

3359-11-02 Professional leave, leave of absence, and vacations for employees other than bargaining unit faculty.

(A) Professional leave and leave of absence.

- (1) Under the Family and Medical Leave Act of 1993 ("FMLA"), up to 12 weeks of leave without pay during any 12 month period are provided to eligible employees other than bargaining unit faculty for certain family and medical reasons. Employees other than bargaining unit faculty are eligible if they have been employed by the university for at least one year and for 1,250 hours (.6 fte) over the previous 12 months.

Leave without pay will be granted for any of the following reasons:

- (a) Birth of a child or placement for adoption or foster care
 - (b) Serious health condition of employee
 - (c) Serious health condition of a child, spouse, or parent
- (2) Subject to the provisions of the applicable policies, paid vacation leave or sick leave may be substituted for leave without pay.
 - (3) Leave may be denied if an employee other than bargaining unit faculty fails to provide 30 days advance notice when the leave is foreseeable or medical certification to support a request for leave because of a serious health condition (including requested second opinions at the university's expense) and fitness for duty to return to work reports.
 - (4) Group health benefits will be continued for the duration of an "FMLA" leave. Upon return, the employees other than bargaining unit faculty will be restored to their original or equivalent positions with equivalent pay, benefits and other employment terms.
 - (5) Nothing in this section shall be deemed to create any additional benefits, rights, or entitlements to employees other than bargaining unit faculty beyond those required by the provisions of "FMLA" or applicable law of the state of Ohio. For purpose of

implementing the university of Akron's family and medical leave policy and procedures, the definitions and provisions of the "FMLA" shall be followed when necessary to ensure minimum compliance with the law.

- (6) While the university does not have a program of sabbatical leaves, it does have a professional leave program for the school of law, as provided by the board, and described in rule 3359-11-04.
- (7) Leaves of absence without compensation for employees other than bargaining unit faculty may be granted by the board upon recommendation of the president.
- (8) No member of the faculty shall be absent from proper duties at the university for any cause other than sickness, except upon permission of the president, upon recommendation of the faculty member's dean or administrative superior.

(B) Academic year and vacations.

- (1) Full-time faculty members on a nine-months' appointment are expected to be on duty during the fall and spring semester and continuing through spring commencement exercises, and are entitled to all academic vacations during that period.
- (2) Faculty members and designated others on a full time twelve-months' appointment (effective July 1) have 22 working days of vacation as arranged with the dean or administrative supervisor as described in rule 3359-11-03, vacation policy for full time 12-month faculty, contract professionals, and unclassified exempt staff.

Effective: June 25, 2007

Certification: _____
Secretary
Board of Trustees

Prom. Under: 111.15

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