is approved by both DEO and Dean, the Dean will send a copy to the faculty member, the DEO, and the Office of the Provost.

SUI Peers Modified Duty for new parents policy status

Background:

University of Michigan Center for the Education of Women - 2007 National Survey of Higher Education Institutions  
31% of Doctoral Extensive schools have a written modified duties for new parents policy

School	Policy?	W/M Both	Pay	Duration	Funding source	Web site / comments
<i>SUI proposal</i>	Yes	Both	Full	One semester	Either college or provost	<i>(proposal attached to docket) Clinical faculty would be eligible.</i>
Arizona	Yes	Both	Full	One semester	College	<a href="http://web.arizona.edu/~uhap/chap8.html">http://web.arizona.edu/~uhap/chap8.html</a> see: 8.05 TEMPORARY ALTERNATIVE DUTY ASSIGNMENT Clinical faculty eligible.
Illinois	Yes	Both	Full	One semester	College	<a href="http://www.fs.uiuc.edu/cam/CAM/ix-ix-c/ix-c-45.html">http://www.fs.uiuc.edu/cam/CAM/ix-ix-c/ix-c-45.html</a> (CT n/a)
Indiana	Yes	Both	≤ 2/3	One semester	College	<a href="http://www.indiana.edu/~deanfac/acadguid/f.html#DOC-VII">http://www.indiana.edu/~deanfac/acadguid/f.html#DOC-VII</a> (CT n/a)
Michigan	Yes	Both	Full	One semester	College	<a href="http://www.hr.umich.edu/procedures/spg201-93.htm">http://www.hr.umich.edu/procedures/spg201-93.htm</a> Clinical faculty eligible.
U.C.L.A.	Yes	Both	Full	One semester	Provost	<a href="http://www.apo.ucla.edu/call/append25.htm">http://www.apo.ucla.edu/call/append25.htm</a> see: 760-28 Active-Service - Modified Duties Clinical faculty eligible.
U Texas	Yes	Both	Full	One semester	College	<a href="http://www.utexas.edu/policies/hoppm/05.B.01.html">http://www.utexas.edu/policies/hoppm/05.B.01.html</a> (CT n/a)
Minnesota	No					
UNC	No					
OSU	No					
Wisconsin	No					

Example of Iowa Corporations offering flexible work arrangements involving new parents. The larger Iowa employers are State of Iowa through Aegon; next listed are Iowa City and Cedar Rapids employers.

<b>Iowa Corporations</b>	<b>Individual</b>	<b>FWA Type</b>
State of Iowa, DAS, Des Moines	( 515-242-6143) Ed Holland	State of Iowa will approve an arrangement dependent upon needs of the work unit and job responsibilities of new parent
Principal Financial Group, Des Moines	515-247-6947 (Tammy)	Principal Financial Group will approve an arrangement dependent upon needs of work unit and job responsibilities  In addition and after FMLA is exhausted, new parent (mother or partner) can reduce work schedule temporarily to 50% and will continue to receive full-time accruals & health benefits.
Rockwell Collins, Cedar Rapids	319-295-5914 (Michelle Owens)	Rockwell Collins does not have a policy per se, but a philosophy. It is up to the manager/supervisor to consider a request. If the request can be accommodated dependent upon the need of the unit, it will be approved.
Blank's Children's Hospital/ Iowa Health System, Des Moines	800-843-4522 (Jana Rensch)	Voluntary Leave Policy – If an employee (woman/man) is about to be a new parent and is not eligible for FMLA, the employee may reduce hours or take a leave of absence with no loss to seniority or benefits. Departmental approval is required.  There is no organizational-wide policy per se. However, if a department is willing and agrees to an arrangement, the department can approve a request if viable based on business need.  Examples of past approved arrangements for new parents are: integrating FMLA and a reduced work schedule, thus lengthening FMLA; temporarily reducing work hours and integrating a flex time schedule (9:00 am to 3:00 pm); reducing hours temporarily; approving a unpaid leave temporarily during the summer to accommodate child care needs.

<p>Allied/Depositors Insurance Co, Inc., Des Moines</p>	<p>515-508-4467(Kerry Funk)</p>	<p>Allied Insurance does not have a policy in place. Exempt personnel can adjust work schedule to meet personal appointments or if worked later the previous evening.</p> <p>Infrequently, a few parents have worked from home on T/TH and then on-site M/W/F, but that in not the norm or really accepted.</p>
<p>Aegon, Cedar Rapids</p>	<p>319-355-2284 (Mitchell Levin) 319-355-6253 (Amy)</p>	<p>A newly created policy is parental Leave.</p> <p>Two weeks of paid leave above and beyond the normal PTO leave is offered to new parents. It runs concurrently to FMLA. The employee must have been employed 12 months and must be taken within the 12 weeks of birth or adoption.</p> <p>There is no formal flexible work arrangement program. Some departments permit arrangements on an individual. Aegon as an organization does not promote flexible work arrangements.</p>
<p>ACT, Iowa City</p>	<p>319 -337-1000 (Ellen Minchk)</p>	<p>Flextime is normally accommodated for new parents.</p> <p>Occasionally, a new parent requests a reduced/ part-time work schedule. It may be approved for a short-time period. Approval is dependent upon the department.</p> <p>Telecommuting is not permitted as a general option.</p>
<p>Mercy Hospital, Iowa City Iowa</p>	<p>319-339-0300</p>	<p>No centralized official flexible work arrangement policy exists for Mercy employees.</p> <p>If a new parent would like to request workplace flexibility such as reduced hours, telecommuting or compressed work week, approval is at the discretion of the supervisor/department manager and if the needs of the department can be met.</p>

NCS Pearson, Coralville	319-354-9200 (Christine)/358-4420	<p>Two weeks of paid leave above and beyond the normal sick/vacation leave is offered to new parents. It runs concurrently to FMLA. The employee must have been employed 12 months and must be employed 1,250 hours.</p> <p>Flexible work arrangements are offered to all employees and is approved based on needs of the unit and employee's position.</p>
VA, Iowa City	319-338-0581 (Michelle Brennan)	<p>Union has negotiated a contract of 16 weeks of FMLA (normal is 12 weeks).</p> <p>To assist with locating and scheduling children care, temporarily the work schedule can be modified. However, it is only temporary and it is expected that the employee will return to the original work schedule.</p> <p>A flexible week arrangement is possible, depending upon the need of the department. Requests are evaluated on a case by case basis.</p>
Mercy Medical Center, Cedar Rapids	319-398-6605 (Nicole Yeager)	<p>Mercy Medical Center has no formal policy in place.</p> <p>A flexible work arrangement can be approved based on needs of the unit and employee's position.</p>
Alliant Energy, Cedar Rapids	319-398-4411/call Madison	<p>There is a policy that if the caller does not know the name of the party or the extension, the caller is not put through.</p> <p>The individual that answered the telephone line said (a receptionist) that employees can modify work schedule as long as work is done.</p> <p>Not included in this are employees with customer service responsibilities who must staff a work station during specific hours.</p>
Douglas Pedersen, Flex Options for Women, DOL		<p>This organization has a contract with the US DOL Women's Bureau to promote workplace flexibility within Iowa. It appears the project is just getting off the ground. He has not worked with many organizations.</p>

**Flexible Work Arrangements for New Parents other than Faculty**

**UI's Flexible Work Arrangement Policy –**

In general, flexible work arrangements are promoted. There is a formal policy in place and resources. The approval or denial of the request is based on the need of the department, the capability of the staff member and the potential for success.

