

# UNIVERSITY OF OREGON MEDIATION PROPOSAL

## ARTICLE 28

### ABSENCES

11/17/14

This article addresses short and long term absences due to personal illness, injury, medical appointment or procedure, or other disabling medical condition; the illness, injury, medical appointment or procedure, or other disabling condition of a child, spouse/partner, or parent; or bereavement. This article also applies to the birth or adoption of a new child, and to both parents if both parents are GTFs.

#### Section 1. Notification

Except as provided for in Sections 6 and 7, it is the GTF's responsibility to complete the duties assigned to him/her in a given term. If it is impossible to report for work to complete assigned duties or meet a class as scheduled, the GTF should notify his/her supervisor or other designated department faculty/staff member (e.g., department head) the day before, if possible, or by 8:00 a.m. on the day to be missed.

#### Section 2. Missed Class

In the case that the GTF will miss a class, the department may ask that the GTF attempt to find a substitute. The designated department faculty/staff member will also try to find a substitute. Whenever possible, the GTF will provide the department faculty/staff member with information about the class to be covered (e.g., where he/she left off in the previous class).

In no instance shall a GTF be required to pay for a substitute.

If no substitute is found, the department may elect to cancel the class.

#### Section 3. Missed Duties

Except as provided for in Sections 6 and 7, for duties missed not related to a class meeting, the designated department faculty/staff member or supervisor will work with the GTF to determine when and how the work will be made up.

#### Section 4. Departmental Policy

Departments/employing units are required to have a GTF absence procedure documented in the GDRS. It may also be cited in the GTF/graduate student handbook, or on its website. The designated department faculty/staff member will be clearly identified in the documented procedure.

#### Section 5. Coverage for Absent GTFs

When coverage is necessary, the employing unit will notify the Graduate School and the Graduate School will advise the employing unit regarding coverage for an absent GTF.

If a GTF is assigned to cover the responsibilities of an absent GTF and those duties exceed the replacement GTF's current FTE workload allowance, the covering GTF's FTE will be adjusted accordingly. **Except in addressing coverage needs resulting from absences pursuant to Section 7**, no adjustments will be made that would cause a GTF's appointment to exceed .49 FTE per term.

## Section 6. Graduate School Consultation

If a GTF is going to miss more than one work week, they must contact the Graduate School. The Graduate School will coordinate with the GTF and employing unit on any adjustment due to the GTF's absence. Prior to reducing a GTF's FTE, the following factors will be considered: (1) the duration of the absence, (2) the timing of the absence; (3) the GTF's assignment; (4) the ability of the GTF to perform assigned duties; and (5) whether or not it is feasible to ~~a~~change the assignment of duties within the current term; (6) in the case of an absence pursuant to Section 7, whether or not it is feasible to change the assignment of duties over the course of the GTF's full appointment period; and (7) the absence's impact on academic progress is feasible. Where feasible and taking into consideration the aforementioned factors, adjustments to FTE will be applied equitably across all employing units.

If there is no adjustment of FTE under this section, the Graduate School will assist the employing unit and the GTF in determining duty and workload allocation.

## Section 7.

In the case that a GTF will be absent for a period of greater than five (5) consecutive working days (one week) he/she may be entitled to the Family and Medical Leave as described in this section.

### a) Eligibility

Any GTF who has been an employee of the University, as a GTF, for at least one term preceding the term in which the leave is requested is eligible for leave according to the ~~above~~ terms set forth in this section.

### b) Provision

The GTF shall be entitled to a total of twelve (12) work weeks of unpaid leave during any twelve-month period for one or more of the following reasons: (1) the birth of a child and in order to care for such child; (2) placement of child with GTF for adoption or foster care; (3) the care of a spouse (or equivalent in accordance with Oregon state law), child, or parent of the GTF if a serious health condition exists; (4) a serious health condition of the GTF which makes the GTF unable to perform his or her duties. In cases where such leave is five (5) weeks or longer in a single term, such leave may be taken in conjunction with an academic leave of absence.

A GTF who takes leave for one of these reasons has the right to shift duties and workload in a manner that allows the GTF to take at least two weeks off over the course of the GTF's full appointment period. If a GTF exercises this right, duty and workload allocation will be determined under Section 6 of this Article. The foregoing two sentences do not affect a GTF's right under Section 6 to request additional adjustments to his or her duties and/or workload.

### c) Notice Requirement

The GTF shall provide his or her employer with written notice not less than thirty (30) days prior to the date of requested leave, if practicable. In the case of an emergency or unforeseen circumstance, the GTF must give a verbal notice to his or her employer within twenty-four (24) hours of taking leave. In the case of a serious health condition, the University may request medical verification from a healthcare provider and the GTF must provide such verification within fifteen (15) days of the request.

### d) Benefits Retention

A GTF shall retain their tuition waiver and the University shall continue to pay health care premiums during the duration of the GTF's leave if the GTF remains enrolled and has or will have performed works

representing a minimum of .20 .16 FTE during the term in which family and medical leave is taken. Salary compensation will be adjusted to reflect changes in FTE.

e) Job Protection

After returning to work after taking leave under these provisions, a GTF is entitled to be restored to the position of employment held by the GTF when the leave commenced, or an alternative position if the position held no longer exists. This provision will not be applicable in the case where the GTF returns in a term under which he or she did not have an ~~employment contract appointment~~ or an expectation of such ~~a contract appointment~~ with the University.

f) **Academic Leave of Absence**

If a GTF takes an academic leave of absence after the normal filing date for declaring on-leave status, the GTF should contact the Graduate School for assistance in obtaining a complete withdrawal for the term. GTFs who take an academic leave of absence will lose their tuition waiver. A GTF that takes an academic leave of absence can maintain health benefits by paying COBRA premiums.