

Faculty Appointment Changes

Effective September 1, 2014 the College of Geosciences will no longer appoint faculty to 12-month appointments that accrue vacation.

At present, the College of Geosciences has a liability of approximately \$1,200,000 from accrued faculty vacation leave. Overall, the University is facing a \$34M liability due to accrued vacation leave. This is a substantial liability that grows each year.

A recent query of our Vision 2020 peer institutions indicates that Texas A&M University is anomalous in its practice of appointing faculty members for 12 months such that they can accrue vacation. Even within our own university, many colleges eliminated the practice of allowing 12-month appointments many years ago.

In addition to the financial liability associated with faculty vacation accruals, there is also the reporting risk for faculty members who are in a vacation accruing position, but do not appropriately file for leave in the LeaveTraq system when not on campus during official business hours and workdays in accordance with state and university requirements.

How will this impact my annual income if I can no longer have a 12-month appointment?

This change will not impact your ability to receive salary support of up to 3 summer months beyond your 9-month appointment for the academic year. Thus, your annual income will not be impacted by this change.

All faculty appointments allow for faculty members to be compensated for more than 9 months for one or more of the following reasons:

- Carrying out teaching responsibilities for organized classes in the summer or during the inter sessions in January, May, or August.
- Special administrative responsibilities assigned by their department, college, or the university.
- Funding from research, endowments, or sponsored programs that allow for salary compensation.

How will this impact faculty administrators such as department heads and directors who currently receive 12 months of support?

As a faculty administrator, your 12 months of salary support will be compressed into 11 months for each year you are an administrator. Once you step down from your administrative position, your base pay will revert back to your 9-month base pay rate.

How will this change impact my vacation time?

While you will no longer accrue vacation, faculty and administrators with faculty appointments may be absent from campus on personal time when students are not in session. You may, however, have reasonable professional obligations that will require you to be available during these break periods. As a result, you will be eligible for more personal time than you were previously earning in vacation leave.

For example: A nine month, non-vacation accruing academic faculty member could be absent 248 paid hours (31 days) during the academic year when students are not in session, provided you are meeting your other professional obligations for teaching, research, and service. Alternately, a faculty member with 35 years of state service on a 12 month appointment would only receive 232 vacation hours (29 days) annually. This change also eliminates the administrative responsibility of recording vacation time when you are on personal business when students are not in session and not an official university holiday, thus eliminating the potential reporting risk.

If a faculty member is receiving full-time salary support during the summer, they are required by the Texas Government Code §658.001 and §658.002 states that “a state employee paid a full-time salary shall work not less than 40 hours a week”. TAMU System Regulation (33.06) defines the workweek/workday as Monday through Friday (8am-5pm). It should be noted that System Regulation (33.06.01.5) provides for “Temporary Adjustments of Work Schedules” which allow an employee to adjust hours within a workday or workweek as long as a 40-hour workweek is maintained. The schedule adjustment requires the appropriate supervisory approval, for a justifiable reason and does not represent a permanent (more than two months) work schedule change. Any temporary adjustments to work schedules shall be coordinated and approved with the faculty member’s direct supervisor, which in most cases will be their respective department head.

What do I do if I need to take time away outside of the official student break periods?

There will be times that an individual will need to take personal time that does not fit easily within the academic calendar breaks. In these situations, faculty members will work with their department heads to determine which among the existing policies for emergency leave, administrative leave with pay, flexible work schedules, and temporary flexible work schedules best suits their particular needs.

