

## 4.14 Policies Governing Absences and Leave for EPA Personnel

### A. Annual Leave and Sick Leave

Members of the faculty and other EPA personnel on nine-month appointments do not earn annual leave or sick leave. In lieu of such leave, the following policies shall apply:

1. Holidays and vacation periods built into the academic calendar are defined as providing the equivalent of the annual leave and holidays earned by twelve-month employees. Nine-month employees are not granted such leave at any time within an academic year except as provided in the academic calendar.
2. Provision may be made for less than full-time employment in accordance with provisions of Section III G of the Tenure Policies and Regulations of Western Carolina University. (The provisions of this section are applicable to members of the faculty on both nine- and twelve-month appointments.)
3. Full-time, nine-month faculty members and other EPA personnel not covered by the provisions in the Employment Policies for University Employees Exempt from the State Personnel Act may be carried at full salary during extended periods of incapacity due to illness or injury substantiated by competent medical opinion, provided that (a) the departmental faculty can absorb the work load of the faculty member for the duration of the absence, (b) the period of incapacity does not exceed sixty days in duration, (c) the department head and dean concur that the academic program of the department will not be adversely affected, and (d) the vice chancellor for academic affairs, with the approval of the chancellor, authorized the arrangement. Any exceptions to these provisions must have the recommendation of the dean and provost and be approved by the chancellor. When appropriate, the provisions of Section III G of the Tenure Policies and Regulations of Western Carolina University shall apply. Emergency leave (less than one week in duration) may be granted by the department head. It is the responsibility of the faculty member to contact the department head immediately when such circumstances prevent the faculty member from meeting a class or discharging other duties incident to employment. The department head will make the arrangements necessary to cover the affected classes and other obligations. The department head shall notify the dean if the circumstances indicate that the absence could extend beyond the short period of time covered by these provisions.
4. All employees have rights under the Family and Medical Leave Act of 1993 (FMLA). Under FMLA, eligible employees are entitled to up to 12 weeks of unpaid, job-protected leave for certain family and medical reasons. If an employee earns paid leave, use of that leave may count against the 12 week period. Furthermore, any period of time that any employee is carried at full salary pursuant to paragraph #3 above will count towards the 12 workweeks to which the employee is entitled under FMLA. The full text of WCU's policy for faculty and other EPA employees not covered by the "Employment Policies for University Employees Exempt from the State Personnel Act" is contained in this volume, Section 12.0.

5. Approval for absences of a professional nature, for reasons such as attendance or participation in meetings of learned societies or teaching in WCU-sponsored instructional programs at off-campus locations, can be granted. The faculty member must make satisfactory provision for scheduled classes and the discharge of other duties with the department head in advance of the absence. A memorandum of the provisions agreed upon, using the standard form provided for this purpose, is to be filed with the department head in advance of the absence.

## **B. Leave of Absence**

### **1. Purposes of Leaves of Absence**

- a. Pursuit of an advanced degree: Study and research that will contribute to significant progress toward, or completion of, an advanced degree appropriate to a faculty member's current or projected responsibilities with the university may be presented as the basis of an application for a leave of absence. The faculty member must have been accepted for admission to such a program by an accredited educational institution and must provide the appropriate administrators with sufficient information about their program to allow full evaluation of the benefits to be derived by the individual and the university in granting the leave.
- b. Professional development: Leaves of absence may be granted for the purpose of study, research, academically purposeful travel, writing and publication, and for other forms of scholarly, creative, or academic endeavor leading to significant professional development of the faculty member as appropriate to that faculty member's current or projected responsibilities with the university. The faculty member must provide sufficient information about the projected purposes of the leave to allow full evaluation of the benefits to be derived from the leave by the individual and the university.
- c. Leaves of absence for reasons other than pursuit of an advanced degree or professional development may be granted by the chancellor on an individual basis.
- d. Questions concerning policy and regulations relating to military leave with or without pay should be directed to the Office of Human Resources.

### **2. Types of Leaves of Absence**

- a. Sabbatical Leaves: In accordance with the statutes of the state of North Carolina, Western Carolina University does not grant sabbatical leaves.
- b. Leaves of Absence without Pay: Upon the recommendation of the department head and dean, with the concurrence of the Provost, and with the approval of the chancellor and Board of Trustees, leaves of absence without pay may be granted to members of the faculty on both nine- and twelve-month appointments under the following conditions:

- 1) The faculty member must be a full-time employee who either holds permanent tenure or whose appointment is subject to renewal.
- 2) Determination must be made that (a) the faculty member, if not permanently tenured, is an individual who is to be recommended for reappointment; (b) there is a reasonable expectation that a position will be available for the faculty member upon his/her return; and (c) appropriate arrangements can be made to carry forward the academic program to which the individual is assigned without adverse effect during the period of leave.
- 3) A leave of absence without pay may be granted for one or more terms or for a full academic year for faculty on nine-month appointments. Faculty on twelve-month appointments may be granted leaves of absence without pay for a period of time up to one year with the time and duration of the leave to be determined on a case-by-case basis.
- 4) Leaves of absence without pay may be renewed on an individual basis up to a maximum of two years.
- 5) Nothing in these policies shall be interpreted as giving a faculty member granted leave any special guarantees over and above those available to all other faculty holding the same faculty status. All faculty members, including those on leave, are subject to the same consideration and review processes concerning reappointment, promotion, and tenure.

When the circumstances of the faculty member's absence from the campus, e.g., activities out of country, are expected to be such that the timely execution of the consideration processes or of the reconsideration and appeals procedures by either the university or the faculty member may be prevented, a written understanding of any special arrangements to be observed should be developed and mutually agreed to by the faculty member and the university.

In the event of financial exigency or the curtailment of positions for other reasons, the faculty member on leave shall be subject to the actions taken, consistent with the UNC Code and the Tenure Policies and Regulations of Western Carolina University, as though the faculty member were not on leave.

- 6) When appropriate, the provisions of Section III G of the Tenure Policies and Regulations of Western Carolina University shall apply to the granting of leaves of absence without pay.
- 7) Any individual wishing to request leave of absence without pay must complete an application. Applications may be obtained through the department head or dean.