8. LEAVE BENEFITS

8.1. LEAVES

The following leaves are available to faculty. Additional information on sabbatical leaves, professional leaves, educational leaves, and special leaves may be found in Section 7.

8.2. SHORT-TERM AND EXTENDED SICK LEAVE

Normally, absences due to short-term illness are handled informally within the academic departments and are granted without loss of compensation. Requests for extended sick leave for full-time faculty members (leave extending for more than six consecutive weeks for one disability) may be authorized by the Provost after receiving recommendations from the Department Head and college Dean. For extended sick leaves, the faculty member must provide a physician's statement containing the approximate length of time that the employee, on medical advice, cannot or should not perform the typical duties of his or her job. Sick leave due to pregnancy or childbirth is treated as any other short-term or extended-sick leave. In these cases colleagues who perform required professional duties for a faculty member on extended sick leave may be compensated on an overload basis or per-course Instructors may be retained for the period of the leave.

8.3. CIVIL DUTY LEAVE

Any full-time faculty member who is validly subpoenaed or summoned to involuntarily appear or serve as a juror in a judicial form or compelled to appear before a judicial, legislative or administrative body with civil power to compel attendance during regularly scheduled work hours shall be entitled to receive leave with pay for a period of time necessary for such appearance. Any compensation received for the appearance, other than travel and meal allowances, shall be reported to the University and deducted from any salary paid by the University for such civil leave. Civil leave shall not be granted for appearances as an expert witness for a party to litigation. The faculty member must provide advance written notification to the Department Head for civil duty leave.

8.4. Bereavement Leave

A full-time or part-time faculty member shall be given time off, not to exceed five successive working days, without loss of pay to make arrangements for or to attend the funeral of a family member or loved one.

8.5. MILITARY LEAVE

Faculty members are entitled to military leave and return rights as provided by applicable federal and state law. A faculty member under contract to the University must provide to the Office of Human Resources a copy of official military orders containing certification of the faculty member's commanding officer of performance of duty in accordance with the terms of such order, prior to receiving University salary for the period of the military leave (refer to Section 105.270 RSMo). Reservists or members of the National Guard who are called to active duty have rehire and other benefits as prescribed by federal law in Uniformed Service Employment and Reemployment Rights Act of 1994 (USERRA).

Additional information on the military leave policy, especially where the leave in question exceeds a total of 15 calendar days in any federal fiscal year, may be obtained from the Office of Human Resources.
8.6. **VOTING LEAVE**

Faculty members are ordinarily able to vote before or after work. However, if a full-time or part-time faculty member's work schedule is such that he or she does not have three consecutive hours of unscheduled time during an election day, he or she will be excused from duties at the University for a period of time for voting, not to exceed three successive hours, including off-duty time, between the opening and closing of the polls on the day of election.

8.7. **LEAVE OF ABSENCE**

A leave of absence might be taken for personal reasons or for purposes of accepting a visiting Professorship, for research, for study, or for other kinds of work performed with or without compensation. Normally, this type of leave shall not be granted to any employee who has accepted a tenured position elsewhere.

A full-time member of the faculty desiring a leave without pay should make application early to the Department Head, usually by April 1 preceding the beginning of the academic year in which the leave is to be taken. No leave applications will be considered without the recommendation of the Department Head. If the Department Head approves of the leave, he or she will prepare a written memorandum and forward it, along with the faculty member's request, to the appropriate college Dean. Before making a recommendation, a Department Head will consider:

1. Has the individual contributed to the department and the University in such a positive way that the department wishes to encourage his or her return as a faculty member?
2. Is it possible to obtain an effective teaching replacement for the period of the leave?

A faculty member on leave will retain all rights and privileges which are his/hers; however, prior to the leave it must be determined if time on leave without pay will or will not count as time in rank towards promotion or tenure.

Faculty members on leave without pay will not have fringe benefits paid for them by the University while they are on such leave. They may maintain their insurance coverage for a period up to a maximum of one year with personal contributions if they wish. If a faculty member desires to maintain coverage during a leave without pay, arrangements must be made with the Director of Human Resources 60 days prior to the leave, and premiums must be paid one month in advance of the month of insurance coverage.

A faculty member who is on leave without pay for less than a full academic year will receive salary payments and fringe benefits only during the semester in which he or she is teaching.

Faculty members are not covered under retirement system benefits for the period of leave without pay and do not receive creditable service for that period.

8.8. **FAMILY AND MEDICAL LEAVE**

In compliance with the Family and Medical Leave Act (FMLA) of 1993, full-time faculty members of the University shall be entitled to a total of 12 work weeks of unpaid leave during any 12-month period if requested by a faculty member for one or more of the following reasons:

1. Birth of a faculty member's child or to care for such child;
2. Placement of a child with the faculty member for adoption or foster care;
3. Care of a spouse, child, or parent who has a serious health condition;
4. The faculty member's own serious health condition

The University has the legal authority to consider an employee's absence as family and medical leave when it has
sufficient evidence that the absence is due to an FMLA qualifying reason even if the employee has not applied for family and medical leave.

The following provisions shall apply to "family and medical leave":

**8.8.1. LEAVE FOR BIRTH OR ADOPTION OF A CHILD**

Entitlement of family leave expires 12 months after the birth or adoption of a child. Leave for birth or adoption shall be limited to one consecutive leave period. Leave for birth or adoption may not be taken on an intermittent or reduced time basis.

**8.8.2. LEAVE FOR SERIOUS HEALTH CONDITION**

Serious health condition is defined as a health condition that involves in-patient care in a hospice, hospital, or residential care facility or continuing treatment by a health care provider. Leave for serious health conditions may be intermittent or on a reduced time basis if such schedule is needed for medical reasons.

**8.8.3. REQUEST FOR FAMILY LEAVE**

A faculty member requesting family leave under this leave provision should complete a standard Request for Leave form or letter and submit it to his/her Department Head. When leave is foreseeable, an employee must give the University 30 days' advance notice. In addition, when foreseeable leave is for planned medical treatment, the employee must make a reasonable effort to schedule the treatment so as not to unduly disrupt the University's operations. If it is not possible to provide 30 days' notice, as much notice as is practicable must be provided. The Department Head will forward the request to the Office of Human Resources. Upon receipt of the request, the Office of Human Resources will provide the faculty member with the Family and Medical Leave Provisions and a leave questionnaire for him or her to complete.

**8.8.4. MEDICAL CARE CERTIFICATION**

The University may require certification from a health care provider concerning the serious health condition of the faculty member or family member. The Office of Human Resources will inform the faculty member of the procedure for any required certification from a health care provider.

**8.8.5. STATUS DURING FAMILY LEAVE**

During leave, the faculty member is required to report periodically on his/her status and intent to return to work. The University shall continue to pay for the faculty member's individual insurance coverages, including medical, dental, life, long-term disability, and accidental death and dismemberment during family leave on the same basis as if the individual had been actively at work. The University shall return the faculty member to the same or an equivalent position and employment benefits upon return from approved family leave.