Examples of UI flexible work arrangements involving new parents

<b>College</b>	<b>FWA Type</b>	<b>Examples</b>
Liberal Arts & Sciences	Reduced Work Schedule/Part-time	A female employee was approved to have her work schedule reduced to 75% time during pregnancy; after birth, the work schedule was permanently reduced to 50%.
	Telecommuting	To assist the department with data entry and analysis during a busy work period, a telecommuting arrangement was integrated with FMLA/maternity leave.
UHL	Flextime	Employees are permitted to modify start and end times to coincide with child care.
	Telecommuting	To assist the department to meet state-wide customer need relative to training, a telecommuting arrangement was integrated with FMLA/maternity leave.
	Job Sharing	A new mother was permitted to job share to meet parenting needs
Library	Reduced Work Schedule/Part-time	To assist the department with a new computer system modification, a telecommuting arrangement was integrated with FMLA/maternity leave.
Law	Reduced Work Schedule	After exhaustion of FMLA for childbirth, a female employee was approved for a reduced work schedule to 50%.
	Telecommuting	A female employee on maternity leave wishes to extend FMLA during the month of July. She will return to work half-time July through a telecommuting agreement.
Education	Reduced Work Schedule	A female employee (new mother) returned to work 75% time. The 75% work schedule equaled: 50% on-site; 25% off site at home.

## University of Arizona - Temporary Alternative Duty Assignment

UNIVERSITY OF ARIZONA  
12-2002

### Keys:

Applies to all employees - language not specific to faculty, but, see FAQ

Men are included - 50% rule

Applies to caring for partner, child or parent who is ill

## 8.05 TEMPORARY ALTERNATIVE DUTY ASSIGNMENT

### 8.05.01 General

Rev. 9/2002

It is the University's intent to provide family-friendly policies and practices aimed at supporting employees to balance work and family life. Deans, directors, department heads, and other supervisors shall make every reasonable effort to accommodate the needs of employees, to the greatest possible extent, and in a manner consistent with the effective and efficient operation of the University.

Under this policy, eligible employees may request a period of up to 16 weeks during which the employee may receive a temporary assignment of alternative duties that will make it more feasible for the employee to remain on active employment at the University while affected by the following circumstances:

- the birth of the employee's child and to care for such newborn child;
- a child's placement with the employee for adoption or foster care; or
- the need to provide temporary care to the employee's spouse/domestic partner, child or parent who has a serious health condition.

During the period of temporary assignment of alternative duties, the full-time equivalency (FTE) will remain unchanged and the employee will be compensated at the same rate of pay for all hours worked. If the employee elects to temporarily reduce the number of hours worked in addition to the assignment of alternative duties, the employee shall use paid or unpaid leave (including any remaining Family and Medical Leave) for the absence portion. A supervisor may not impose this policy as a substitute for an employee's request for Family and Medical Leave due to a qualifying reason or when medical conditions restrict an employee's ability to work.

### 8.05.02 Eligibility

All appointed personnel and non-probationary regular classified staff employees who are regularly scheduled for at least 20 hours per week (.50 FTE) and are expected to be active for more than 6 months are eligible.

### 8.05.03 Procedure

Rev. 9/2002

The employee may apply for a temporary alternative duty assignment to his or her immediate supervisor, such as a department head, director, or unit administrator ("supervisor"). The application must include a statement signed by the employee attesting that the employee will be responsible for at least 50 percent of the care of the newborn, adopted, or foster child. The employee's request shall include the dates of the proposed period of alternative duty assignment, the proposed alternative duties, and any other arrangements that would be necessary in order to consider and implement the request. The employee shall request the period of reassigned duties as far in advance as possible, so that the unit will be able to accommodate the ensuing shift in responsibilities.

It is expected that the temporary alternative duties will be ones normally included in the employee's job description; however, the range of actual duties will be altered. Examples of temporary alternative duties may include: alternative work schedule, substitution of duties within the classification, project-specific work, and/or transportable work.

Approval of the temporary alternative duty assignment request is subject to the discretion of the supervisor in consultation with the unit administrator (dean, director, or department head). The supervisor shall consider the feasibility of the request within the circumstances of the affected work unit and whether it is in the best interests of the University. Such factors as availability and demands, potential for flexible scheduling in the particular position, and effect of the request on the unit's budget should be considered. The proposed dates of the temporary alternative duty assignment and details of the alternative duties must be approved by the supervisor.

The department shall maintain a copy of the employee's written request and the supervisor's response.

2) What is Family and Medical Leave (FML)?

- The Federal Family and Medical Leave Act of 1993 allows eligible employees to take a Family and Medical Leave (FML) for the birth and care of a newborn child, a child's placement with the employee for adoption or foster care, to care for the employee's spouse, child or parent who has a serious health condition or the employee's own serious health condition. An eligible employee may take up to 12 workweeks of FML during a "leave year" (the period of 12 months measured backward from the date the proposed leave is to begin).
- At the end of an FML absence, employees return to their former positions or to comparable positions at a rate of pay not less than the former rate.
- Employees are required to use accrued sick leave and shall be permitted to use accrued vacation, if the employee so chooses. For additional leave beyond 12 work weeks, employees may request the use of any accrued paid leave or unpaid leave, subject to approval by the responsible administrator.
- Eligible employees are those who a) have at least 12 months of cumulative service and have worked at least 1,250 hours at the University during the 12 month period preceding the date their FML is to begin; b) have a qualifying reason; and c) have a remaining balance of FML. (See <http://w3.arizona.edu/~uhap/chap8.html#8.04.06>>UHAP Chapter 8.04</a> for more information.

II. BIRTH / ADOPTION / FOSTER CARE

1) I am pregnant OR I will be adopting or having a child placed with me for foster care. What are my options for leave or modified duties?

You have many options, and, depending on your circumstances, you may use any or all of the following?

- Under the TADA policy, you may receive an assignment of temporary duties for a period of up to 16 weeks which will make it more feasible for you to remain on an active employment status during pregnancy, childbirth, infant care, or a child's placement with you for adoption or foster care. During this period, you will continue to be compensated at your regular salary rate for all hours worked. If you reduce the active percentage of your appointment, the nonactive percentage must be designated as paid or unpaid leave (may include FML). (See <http://w3.arizona.edu/~uhap/chap8.html#8.05>>UHAP Chapter 8.05</a> )
- 2) My partner is pregnant OR we are adopting or having a child placed in our home for foster care. What are my options for leave or modified duties?