Available paid leave options for faculty can be found in the attached appendix: **Appendix A: Faculty Members’ Paid Time Off, Flexible Work Hours, and Alternative Work Location.**

Eligibility Plan for Payment of Accrued Leave

By state law Texas A&M is required to pay accrued vacation leave for employees with at least 6 months of state service upon separation of employment. If an employee moves out of a vacation accruing position, the university may agree to make this payment at the time of this change, rather than at separation time. However, due to the size of the current liability, a phase in of payouts will take place over the next three (3) fiscal years. This early payout will occur only for those faculty members on an accrual status as of August 31, 2014. Vacation Lump Sum Payouts will occur based on longevity as of August 31, 2014 as follows (without regard to preference due to taxability requirements):

- 24+ Years – March 2015
- 14-23.99 Years – September 2015
- 0-13.99 Years – September 2016

Faculty members will receive payouts upon separation from the University should they separate employment prior to the payout dates outlined above.

Lump Sum Tax deferral information can be located at the following TAMU website:
<http://employees.tamu.edu/benefits/leave/vacation-lump-sum-tax-deferral-information/>

Sick Leave Usage

The policy guidance herein only impacts personal leave and vacation accruals. All faculty on an appointment greater than 50% effort are required to record sick leave in accordance with university policies and guidelines. If you are absent from work for medical reasons for yourself or a dependent you are required to record your sick leave absence through Single Sign-On Leave Traq.

Sick leave policies may be found at the following locations:

- <http://rules-saps.tamu.edu/PDFs/31.03.02.M1.pdf>
- <http://policies.tamus.edu/31-03-02.pdf>

Faculty Members' Paid Time Off, Flexible Work Hours, and Alternative Work Location

Faculty members should discuss with their Department Head any questions or concerns they have about the material in this document. They are always encouraged to talk to the Faculty Ombudsperson or the Dean of Faculties if they have concerns about the implementation of the procedures described in this document.

While faculty are expected to meet their on-campus professorial expectations, the research, teaching and service work of full-time faculty is not limited to the traditional 40-hour, 8am-5pm workweek, conducted only in university workplace locations. However there are extant State laws, System policies and regulations, and University rules and procedures established to allow flexibility in faculty work schedules and work locations. The purpose of this document is to: 1) inform faculty and administrators of relevant policies, regulations, rules, and procedures; and 2) emphasize that if a faculty member's work schedule and/or location does not reflect a Monday-Friday workweek and/or the faculty member is regularly off-campus, necessary documentation must be submitted to the appropriate administrator for review and approval.

All faculty members are entitled to paid time off when the University has a holiday and the University is closed. When the University is open, but classes are not in session, faculty members who hold non-vacation accruing appointments are entitled to paid time off. Faculty members who hold vacation-accruing appointments, or who have administrative duties that require their presence on campus are not automatically entitled to paid time off on those days. Finally, in accordance with the System and University requirements discussed in this document, all faculty members may, with proper management of their duties and approval of their department head, may have paid time off when classes are in session.

All University administrators (except the President) who hold faculty appointments will be held to the same procedures as other faculty members from the unit where their faculty appointment resides. Appointment of all faculty administrators should state clearly if the administrative duties will be compensated with additional months of pay and/or a monthly stipend, all of which will be removed when the administrative position is no longer held in accordance with an established transition plan.

FACULTY PAID TIME OFF (VACATION) FOR FACULTY ON 12-MONTH APPOINTMENTS:

A faculty member with a 12-month appointment is eligible to accrue and use vacation. Only faculty members in the Colleges of Agriculture and Life Sciences, Dentistry, Law (for library faculty), University Libraries, Medicine, Nursing, Pharmacy, Veterinary Medicine are eligible, but not entitled, to 12-month appointments. To qualify for a 12-month appointment in these Colleges, the Dean and the Executive Vice President and Provost have an agreement on the required qualifications, and the Dean or Department Head may make such appointments. Any other 12-month appointments for extenuating circumstances (ex: faculty on an IPA) must be approved by the Dean and Provost and Executive Vice President. The term of appointment is stated in the annual appointment letter for the entire fiscal year and the faculty member accrues and uses vacation in the same manner as a non-faculty employee. A faculty member whose

appointment is changed to a 12-month appointment must receive written notice of the change and instructions for documentation of any absence from the workplace.

