

### **2.12.2 Disability Leave**

Saint Vincent College has adopted the following policy to meet the needs of our Faculty members who are temporarily unable to work due to illness or disability.

In case of illness or disability, payment of a full-time faculty member's salary is continued for a period of time dependent upon the length of his or her service. The College shall treat pregnancy as any other temporary disability for all job-related purposes including, but not limited to, commencement, duration and extensions of disability leave, the receipt of Short Term Disability benefits, accrual of seniority and any other benefit or service and reinstatement.

After five (5) consecutive working days off, the faculty member must submit to Human Resources Office a completed Request for Disability Leave of Absence form and a physician's statement indicating that the employee is temporarily disabled and unable to work and the expected period thereof. All time off under this short term disability program must be supported by a physician's statement indicating that it is medically necessary. The decision of whether the event qualifies the employee to receive short term disability benefits will be made by the College at its sole discretion, and the College reserves the right to ask an employee seeking such benefits to provide additional clarifying information or to obtain a second medical opinion at the expense of the College.

Before returning to work, the employee must submit a physician's certification that he/she is medically able to resume his/her employment.

The employee requesting leave will be asked to state their intent to return to work upon the physician's removal of the disability solely for planning purposes. An employee's indication that he or she does not intend to return to work does not affect the employee's eligibility for salary or benefit continuation during the period of disability.

All short term disability leaves should be scheduled in advance when possible.

Benefits under this plan are calculated from the first day of the beginning of the absences that are related to the disability. That date should be reflected in the Memorandum of Understanding reached pursuant to Section 2.12.3 herein.

Receipt of these benefits is contingent upon the individual employee's compliance with the College's policies concerning reporting off from work and applying for a disability leave of absence, and is subject to forfeiture in the event of abuse.

An employee's Disability leave shall run concurrently with any applicable leave in accordance with the Family and Medical Leave Act, or FMLA (see 2.12.9). Eligibility for disability leave is subject to the following seniority schedule:

#### ***Length of Service***

Less than one year

#### ***Disability Plan***

Either 8 weeks or the remaining weeks of the semester in which the disability occurs, whichever is longer, at full pay.

1 to 3 years	Full pay for first 9 weeks, then 70% of pay for 17 weeks
4 to 5 years	Full pay for first 13 weeks, then 80% of pay for 13 weeks
After 5 years	Full pay for first 17 weeks, then 90% of pay for 9 weeks

No faculty member shall be entitled to receive more than six (6) months of disability leave in the calendar year. This benefit may be used only once for each qualifying event.

A faculty member must have one year of service to be eligible for Long Term Disability benefits. Disability leave (as described in the above table) will carry faculty members with one year of service or more up to the sixth month limit when the Group Long-Term Disability Insurance will begin to provide coverage, if approved by the Long Term Disability carrier. The faculty member is urged to submit his or her application for Long Term Disability benefits to the Long Term Disability carrier in advance of the expiration of the Disability period in order to receive timely benefits under the Long Term Disability plan. Eligibility for receipt of benefits under the Long Term Disability Plan is determined solely by the Long Term Disability carrier.

The amount of the benefit to be received will be reduced in any given week by the amount of payment the employee may be entitled to receive under any Worker's compensation or other weekly disability benefit law.

### **2.12.3 Additional Provisions Related to Illness or Disability**

The College recognizes that the circumstances of each individual faculty member facing the possible need for Disability Leave are different. Accordingly, whenever feasible, the affected faculty member is required to meet with Human Resources before seeking Disability Leave to discuss that member's rights under these policies. Additionally, the member must meet with the Vice President of Academic Affairs (VPAA) to discuss whether reasonable accommodations may be made by the College to allow the member to fulfill their contractual duties without the need for such leave or, where leave is necessary, to assist the VPAA in arranging for appropriate coverage during their absence. In cases where there is a request for a partial disability leave, the faculty member will need to seek intermittent FMLA leave during the period of partial disability.

The VPAA has the discretion to accept an accommodation proposal based on a reasonable assessment of legitimate, non-discriminatory factors including, but not limited to, the time of the year in which the leave is necessitated, the particular department's staffing, disruption of the students' classroom education, and the overall curriculum needs of the College. The College may require a physician's approval of an alternative work schedule for the faculty member.

The determination by the VPAA will be recorded in a written memorandum of understanding, executed in consultation with the Human Resources Office. A copy of the Memorandum shall be given to the faculty member and the VPAA, and the original document shall be placed in the faculty member's personnel file in the Human Resources Office.

In cases where the faculty member is totally disabled from working per a medical certification, FMLA shall be invoked and the faculty member will not be permitted to return to work without a physician's release to return to work.

Probationary faculty using the disability leave provisions may elect to request an extension of the tenure probationary period under the provisions of Section 2.7.

#### **2.12.4 Parental Leave**

The mother or father (including any adoptive parent) of a newborn or newly-adopted child may request a paid parental leave of absence for up to two (2) weeks. The leave will be granted to the requesting faculty member without loss of seniority and any other benefit or service, without loss of any fringe benefit offered to employees by virtue of employment, and with right of full reinstatement.

All arrangements for parental leave with respect to date of effectiveness and return and a review of all rights should take place with the VPAA in consultation with Human Resources Office prior to the effective date of leave. The VPAA and Faculty Member will then agree to a memorandum of understanding on all such arrangements.

Parental Leave shall run concurrent with approved leave under the Family and Medical Leave Act, but not with respect to approved Disability Leave as set forth in 2.12.2. Faculty utilizing this parental leave shall attempt to minimize the disruption of student learning by making appropriate arrangements within the department.

Being the primary caregiver of a newly born or adopted child is an appropriate circumstance for which a probationary faculty member may request an extension of the tenure probationary period under the provisions of Section 2.7.

Faculty Members wishing to have an extended period of parental leave without pay not to exceed one (1) year may take such leave of absence by an application to the Human Resources Office. An effort should be made, however, to co-ordinate this leave with the academic term. A final decision on such leaves is made by the President in consultation with the Dean of the School, and the VPAA.