- Under the TADA policy, you may apply for a modified duty assignment if you will be responsible for at least 50% of the care of your child. You must sign a statement to this effect.
  - If eligible, you may take FML for the birth and care of your child or a child's place in your home for adoption or foster care.
- 3) I am/my partner is pregnant or we have a child being placed with us for adoption or foster care and we are both University of Arizona employees. May we both use FML and TADA?
- When you and your spouse are employed by the University and are eligible for FML, the total number of work weeks of leave for birth, adoption and foster care is limited to 12 work weeks combined.
  - If both you and your partner are University employees and are eligible for TADA, you may both apply to your immediate supervisor(s) for TADA. If you and your partner are in different departments, it should be possible to make some arrangement for both of you to benefit from the TADA policy. If you and your partner are in the same department, however, the particular needs and circumstances of that unit must be considered carefully so as not to cause hardship to the department in question. In either case, the approval of TADA is at the discretion of the supervisor.
- 4) How many times can my partner or I take a leave or childbirth or adoption or foster care?
- There is no specified limit to the number of times an eligible employee may request a Temporary Alternative Duty Assignment. The Family Medical Leave Act allows for a total of 12 workweeks in a 12 month "leave year."
- 5) What are my options if my child is born or adopted or placed for foster care in the middle of the semester?
- You may, if otherwise eligible, request FML.
  - You may apply for TADA if you will be responsible for at least 50% of the care of the child and if the request is made as far in advance as possible. It is advisable for you to inform your immediate supervisor when placement plans for adoption or foster care are underway. It would be helpful to have a back-up plan in the event that placement occurs earlier or later than anticipated.
- 6) What are my options if my child is born or adopted or placed for foster care during the summer?
- If you are on a fiscal appointment or are working during the summer, you may apply for FML or TADA.
  - If you are on an academic appointment, you may apply for FML or TADA for the upcoming fall semester if otherwise eligible.

7) Should pregnancy-related complications develop during the semester, what accommodations are available for teaching coverage?

- You and your department should work together to determine how your classes will be covered. Ultimately, as with any unexpected illness, the responsibility to find coverage will fall to your department.
- If you are unable to work due to medical incapacity, then you have the right to take any FML for which you are eligible.

### III. FAMILY ILLNESS

1) Can I apply for TADA or FML to take care of my elderly parents? My partner? My child who is chronically sick with a serious illness?

- Under FML, you may request a period of up to 12 weeks leave in a 12 month "leave year" in order to take care of a parent, spouse or child with a serious health condition. (See the University's FML policy at <http://w3.arizona.edu/~uhap/chap8.html#8.04.06> UHAP 8.04.06 for the definition of a "serious health condition.") If you request FML, your immediate supervisor must grant it if you meet the eligibility requirements and properly request the leave.
- Under the TADA policy, you may apply for leave or modified duties for a period of up to 16 weeks to care for a spouse or partner, child, or parent with a serious health condition as defined in the FML policy (see above.)

2) What are my options if my child becomes ill and my regular childcare arrangements cannot accommodate illness?

- You may request FML if you are otherwise eligible and if your child's illness meets the definition of "serious health condition," as described above.
- You may apply for TADA if you will be responsible for at least 50% of the care of your seriously ill child.
- If your child suffers a routine childhood illness or ailment, there is a University-subsidized arrangement called <http://lifework.arizona.edu/> "Sick Child Home Health Care" offered through the Human Resources <http://lifework.arizona.edu/> Life & Work Connections unit. This service provides a trained child care provider who will come to your home to care for your sick child. In addition, you are also eligible to use any earned sick leave you may have to stay home and care for your child.

### IV. HOW TO APPLY FOR TADA ER FML

1) Whom do I contact first to apply for leave or alternative duties for childbirth, adoption or foster care? At what point should I contact him or her?

- In the case of TADA, you should apply to your immediate supervisor. The application must include a statement signed by you attesting that you will be

responsible for at least 50% of the care of your child. You must request the period of reassigned duties as far in advance as possible, so that the unit will be able to accommodate the ensuing shift in responsibilities.

- You must apply for FML in writing to your immediate supervisor at least 30 days in advance of the birth of the child (or of the adoption or foster care placement), when foreseeable.
- 2) How do I formalize my options for leave/modified duties during pregnancy or adoption? What is the time-frame for doing so?
- Your options are formalized through discussion with your immediate supervisor. Whether you opt to apply for TADA or to enact your FML, you must submit your request to your supervisor as far in advance as possible (see above answer and UHAP 10.12; 8.04.06).

#### V. WORK ASSIGNMENTS AND OTHER RELATED ISSUES

- 3) What are my duties if I elect to request a Temporary Alternative Duty Assignment (TADA)? Faculty meetings? Committee work? Research?
- Your duties are to be negotiated with your immediate supervisor as far ahead as possible. The TADA policy states that "deans, department heads, and other supervisors shall make every reasonable effort to accommodate the needs of employees, to the greatest possible extent, and in a manner consistent with the effective and efficient operation of the University." Examples of temporary alternative duties may include such items as: alternative work schedule, substitution of duties within the classification, project-specific work, and / or transportable work. For example, faculty members with standard assignments of 40% teaching, 40% research, and 20% service have requested alternative duty assignments of 80% research and 20% service, with the details of such assignments documented. Such arrangements have generally proven to be satisfactory to all parties involved: the employee, the supervisor, and the department in question.
- 4) If mutual satisfaction is not reached in these discussions, what are my options?
- If mutual satisfaction is not reached, you may seek advice from the Association for Women Faculty Family Care Issues Committee (the authors of this booklet), a Human Resources-Employee Relations consultant, and / or your supervisor's administrator.
- 5) I am concerned that taking either FML or TADA will influence my future workload or relationship with my colleagues. How can this concern be addressed?
- Since taking FML or TADA is your right as a University employee, you should not be placed in a position where you feel that your decision to exercise that right has negatively influenced your relationships or the evaluation of your

work performance at The University of Arizona. By the same token, it is advisable for you to do your best to fulfill the obligations agreed upon in consultation with your supervisor (for alternative duties in particular), to ensure fairness to the department.

- 6) What if I encounter complications in my work environment when requesting TADA or FML?
- A supervisor may not impose the TADA policy as a substitute for your request for FML due to a qualifying reason or when medical conditions restrict your ability to work. The Federal Family and Medical Leave Act prohibits any University employee or supervisor / administrator from interfering with, restraining, or denying the exercise of any right provided under FML.
  - If you have any further questions or concerns in this regard, contact campus resources such as AWF Committee on Family Care Issues, the Committee on Academic Freedom and Tenure, or Human Resources.

#### VI. COMPENSATION

- 1) If I use TADA or FML, will there be a change in my compensation?
- If you elect to apply for TADA, you have full compensation during the period of up to 16 weeks, if the same number of hours are worked. If you elect to reduce the number of hours worked in addition to the assignment of alternative duties, you will use paid or unpaid leave (including any remaining FML) for the absence portion. Your FTE will remain unchanged in either case.
  - While on FML, you must use accrued sick leave first and shall be permitted to use accrued vacation leave if you so elect (UHAP 8.02.01). Any remaining absence would be unpaid.
- 2) Am I responsible for finding a substitute to cover my classes and must I pay him/her?
- If a child is born during a semester when you have teaching responsibilities, you should work with your department head or supervisor in making arrangements for coverage of the class. Under no circumstances should you pay for the substitute to teach your classes. You may request FML or TADA to cover such a situation. The TADA policy stresses that deans, directors and department heads should make every reasonable effort to accommodate the needs of the employees and that flexible and creative applications should be explored.
- 3) Am I eligible for disability benefits during pregnancy?