Vacation accrual rates, utilization, and carry over are regulated by Texas Government Code Sec. 661.152 (<http://www.statutes.legis.state.tx.us/Docs/GV/htm/GV.661.htm>), as well as System Regulation 31.03.01, Vacation (<http://policies.tamus.edu/31-03-01.pdf>). All faculty members who are on a 12-month appointment must submit a written request, or a LeaveTraQ request, to use accrued vacation time, prior to the dates of the intended utilization. Any faculty member who will miss a substantial portion of the normal work-day (typically several hours when the University is open) must make such a request for the utilization of vacation time, unless a temporary flexible schedule has been agreed upon by the employee and their supervisor. A supervisor may deny a request to use vacation leave if granting that leave would place an unreasonable burden on the member's ability to provide services of acceptable quality and quantity during the time requested.

PAID TIME OFF FOR FACULTY ON LESS THAN 12-MONTH APPOINTMENTS, REGARDLESS OF HOW MANY MONTHS THEY ARE PAID:

A faculty member with a less than 12-month appointment is not eligible to accrue or use vacation, but may take time off during university holidays and student recesses. Faculty members at academic institutions are typically appointed on a less than 12-month basis. A faculty member may also be employed for additional months during the summer to teach or do research, but is still considered to have a less than 12-month appointment unless official action is taken to change the appointment to a 12-month basis. (Student recesses include days between semesters, all of Spring Break, and Reading Days.) Faculty members who do not receive 12 months of pay may choose an option from the Extended Pay Plan of Texas A&M University (<http://payroll.tamu.edu/resources/extended-pay-plan/>) in order to receive pay throughout the 12 months of the year.

ADMINISTRATIVE LEAVE WITH PAY:

In accordance with University Standard Administrative Procedure, 31.01.01.M5.01, Administrative Leave with Pay (<http://rules-saps.tamu.edu/PDFs/31.01.01.M5.01.pdf>), Administrative Leave with Pay may be granted to a faculty member for outstanding job-related accomplishments or performance. Up to a total of thirty-two (32) hours of Administrative Leave with Pay may be granted to a faculty member, with a 50% or greater appointment for a full semester, per fiscal year in increments of four (4) or eight (8) hours. Awards of Administrative Leave with Pay should be taken within twelve (12) months of the award. The faculty member must be notified of the award and the date by which it should be used. Any exceptions to the timeframe in which the leave should be taken (less than or more than 12 months), must be approved by the department head before expiration of the leave and communicated to the employee in writing. Administrative Leave with Pay may not be converted to any other type of leave. Administrative Leave with Pay may not be transferred or paid should the faculty member end their employment relationship in the department from which the award was made. In addition, Administrative Leave with Pay will not be paid to the estate of a deceased faculty member.

Administrative Leave with Pay will be taken and accounted for in accordance with leave policies and procedures. A faculty member who has received an award of Administrative Leave with Pay may request to use that leave by submitting a request for the leave through LeaveTraQ, or using the Leave of Absence with Pay category on the Texas A&M University Request for Personal Leave and selecting Administrative Leave if their Department does not utilize LeaveTraQ.

Department heads, or their designees, will maintain a copy of the Administrative Leave With Pay Application and Approval Form in the faculty member's personnel file if LeaveTraQ is not utilized.

LEAVE OF ABSENCE WITH PAY:

In accordance with University Standard Administrative Procedure 31.03.03.M0.01, Leave of Absence With Pay (<http://rules-saps.tamu.edu/PDFs/31.03.03.M0.01.pdf>), a leave of absence with pay may be granted to a faculty member who is at least 50% time for a full semester in the year. Categories for such leave include:

- Emergency Leave due to death of a family member (up to 5 days by Department Head and if more than 5 days by the Provost and Executive Vice President or Executive Vice President of the TAMHSC) to be used within 30 days
- Emergency Leave due to severe personal crisis or catastrophic situation (up to 5 days by the Department Head and if more than 5 days by the Provost and Executive Vice President or Executive Vice President of the TAMHSC)
- University closure or temporary department closure due to unsafe circumstances is determined by the Assistant Vice President for Safety and Security, or the Dean, exercising the authority delegated to them by the Provost and Executive Vice President or Executive Vice President of the TAMHSC, authorizes that unsafe conditions exist for the faculty member that delays or prevents their attendance.
- Leave to meet duty requirements required by volunteer firefighter, emergency medical services volunteers, military service, jury service, disability training, foster parent leave, American Red Cross disaster service, organ, bone marrow, and blood donation, voting, and Court Appointed Special Advocates (CASA) volunteer service may be granted by the Department Head.

And, in accordance with System Regulation 31.03.03, Leave of Absence With Pay (<http://policies.tamus.edu/31-03-03.pdf>) an employee may request a leave of absence with pay for a reason not listed in the regulation if the employee provides good cause for the leave and has exhausted all leave that the employee is eligible to take (non-vacation accruing faculty members may not utilize any accumulated vacation balances). Authorization for a Leave of Absence with Pay in this case is delegated by the President to the faculty member's Department Head if the leave is less than 5 days, to the Dean if it is between 6 and 10 days, and to the Provost and Executive Vice President or Executive Vice President of the TAMHSC if it exceeds 10 days. These leaves may only be granted when the faculty member's regular duties have been adequately covered as scheduled by other faculty members or unanimous consensus of all students who may be affected by any rescheduling.

FLEXIBLE WORK HOURS:

In accordance with University Standard Administrative Procedure 33.06.01.M0.03, Flexible Work Schedule Procedures (<http://rules-saps.tamu.edu/PDFs/33.06.01.M0.03.pdf>), upon submission of a flexible work schedule form, Department Heads may grant faculty members who may not work in a university workplace Monday through Friday 8am-5pm a flexible work schedule if the arrangement will exist for two months or more. These arrangements are for schedules that have regular patterns for times to work during the week that do not fit the normal workweek. Under a flexible work schedule, a full-time faculty member must maintain a 40-hour workweek or an 80-hour work schedule over two consecutive workweeks.

Also, in accordance with System Regulation 33.06.01, Flexible Work Arrangements (<http://policies.tamus.edu/33-06-01.pdf>), a faculty member may adjust hours within a workday or workweek as long as at least a 40-hour workweek is maintained. This temporary schedule

adjustment requires the appropriate Department Head's approval, must be for a justifiable reason and does not represent a long-term flexible work schedule as defined above.

ALTERNATIVE WORK LOCATION:

In accordance with University Standard Administrative Procedure 33.06.01.M0.02, Alternate Work Location – Faculty (<http://rules-saps.tamu.edu/PDFs/33.06.01.M0.02.pdf>), an Alternative Work Location (AWL) is contingent upon approval by the Dean of Faculties and should not be considered an employee entitlement. An approved AWL request is an AWL agreement and can be terminated at any time by either the department head or the faculty member. To be eligible for an AWL agreement, the faculty member must be employed for at least 50% time during the semester in which the AWL is requested. After review, if the department head recommends approval, a memorandum requesting AWL and a copy of the employee's current job description will be forwarded through normal administrative channels from the department head through the college dean to the Dean of Faculties (research professor positions will also route through the Vice President for Research).

SICK LEAVE

In accordance with System Regulation 31.03.02, *Sick Leave* (<http://policies.tamus.edu/31-03-02.pdf>) a faculty member employed for at least 50% time for a semester is entitled to sick leave with pay and such leave is accrued on a monthly basis. A faculty member who must be absent from duty because of sickness, injury, or pregnancy and confinement must submit upon return to duty a written request, or LeaveTraQ request, to use accrued sick leave. This requirement applies to all faculty, regardless of whether on a 12-month appointment or a less than 12-month appointment.