

Proposal for a Modified Workload Policy Related to Caregiving Responsibilities

The University wishes to adopt policies to accommodate the needs of faculty members to balance work and family responsibilities. The Faculty Senate Committee on Women and the Personnel Committee, which have been involved in discussion on these issues for several years, recommend that a Modified Workload Policy Related to Caregiving Responsibility be adopted. The modified workload arrangement is to apply to primary caregiving responsibilities at a level beyond what would be considered basic parenting of a child or basic, occasional assistance to another adult. The faculty member requesting a modified workload shall have the obligation to explain the need for and basis of any request.

Modified Workload Request

The Policy would allow a faculty member to request to modify his/her workload from what would be considered 100% to a workload equal to 50% or 75%, with a corresponding reduction in compensation. Faculty members working on a modified workload arrangement under this Policy will be considered to be a full-time faculty appointment under the Faculty Handbook and will carry full-time benefits in that 50% or more time of the faculty member will be devoted to approved academic activities. Therefore, benefits that are not proportional to salary, such as health insurance, will be continued as if the faculty member were full-time. A faculty member who wishes to request a modified workload shall submit the request to the department chair and dean, for consideration and approval. The request must include a discussion of requirements and expectations for teaching, research/scholarship, and service. The request should also specify the period of time a modified workload would be in effect. This policy allows periods of modified workload for periods of one semester to two years, with the possibility of renegotiating the agreement for another period of time if the faculty member, the department chair, the dean and the provost are all in support. If the faculty member requesting a modified workload arrangement is pre-tenure, the faculty member may request an extension of the pre-tenure period as well.

Modified Workload Agreement

If the department chair, dean, and provost all agree with the proposed modified workload arrangement, they may enter into a Modified Workload Agreement with the faculty member. Since Modified Workload Agreements are intended to be a limited supplement to the rights of faculty members under the Family and Medical Leave Act, any request must be unanimously supported by the department chair, dean, and provost. Any such agreement must specify requirements and expectations for the faculty member's teaching, research/scholarship, and service, the duration of the Modified Workload Agreement, and any extension of the pre-tenure period, if applicable.

PROPOSED AMENDMENTS to the Faculty Handbook Case Western Reserve University

Chapter Three, Part One, Article II, Leaves of Absence

F. Modified Workload Policy

1. Request for Modified Workload

A full-time faculty member who is tenured, in the tenure track, or in the non-tenure track may request, in writing, a temporary modification in his or her workload with a corresponding reduction in compensation in order to balance work with extenuating circumstances of serving as the primary caregiver 1) for a child who requires care beyond basic parenting or 2) for another family member or other person whose care requires a significant time commitment. Under this Modified Workload Policy, the usual workload as described in the faculty member's appointment would be reduced to 50% or 75% for a period ranging from one semester to two years. Benefits that are not proportional to salary, such as health insurance, will be continued as if the faculty member were full-time. This Modified Workload Policy runs concurrently with any Family and Medical Leave Act (FMLA) leave (including reduced leave or intermittent FMLA leave) as specified in the University's Human Resources Policies and Procedures, when the faculty member is eligible for such FMLA leave for the caregiving duties.

- a. The faculty member requesting a modified workload under this policy may be asked to submit supporting documentation to support the request for a Modified Workload Agreement. To the extent that medical information is provided, such information will be maintained by University Human Resources.
- b. The Faculty Member's request for a modified workload must include requirements and expectations for teaching, advising, research/scholarship and service.
- c. A Modified Workload under this policy shall be subject to the FMLA's provisions on return to work, specifically the right (a) to be restored by the employer to the position of employment held by the employee when the leave commenced; or (b) to be restored to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment.
- d. Pre-tenure faculty may request an extension of the pre-tenure period. The cumulative total of all pre-tenure extensions may not exceed three years, except for pre-tenure extensions based on the birth or adoption of each child, under provisions stated in Section I, G. 4 of the Faculty Handbook.

2. Modified Workload Agreement

If the department chair and dean agree that a Modified Workload Request is appropriate and not burdensome to the University, school and department, the department chair and dean may, in their discretion, approve the Modified Workload Request. If the request is approved, it shall be documented in writing as a Modified Workload Agreement. Any Modified Workload Agreement must be unanimously agreed upon by the faculty member, the department chair, the dean, and the provost. The Modified Workload Agreement must specify:

- (a) The duration of the Modified Workload Agreement may be for a period ranging from one semester to two years. The Modified Workload Agreement must state the date the faculty member is expected to return to their normal workload;
- (b) The parties' agreement as to the faculty member's teaching, research/scholarship, and service obligations during the period of the Modified Workload Agreement. If an extension of a pre-tenure period is included in the Modified Workload Agreement, the period and terms of that extension must also be stated in writing.

In limited circumstances, a Modified Workload Agreement may be renegotiated or extended beyond its original end date with the unanimous agreement of the department chair, the dean, and the provost.