- It depends on the type of insurance and disability coverage you have. Check with Human Resources Benefits (tel. No. 621-3662) for more information about your coverage.

VII. TENURE CLOCK STOPPAGE

- 1) May I delay my tenure clock for the birth or adoption of a child?
  - You may delay the tenure clock twice within the six successive years of a tenure-eligible appointment (see UHAP 3.12.01 and 4.10.13).
- 2) What is the procedure for delaying the tenure clock?
  - You must submit a written notice to the department head no later than one year subsequent to the date of the birth or adoption.
- 3) How are the department-level second-and/or fourth-year reviews affected if I delay my tenure clock?
  - If the birth or adoption occurs during the summer / semester immediately prior to the semester in which the scheduled department-level review is to take place, then the review will take place the following year.
  - If a request (approved by department head, dean, and provost) for a delay has been submitted prior to departmental consideration of the candidate, then the review will take place the following year.
- 4) If I delay my tenure clock, do I have additional scholarship and/or service requirements?
  - There are no additional requirements.
- 5) How many times may I delay my tenure clock?
  - Twice during the tenure-eligible appointment period
- 6) Does the policy to delay tenure clock vary from college to college?
  - No, this is a University-wide policy.
- 7) If I do delay the tenure clock, may I later change my mind and stand for tenure in the year that I would have (i.e., had I not delayed the clock)?
  - Yes. It would be wise, however, to check with your individual unit regarding the advisability of this choice in your particular circumstances

U.C.L.A. - Active service-modified duties

Thursday, June 17, 2020  
4:44 PM

BENEFITS AND PRIVILEGES  
Family Accommodations for Childbearing and Childrearing

APM - 760

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Family Accommodations for Childbearing and Childrearing

760-0 Policy

Family accommodation policies for childbearing and childrearing responsibilities are fundamental to an equitable and productive academic environment. The University of California's family accommodation policies and programs assist faculty and other academic appointees in balancing the needs of work and family.

760-8 Types of Family Accommodations for Childbearing and Childrearing

- a. Childbearing leave with or without pay (APM - 760-25)
- b. Parental leave without pay (APM - 760-27)
- c. Active service-modified duties (APM - 760-28)
- d. Part-time appointment and reduction in percentage of time of an appointment to accommodate family needs (APM - 760-29)
- e. Stopping the clock for the care of a child or children (APM - 760-30)
- f. Personnel reviews (APM - 760-31)

APM - 760 – Charts I, II, III, and IV illustrate the interaction of childbearing leaves, periods of active service-modified duties, and parental leaves pursuant to University policy, the Federal Family and Medical Leave Act (FMLA), the California Family Rights Act (CFRA), and the California Fair Employment and Housing Act (FEHA) provisions on pregnancy disability leave.

760-25 Childbearing Leave

a. Description and Eligibility

An academic appointee who bears a child is eligible for childbearing leave for the period prior to, during, and after childbirth. Childbearing leave shall consist of time an appointee is temporarily disabled because of pregnancy, childbirth, or related medical conditions. Leave for childbirth and recovery normally will be for at least 6 weeks; more time may be necessary for medical reasons. Consistent with the FEHA, if an academic appointee is disabled because of pregnancy, childbirth, or related medical conditions she is eligible

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to take an unpaid childbearing leave ("pregnancy disability leave") for up to 4 months during the period of actual disability. During a childbearing leave, no duties shall be required by the University. Childbearing leave need not be taken in one continuous period of time but may be taken on an intermittent or reduced schedule basis when medically necessary.

An academic appointee may be eligible for employer-paid Short-Term Disability Insurance Plan benefits and, if enrolled, for employee-paid Supplemental Disability Insurance Plan benefits if unable to work because of her physical condition. Before disability benefits under either the Short-Term or Supplemental Disability Insurance Plan can begin, an appointee who accrues sick leave must use accrued sick leave in accordance with the terms of the plan.

b. **Pay Status**

An academic appointee is eligible for childbearing leave regardless of the length of her University service. Pay status during childbearing leave shall be based on the following provisions:

- (1) An academic appointee who accrues sick leave or vacation leave credit may, at her option, use such accrued leave credit in lieu of taking childbearing leave without pay.
- (2) A member of the Academic Senate will receive at least her approved base salary for up to 6 weeks while she is unable to perform her normal University obligations. Any additional compensation under the Health Sciences Compensation Plan shall be paid in accordance with campus policies.
- (3) A non-Senate academic appointee who does not accrue sick leave and who has served in her title or any other UC academic title for at least 12 consecutive months will receive at least her approved base salary for up to 6 weeks while she is unable to perform her normal University obligations. Any additional compensation under the Health Sciences Compensation Plan shall be paid in accordance with campus policies.
- (4) A non-Senate academic appointee who does not accrue sick leave and who has not served in her title or any other UC academic title for at least 12 consecutive months will receive at least her approved base salary for approximately the period which would be accrued during the appointment in accordance with the accrual rates in APM - 710-18. Any additional

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compensation under the Health Sciences Compensation Plan shall be paid in accordance with campus policies. If additional leave is needed, leave without pay will be granted for the necessary period in accordance with applicable University policy.

c. Accommodation of Pregnancy

As an alternative to or in addition to a childbearing leave, the University shall temporarily modify a pregnant appointee's position or transfer her to a less strenuous or hazardous position upon request if medically necessary and if the temporary modification or transfer can be reasonably accommodated. This temporary modification or transfer shall not be counted against an eligible academic appointee's entitlement to up to 4 months of childbearing leave ("pregnancy disability leave" under the FEHA) or family and medical leave unless the modification has taken the form of intermittent leave or a reduced work schedule.

d. Interaction with Family and Medical Leave Entitlement

If an academic appointee on a childbearing leave also is eligible for family and medical leave (see APM - 715), up to 12 workweeks of the childbearing leave shall run concurrently with family and medical leave under Federal law. At the end of a childbearing leave (which may extend up to 4 months if the individual is certified disabled by her health care provider), an eligible appointee also is entitled to up to 12 workweeks of unpaid leave consistent with the CFRA to care for her newborn child, if the child has been born by this date, or for any other covered reason except pregnancy or pregnancy-related medical conditions, if the appointee has any remaining FMLA/CFRA leave entitlement.

An academic appointee on family and medical leave, with or without pay, shall be entitled to continue participation in health coverage (medical, dental, and vision) as if on pay status for a period of up to 12 workweeks during a calendar year. However, the University will not continue to make employer contributions to health plan premiums for a CFRA leave if it has already done so for 12 workweeks granted under the Federal FMLA. Other group insurance coverage and retirement benefits shall be administered in accordance with the provisions of the applicable group insurance and retirement system regulations. Local Benefits Offices will provide information on how to continue insurance coverage.

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760-27 Parental Leave Without Pay

a. **Description and Eligibility**

An academic appointee is eligible for a full-time or part-time parental leave without pay for up to one year to care for a child. The child may be the appointee's child or that of a spouse or domestic partner. Accrued vacation may be substituted in lieu of unpaid parental leave.

b. **Interaction with Family and Medical Leave Entitlement**

An academic appointee who is eligible for family and medical leave (see APM - 715) shall be granted an unpaid leave to care for a newborn child or a child newly placed for adoption or foster care. Up to 12 workweeks of the parental leave shall run concurrently with family and medical leave. Parental leave under State and Federal law has the following additional obligations and benefits.

(1) **Timing**

Parental leave granted pursuant to the FMLA and/or the CFRA must be concluded within 12 months following the child's birth or placement.

(2) **Effect on Benefits**

An academic appointee on a family and medical leave, with or without pay, shall be entitled to continue participation in health coverage (medical, dental, and vision) as if on pay status for a period of up to 12 workweeks during a calendar year. Other group insurance coverage and retirement benefits shall be administered in accordance with the provisions of the applicable group insurance and retirement system regulations.

An appointee on a parental leave not covered by State or Federal family and medical leave law is responsible for the continuation of benefits during any unpaid portion of the leave. Details are available from local Benefits Offices.

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760-28 Active Service-Modified Duties

a. Description and Eligibility

Active service-modified duties is a period during which normal duties are reduced so that an academic appointee may prepare for and/or care for a newborn child or a child under age five newly placed for adoption or foster care. To be eligible for active service-modified duties, an academic appointee must be responsible for 50 percent or more of the care of a child. The child may be the appointee's child or that of a spouse or domestic partner. An appointee is eligible for a period of active service-modified duties for each event of birth or placement. The birth or placement of one or more children at the same time constitutes a single event of birth or placement. Eligibility for a period of active service-modified duties shall normally extend from 3 months prior to 12 months following the birth or placement.

An academic appointee who is a birth mother and who has a full-time appointment for at least one full academic year (three quarters or two semesters) is eligible for a total period of childbearing leave plus active service-modified duties of two quarters (or two semesters) to enable her to recover fully from the effects of pregnancy and childbirth and to prepare for and/or care for the newborn child. If she gives birth during the summer or an off-duty term, she is eligible for a total period of active service-modified duties of two quarters (or two semesters).<sup>1</sup>

All other academic appointees are eligible for a total period of childbearing leave plus active service-modified duties of one quarter (or one semester).<sup>1</sup>

An academic appointee shall provide notice to the department chair or unit head of the need for a period of active service-modified duties. The notice must include a written statement by the appointee certifying that he or she is responsible for 50 percent or more of the care of a newborn child or a child under age five newly placed for adoption or foster care. The proposed modifications should then be discussed with the appointee and are subject to approval by the Dean and/or Chancellor. During a period of active service-modified duties, the appointee is on active service and is expected to perform

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<sup>1</sup> Paragraphs footnoted do not apply to Health Sciences Compensation Plan faculty members; see APM - 760-28-c for relevant provisions.

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some portion of his or her normal duties. A period of active service-modified duties is not a leave of absence.

For ladder-rank faculty, the modification of duties normally will be either partial or full relief from teaching without the assignment of additional teaching duties before or after to offset the teaching relief. In the quarter or semester of a childbearing leave, there must be full relief from teaching duties. For other eligible faculty who primarily have teaching duties, the modification of duties normally will be partial teaching relief or the assignment of additional resources such as teaching assistants or readers, as appropriate. For all other eligible academic appointees, the modification of duties normally will be a reduced workload (see APM - 760-28-b(2)).<sup>1</sup>

b. **Pay Status**

Pay status during a period of active service-modified duties shall be based on the following provisions:

- (1) A faculty member will continue to receive his or her regular monthly salary.<sup>1</sup>
- (2) An academic appointee who accrues sick leave shall use such accrued sick leave credit in proportion to the reduced workload. When sick leave credit has been exhausted or for those non-faculty academic appointees who do not accrue sick leave, pay will be reduced in proportion to the reduced workload. A reduction in appointment percentage may affect an appointee's health and welfare and retirement benefits.

c. **Provisions for Health Sciences Compensation Plan Faculty Members**

During a period of active service-modified duties, faculty who are members of the Health Sciences Compensation Plan with clinical responsibilities may reduce clinical duties in lieu of teaching relief, as appropriate. At a minimum, Health Sciences Compensation Plan faculty members are eligible for a total period of childbearing leave plus active service-modified duties of up to one quarter (or one semester) for each event of birth or placement for adoption or foster care. For a Health Sciences Compensation Plan faculty member who is a birth mother, an additional quarter (or semester) of active service-modified

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<sup>1</sup> Paragraphs footnoted do not apply to Health Sciences Compensation Plan faculty members; see APM - 760-28-c for relevant provisions.

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duties to enable her to recover fully from the effects of pregnancy and childbirth and to prepare for and/or care for the newborn child may be approved in accordance with campus policies. During a period of active service-modified duties, a Health Sciences Compensation Plan faculty member will receive pay no less than his or her approved base monthly salary. Any additional compensation under the Health Sciences Compensation Plan shall be paid in accordance with campus policies.

**760-29 Part-Time Appointment and Reduction in Percentage of Time of an Appointment to Accommodate Family Needs**

Academic appointees may be eligible for appointment to a part-time position or may be eligible to reduce their percentage of time of an appointment from full time to part time for a specified period of time or permanently to accommodate family needs. The Chancellor has authority to approve such appointments. Members of the Health Sciences Compensation Plan who reduce the percentage of time of their appointment remain under the same terms of the Plan during the period that their appointment is reduced (see APM - 670). For provisions regarding part-time appointments in the Professor series, see APM - 220-10, -16-c, -16-d, -18-b, and Appendix B.

**760-30 Stopping the Clock for the Care of a Child or Children**

- a. An academic appointee may stop the clock during the probationary period to care for a newborn child or a child under age five newly placed for adoption or foster care. To be eligible to stop the clock, an appointee at the Assistant level must be responsible for 50 percent or more of the care of a child. The child may be the appointee's child or that of the appointee's spouse or domestic partner. The clock may be stopped for up to one year for each event of birth or placement; provided that all time off the clock totals no more than two years in the probationary period. The birth or placement of one or more children at the same time constitutes a single event of birth or placement. An appointee is eligible to stop the clock even if the appointee does not take a formal leave or have a modification of duties. (See APM - 133-17-h.)
- b. An academic appointee must provide notice of his or her intent to stop the clock within two years of a birth or placement and before July 1 of the academic year in which a promotion review is to occur. Each notice must include a written statement by the appointee certifying that he or she is responsible for 50 percent or more of the care of the child or children.

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- c. The clock may not be stopped after July 1 of the academic year in which a promotion review is to occur or in cases where there has been a review that has resulted in a decision not to continue the individual's appointment.
- d. Stopping the clock will not delay the timing of a merit or reappointment review. However, academic appointees may request to defer a formal appraisal or promotion review by one year to correspond with the stopping of the clock in accordance with campus policies.

760-31 Personnel Reviews

An academic appointee at the Associate level or above may request deferral of a personnel review to accommodate family needs in accordance with campus policies.

Academic appointees shall not be arbitrarily disadvantaged in their promotion, advancement, or compensation because they have elected to take a childbearing or parental leave, to stop the clock, or to defer a personnel review. Personnel reviews that are deferred due to a family accommodation as defined in APM - 760 should be treated procedurally in the same manner as personnel reviews conducted at the usual intervals. The file shall be evaluated without prejudice as if the work were done in the normal period of service and so stated in the department chair's or unit head's letter.

760-35 General Provisions

a. Notice

When academic appointees are aware that they will need to take a childbearing or parental leave or to participate in a period of active service-modified duties, they should provide sufficient advance notice to allow their department or unit to make replacement teaching and other arrangements. At a minimum, 30 days advance notice should be given.

b. Duration

- (1) The aggregate duration of all leaves plus periods of active service-modified duties may not exceed one year for a single event of birth of a child or of placement of a child under age five for adoption or foster care. The child may be the appointee's child or that of a spouse or domestic

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partner. The birth or placement of one or more children at the same time constitutes a single event of birth or placement.

- (2) An academic appointee is not eligible for a childbearing leave, a parental leave, a family and medical leave, or a period of active service-modified duties beyond the established end date of the appointment. If the appointment is renewed or extended, or if a subsequent appointment is made, the appointee may continue a leave or period of active service-modified duties provided the maximum time allowed for such accommodation(s) has not been used.

c. **Effect on the Eight-Year Limitation of Service of Assistant Level Appointees**

Any childbearing or parental leave which is equal to or exceeds one semester or one quarter and which is not greater than one year, whether with or without salary, shall automatically be excluded from service toward the eight-year limit unless the academic appointee informs the department chair or unit head in writing before, during, or within one quarter or semester after the leave that it should not be excluded from service toward the eight-year limit. Exclusion of one or two quarters or one semester will not necessarily delay the timing of a review. (See APM - 133-17-g(3).)

A period of active service-modified duties is not a leave of absence and is included as service toward the eight-year limit.

For determining years toward the eight-year limitation of service, the combined total of periods of leave for family accommodations, other leaves unrelated to academic duties, and time off the clock may not exceed two years.

d. **Sabbatical Leave Credit**

An academic appointee does not accrue sabbatical leave credit during a childbearing leave with pay for one quarter or semester or more, or during a childbearing or parental leave without pay (see APM - 740-11-h(3) and (4)). During a period of active service-modified duties, an appointee accrues credit toward sabbatical leave in accordance with standard accrual provisions (see APM - 740-11). In order for an individual to accrue sabbatical leave credit, service must be at half time or more (see APM - 740-11-a, -b, and -c).

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c. Reinstatement Following Childbearing or Parental Leaves

- (1) If an appointee takes a childbearing leave consistent with State law, she shall be reinstated to the same position if she returns to work within 4 months and immediately following termination of the childbearing leave. If a non-Senate academic appointee would have been laid off or terminated had she remained on pay status during the leave period, reinstatement shall be to a similar position at the same location. If a similar position is not available, she shall be afforded the same considerations afforded to other non-Senate academic appointees who are laid off or terminated pursuant to the provisions of APM - 145, Non-Senate Academic Appointees/Layoff and Involuntary Reduction in Time; APM - 150, Non-Senate Academic Appointees/Corrective Action and Dismissal; or applicable Memorandum of Understanding.
- (2) If an appointee takes a parental leave, the appointee shall be reinstated to the same or an equivalent position if he or she returns to work immediately following termination of the parental leave. If a non-Senate appointee would have been laid off or terminated had the appointee remained on pay status during the leave period, the appointee shall be afforded the same considerations afforded to other non-Senate academic appointees who are laid off or terminated pursuant to the provisions of APM - 145, Non-Senate Academic Appointees/Layoff and Involuntary Reduction in Time; APM - 150, Non-Senate Academic Appointees/ Corrective Action and Dismissal; or applicable Memorandum of Understanding.
- (3) Appointees whose appointments have a definite end date are not entitled to a leave or continuation of appointment beyond the end date of that appointment.

f. Records

Chancellors shall assure that appropriate records are maintained for appointees who utilize a family accommodation as defined in APM - 760.

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760-37 Related Policies

For related policies, refer to the Academic Personnel Manual sections listed below:

- a. APM - 133-17, Computation of Years of Service (see APM - 133-17-g, -h, -i, and -j for provisions on leaves, stopping the clock, and personnel reviews that are deferred due to a family accommodation as defined in APM - 760)
- b. APM - 210-1, Instructions to Review Committees Which Advise on Actions Concerning Appointees in the Professor and Corresponding Series (see APM - 210-1-c(4) for provisions on assessment of evidence)
- c. APM - 220, Professor Series (see APM - 220-10, -16-c, 16-d, 18-b, and Appendix B for provisions on part-time appointments, reductions in percentage of time of an appointment, and personnel reviews that are deferred due to a family accommodation as defined in APM - 760)
- d. APM - 670, Health Sciences Compensation Plan and Guidelines on Occasional Outside Professional Activities by Health Sciences Compensation Plan Participants
- e. APM - 710, Leaves of Absence/Sick Leave
- f. APM - 715, Leaves of Absence/Family and Medical Leave
- g. APM - 730, Leaves of Absence/Vacation

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CHART 1

BENEFITS AND PRIVILEGES  
Family Accommodations for Childbearing and Childrearing

Interaction of Childbearing Leave, Period of Active Service-Modified Duties, and Parental Leave for Faculty Members Who Are Birth Mothers

FACULTY MEMBERS WHO ARE BIRTH MOTHERS					
Applicable Policy/Act	First 4 Weeks (4)	Second 4 Weeks (8)	Third 4 Weeks (12)	Fourth 4 Weeks (16)	More Than 16 Weeks
Childbearing Leave (APM - 760-25-a and -25-b)	Up to 6 weeks paid childbearing leave as certified by health care provider. Runs concurrently with FMLA leave. See APM - 760-25-b for pay status.				
Active Service-Modified Duties (APM - 760-28)	An appointee who has a full-time appointment for at least 1 full academic year (3 quarters or 2 semesters) is eligible for a total period of childbearing leave plus active service-modified duties of 2 quarters (or 2 semesters). * If she gives birth during the summer or an equivalent off-duty term, she is eligible for a total period of active service-modified duties not to exceed 2 quarters (or 2 semesters). * All other appointees are eligible for a total period of childbearing leave plus active service-modified duties of 1 quarter (or 1 semester). * See APM - 760-28-b for pay status. *				
Pregnancy Disability Leave (PDL) under California Fair Employment and Housing Act (FEHA), if eligible (APM - 760-25-a)	*See APM - 760-28-c for relevant provisions for Health Sciences Compensation Plan faculty members. Up to 4 months unpaid leave during the period of actual disability. Runs concurrently with childbearing leave and FMLA leave.				
Family and Medical Leave Act (FMLA), if eligible (APM - 715 and 760-25-d)	Up to 12 workweeks unpaid leave during a calendar year. Employer continues health coverage contributions. Runs concurrently with childbearing leave and PDL.				
California Family Rights Act (CFRA), if eligible (APM - 715 and 760-25-d)	Up to 12 workweeks unpaid leave during a calendar year to care for her newborn child. No employer-paid benefits once FMLA entitlement is exhausted. CFRA leave does not run concurrently with PDL. CFRA leave may run concurrently with FMLA leave if appointee has any remaining FMLA leave entitlement.				
Parental Leave (APM - 760-27-a)	Up to 1 year full-time or part-time unpaid parental leave. Runs concurrently with CFRA leave. CFRA leave may run concurrently with FMLA leave if appointee has any remaining FMLA leave entitlement.				

Note: Fiscal-year faculty may substitute accrued vacation leave for unpaid childbearing and childrearing leaves under the provisions of APM - 715, 750, and 760, FMLA, PDL, and CFRA. The aggregate duration of all leaves and periods of active service-modified duties may not exceed one year.

UC employ or another employer-paid disability plans may provide additional benefits. Contact local Academic Personnel or Benefits Office for information about these plans.

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CHART II

BENEFITS AND PRIVILEGES  
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Interaction of Period of Active Service-Modified Duties and Parental Leave for Faculty Members Except Birth Mothers

FACULTY MEMBERS EXCEPT BIRTH MOTHERS				
Applicable Policy/Law	First 4 Weeks (4)	Second 4 Weeks (8)	Third 4 Weeks (12)	Fourth 4 Weeks (16)
Active Service-Modified Duties (APM - 760-28)	A period of active service-modified duties of 1 quarter (or 1 semester)*. See APM - 760-28-b for pay status.* *See APM - 760-28-c for relevant provisions for Health Sciences Compensation Plan faculty members.			
Family and Medical Leave Act (FMLA), if eligible (APM - 715 and 760-27-h)	Up to 12 workweeks unpaid leave during a calendar year to care for a newborn child or child newly placed for adoption or foster care. Employer continues health coverage contributions. Runs concurrently with CFRA leave.			
California Family Rights Act (CFRA), if eligible (APM - 715 and 760-27-h)	Up to 12 workweeks unpaid leave during a calendar year to care for a newborn child or child newly placed for adoption or foster care. Employer continues health coverage contributions in accordance with FMLA. Runs concurrently with FMLA leave.			
Parental Leave (APM - 760-27-a)	Up to 1 year full-time or part-time unpaid parental leave. Runs concurrently with up to 12 workweeks of FMLA leave and CFRA leave if eligible.			

Note: Fiscal-year faculty members may substitute accrued vacation leave for unpaid childrearing leaves under the provisions of APM - 715, 730, and 760; FMLA, and CFRA. The aggregate duration of all leaves and periods of active service-modified duties may not exceed one year.

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CHART III

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Interaction of Childbearing Leave, Period of Active Service-Modified Duties, and Parental Leave for Non-Faculty Academic Appointees Who Are Birth Mothers

NON-FACULTY ACADEMIC APPOINTEES WHO ARE BIRTH MOTHERS					
Applicable Policy/Law	First 4 Weeks (4)	Second 4 Weeks (8)	Third 4 Weeks (12)	Fourth 4 Weeks (16)	More Than 16 Weeks
Childbearing Leave (APM - 710-20, 760-25-a, and 760-25-b)	Up to 6 weeks unpaid childbearing leave as certified by health care provider. Runs concurrently with FMLA leave. See APM - 760-25-b for pay status.				
Active Service-Modified Duties (APM - 760-28)	An appointee who has a full-time appointment for at least 1 full academic year (3 quarters or 2 semesters) is eligible for a total period of childbearing leave plus active service-modified duties of 2 quarters (or 2 semesters). If she gives birth during the summer or an equivalent off-duty term, she is eligible for a total period of active service-modified duties not to exceed 2 quarters (or 2 semesters). All other appointees are eligible for a total period of childbearing leave plus active service-modified duties of 1 quarter (or 1 semester). See APM - 760-28-b for pay status.				
Pregnancy Disability Leave (PDL), under California Fair Employment and Housing Act (FEHA), if eligible (APM - 760-25-c)	Up to 4 months unpaid leave during the period of actual disability. Runs concurrently with childbearing leave and FMLA leave.				
Family and Medical Leave Act (FMLA), if eligible (APM - 715 and 760-25-d)	Up to 12 workweeks unpaid leave during a calendar year. Employer continues health coverage contributions. Runs concurrently with childbearing leave and PDL.				
California Family Rights Act (CFRA), if eligible (APM - 715 and 760-25-d)	Up to 12 workweeks unpaid leave during a calendar year. No employer-paid benefits once FMLA entitlement is exhausted. CFRA leave does not run concurrently with PDL. CFRA leave may run concurrently with FMLA leave if appointee has any remaining FMLA leave entitlement.				
Parental Leave (APM - 760-27-a)	Up to 1 year full-time or part-time unpaid parental leave. Runs concurrently with CFRA leave. CFRA leave may run concurrently with FMLA leave if appointee has any remaining FMLA leave entitlement.				

Note: Non-faculty may substitute accrued sick leave or vacation leave for unpaid childbearing and childrearing leaves under the provisions of APM - 710, 715, 750, and 760; FMLA, PDL, and CFRA.  
Non-faculty may substitute accrued sick leave in proportion to the reduced workload for periods of active service-modified duties under the provisions of APM - 710 and 760.  
The aggregate duration of all leaves and periods of active service-modified duties may not exceed one year.  
UC employer and/or employee-paid disability plans may provide additional benefits. Contact local Academic Personnel or Benefits Office for information about these plans.  
Student academic appointees should contact their local Academic Personnel Office for additional details.

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CHART IV

BENEFITS AND PRIVILEGES  
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Interaction of Period of Active Service Modified Duties and Parental Leave for Non-Faculty Academic Appointees Except Birth Mothers

NON-FACULTY ACADEMIC APPOINTEES EXCEPT BIRTH MOTHERS					
Applicable Policy/Law	First 4 Weeks (4)	Second 4 Weeks (8)	Third 4 Weeks (12)	Fourth 4 Weeks (16)	More Than 16 Weeks
Active Service-Modified Duties (APM - 710-20 and 760-25)	A period of active service-modified duties of 1 quarter (or 1 semester). See APM - 760-25-b for pay status				
Family and Medical Leave Act (FMLA), if eligible (APM - 715 and 760-27-b)	Up to 12 workweeks unpaid leave during a calendar year to care for a newborn child or child newly placed for adoption or foster care. Employer continues health coverage contributions. Runs concurrently with CFRA leave				
California Family Rights Act (CFRA), if eligible (APM - 715 and 760-27-b)	Up to 12 workweeks unpaid leave during a calendar year to care for a newborn child or child newly placed for adoption or foster care. Employer continues health coverage contributions in accordance with FMLA. Runs concurrently with FMLA leave.				
Parental Leave (APM - 760-27-a)	Up to 1 year full-time or part-time unpaid parental leave. Runs concurrently with up to 12 workweeks of FMLA leave and CFRA leave if eligible.				

Note: Non-faculty may substitute accrued sick leave or vacation leave for unpaid childrearing leaves under the provisions of APM - 710, 715, 730, and 760; FMLA, and CFRA  
 Non-faculty may substitute accrued sick leave in proportion to the reduced workload for periods of active service-modified duties under the provisions of APM - 710 and 760  
 The aggregate duration of all leaves and periods of active service-modified duties may not exceed one year  
 Student academic appointees should contact their local Academic Personnel Office for additional details



MODIFIED TEACHING DUTIES  
FOR FACULTY MEMBERS WITH A NEW CHILD

The University's sick leave policy provides employees with a paid leave plan for disability due to pregnancy and related medical conditions, childbirth or adoption. However, the difficulties involved when a faculty member is responsible for semester-long teaching responsibilities during a sick leave period may effectively preclude its full utilization. To enable a faculty member to recover fully from the effects of pregnancy, childbirth, or related medical conditions or to enable the primary caregiver of a new child to spend more time with the child immediately after birth or adoption, except in extraordinary circumstances, upon request tenured and tenure track faculty members will be granted a period of modified duties without a reduction in salary. Faculty members on modified duties status will be relieved of teaching but will be expected to fulfill their other professional responsibilities that can be scheduled around the recuperation/bonding period (e.g., preparation of research proposals, papers, and course materials; supervision of graduate student research). The maximum period for which modified duties will be assigned is one semester.

The department shall be responsible for arranging for coverage of direct teaching responsibilities for the period of modified duties.

**Procedures**

A faculty member who wishes to request modified duties status should contact her or his department head. Informing the department head as early as possible will allow time to identify alternate staff to teach the affected courses. All requests for modified duties status should be submitted in writing to the department head who will approve the request and forward it to the dean of the college. After approval by the dean, copies should be sent to the faculty member, the department head, and Academic Human Resources.

Further questions concerning this policy should be directed to the Office of Academic Human Resources, 333-6747.

Date Issued: April 11, 2002

Approved By: Provost and Vice Chancellor for Academic Affairs  
Personnel Policies, Section IX/C – 45



THE UNIVERSITY OF MICHIGAN  
STANDARD PRACTICE GUIDE

A period of modified duties does not affect a faculty member's tenure probationary period. The relevant complementary policy is Standard Practice Guide 201.92 *Tenure Probationary Period: Effects on Tenure Clock of Childbearing and Dependent Care Responsibilities*, which provides guidelines about excluding time from the years of countable service that constitute the tenure probationary period due to the effects of pregnancy, childbirth, or related medical conditions or due to the demands of dependent care.

The schools, colleges, and campuses may adopt policies that provide periods of modified duties for other groups of faculty. The schools and colleges may define modified duties more broadly than the requirements set forth in this policy.

II. Regulations

- A. This policy applies to eligible faculty upon employment.
- B. An eligible faculty member may take one term of modified duties for each birth or adoption that adds a child or children to his or her family. If both parents are employed in an eligible position at the University, each of them may take a period of modified duties for each birth or adoption that adds a child or children to their family if both of them meet the other eligibility criteria.
- C. A period of modified duties must begin within twelve months of the date of the relevant birth or adoption.

III. Other Relevant Policies

SPG 201.11-1, Sick Leave Plan, which describes the coverage available to women during pregnancy and childbirth;

SPG 201.92, Tenure Probationary Period: Effects on Tenure Clock of Childbearing and Dependent Care Responsibilities, which describes possibilities for having one year excluded from the countable years of service which constitute the tenure probationary period; and

SPG 201.30-1, Leaves of Absence without Salary, which describes the eligibility and duration of childcare, medical, and personal leaves.



## THE UNIVERSITY OF MICHIGAN

### STANDARD PRACTICE GUIDE

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Procedures: <http://www.umich.edu/~hrra/procedures/spg201-93.htm>



Part 5. Faculty  
Section B. Instructional Activities  
Policy Number: 5.B.1  
Effective Date: October 9, 2003  
Approved By: Executive Vice President and Provost

## MODIFIED INSTRUCTIONAL DUTIES

### A. Policy Statement

It is the policy of The University of Texas at Austin to modify the classroom instructional responsibilities of faculty members and allow for equivalent academic service when certain personal circumstances prevent them from being able to perform their classroom teaching duties, and when such modifications are found to be in the best interest of the University's instructional programs.

### B. Scope

This policy applies to all members of the faculty who are appointed full-time on the instructional budget in a long-session semester.

### C. Definition

An **Instructional Budget** is the budgeted account(s) from which faculty salaries for the academic unit(s) are paid.

### D. Eligibility Requirements

Faculty members who may apply for modified instructional responsibilities are those who are a principal caregiver of a healthy pre-school child (or children), or who are required to care for or assist a member or members of their immediate family, who although not ill or disabled, needs the help and attention of the faculty member.<sup>1</sup>

### E. Application Requirements

The faculty member must submit a written request for a modification of instructional responsibilities to the appropriate department chair or the dean in non-departmentalized colleges/schools. When possible, the

request should be submitted prior to the semester in which the modification is needed. The request must include the following information:

1. A statement explaining the need for modified instructional responsibilities; and
2. A proposal describing the work to be done in place of the applicant's normal classroom responsibilities. This work may involve significant scholarly research, new course development, curriculum development, or other work done in the best interest of the University's instructional program. The proposal must describe the work in detail, define a work product, and include a method for evaluation of the work by the department chair or dean during the semester.

#### **F. Application Review**

The chair or dean to whom the written request for modification of instructional responsibilities is submitted shall review it to determine that:

1. The faculty member is eligible to apply for modified instructional duties;
2. The request contains a sufficiently detailed description of the work to be done in place of the applicant's normal classroom responsibilities, that it defines a work product, and that it states an adequate method for evaluation of the work by the department chair or dean during the semester;
3. The proposal is in the best interest of the department's or the program's instructional program; and
4. The full range of the department's or the program's instructional responsibilities can be met without additional resources during the period of modification.

Within thirty (30) days of receipt of the request, the chair or dean shall submit it and the results of his or her review, in writing, to the Office of the Executive Vice President and Provost. Upon final review, the Provost will communicate his or her written decision to the applicant and the appropriate dean and/or department chair. The decision of the Provost is final.

All teaching load modifications will be granted in compliance with the equivalencies set out in Series 31006, Academic Workload Requirements, of The University of Texas System Board of Regents' *Rules and Regulations*: <http://www.utexas.edu/bor/rules/CompleteTOC-2.htm#personnel>.

### G. Period and Scope of Modification

Modifications to instructional duties shall be for the period of one long session semester (i.e., fall or spring). Faculty members whose requests for modified instructional responsibilities are granted are not removed from the instructional budget and are expected to continue to fulfill all of their other duties as members of the faculty during the period of modification.

**For Assistance:** Questions regarding this policy should be directed to the Office of the Executive Vice President and Provost at (512) 471-4363 or at its web site: <http://www.utexas.edu/provost/>.

<sup>1</sup> This policy is not intended to apply to situations where use of sick leave is appropriate.

Source: Regents' Rules and Regulations Series 31006 HOP 5.B.1 revised July 6, 2005.

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