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Oversight Executive

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Reason for Policy

Recognizing the need for faculty members (including academic, administrative, and professional) to be away from the University to pursue research and scholarship and to take time away from work to fulfill family, personal, or other outside obligations, the University has established different types of leave.

Definition of Terms

Leave With Partial Pay

Description

Approved temporary reduction of a faculty member's workload accompanied by a commensurate reduction in salary (for example, a faculty member who is approved for half-time leave retains approximately half of his/her regular responsibilities for a specified period of time, during which he/she receives 50% of his/her salary). A faculty member on leave with partial pay usually retains full-time benefits, including health insurance, although the employer's retirement contribution during the period of leave will vary depending on the type of leave. For most types of leave with partial pay, the faculty member's reduced salary must be sufficient to allow for deduction of the employee's share of the health insurance premium.

Leave Without Pay

Description

Approved absence of up to two consecutive years from the University during which a faculty member does not receive salary; availability of benefits during a leave without pay depends on the type of leave.

Leave Year

Description

For the purposes of tracking unpaid leave taken by faculty under the federal government's Family and Medical Leave Act, the leave year begins each year on the first day of the pay period that includes January 1. Otherwise, faculty leave periods that reset annually (i.e., annual leave) do so at the start of each fiscal year.

Sabbatical Leave

Description A program of academic leave awarded on a competitive basis.

Policy Statement

The University provides different types of leave to support a faculty member's professional and personal life. With the exception of leave taken under the federal Family and Medical Leave Act (see [Section 2.F](#) below), faculty members must submit a request for any type of leave to their supervisor and obtain the required approvals. A leave request will be considered in light of the faculty member's particular situation and the needs of the faculty member's department or unit.

As noted below, some types of leave must be taken without pay. Other types may be taken on a partial basis, with the faculty member continuing to work some percentage of time for reduced salary. Only a few types of leave may be taken without a reduction in salary (see below: sabbatical, parental, and disability in [Section 2](#) below).

The relevant department chair and dean or vice president must approve a leave of absence for an academic faculty member. The faculty member's supervisor and the relevant vice president (or, in the case of librarians, the University Librarian) must approve a leave of absence for an administrative or professional faculty member.

A leave of absence, whether full or partial, will not be granted for longer than two consecutive years, except under exceptional circumstances (see [Procedures](#)).

Requests for leave with partial pay which will reduce the faculty member's effort to less than 25% must be requested in writing by the faculty member's supervisor or dean/vice president and approved in writing in advance by the appropriate executive vice president or the president if he/she makes the determination that the leave is in the best interests of the University.

If a faculty member's appointment ends during a period of approved leave of absence, the leave and any benefits associated with the leave will not continue beyond the faculty member's last date of employment.

For tenure-track faculty members, the duration of a leave of absence counts within the probationary period unless specifically exempted as a "clock-stoppage" by the dean with approval from the executive vice president and provost.

Certain faculty benefits are affected by the type of leave. Although the benefits associated with each leave type are summarized below, these summaries are general and will vary according to the circumstances of a particular situation. Faculty members considering a leave of any kind are encouraged to consult with a benefits counselor in University Human Resources (UVA HR). Clinical faculty members are encouraged to consult with benefits counselors in both UVA HR and UVA Physicians Group.

The terms of an approved leave should be documented prior to the start of the leave in a letter to the faculty member from the dean or vice president with provision for the faculty member's signature to acknowledge and accept the terms of the leave.

Any school or unit policy that differs from the terms of this policy must be approved in writing by the executive vice president and provost before it becomes effective.

1. Leave for Professional Reasons:

The University offers several types of leave of absence to support a faculty member's professional development. If a faculty member begins employment elsewhere within one year of returning from a paid leave of absence for professional reasons, he/she will remit to the University any salary paid by the University during the leave. This information should be included in the letter documenting the approval of the leave.

A. Sabbatical Leave:

Sabbatical leave is offered on a limited basis to help faculty invigorate their research and teaching activities. Each school offering a sabbatical program shall maintain a written policy explaining the elements of its program, including the conditions of eligibility, the criteria and mechanism of selection, the application procedure, the annual schedule of decision-making, reporting requirements, and provisions, if any, for deferring the sabbatical leave.

In addition, sabbatical leave may be approved for full-time teaching faculty of the schools (tenured, tenure-track, or non-tenure-track), usually to recognize faculty members who have contributed significantly to academic administration, have been appointed to an endowed professorship, or who have offered extraordinary service to the University at the department, school, or institutional level. For example, the winner of the Alumni Board of Trustees Teaching Award for tenure-track faculty members receives sabbatical leave as part of that award.

Faculty awarded sabbatical leave can be compensated one semester at full salary or two semesters at half salary.

During sabbatical leave, all full-time benefits normally remain in effect. The University continues to make contributions to retirement, health, life insurance, and disability plans.

B. Educational Leave:

Educational leave offers faculty members the opportunity to pursue new knowledge, techniques, and experiences that are judged by the faculty member's supervisor and dean or vice president to facilitate or enhance the faculty member's ability to contribute to the University. Faculty who receive external awards or fellowships that include financial support may request educational leave for the period of the award or fellowship.

Educational leave may be approved as leave without pay or as leave with partial pay for up to two years.

During educational leave, the University normally continues to make contributions to the faculty member's retirement plan and pays the premiums for life and disability insurance. If the faculty member is approved for educational leave without pay, the faculty member must pay the full cost of health insurance if he/she wishes to remain in the University's health plan. Faculty members who are approved for educational leave with partial pay and continue to work 25 percent of the time remain enrolled in the University's health plan and pay only the employee contribution toward the health insurance premium. Requests for leave with partial pay of less than 25% of the faculty member's full pay must be requested in writing by the faculty member's supervisor or dean/vice president and approved in writing in advance by the appropriate executive vice president or the president if he/she makes the determination that the leave is in the best interests of the University.

2. Leave for Personal Reasons:

In addition to the unpaid leave provided by the federal Family Medical Leave Act (FMLA, see [Section 2.F](#), below), the University provides several categories of personal leave to help faculty balance their personal and professional commitments. Other than unpaid leave provided under FMLA, leave for personal reasons may be approved at the discretion of the faculty member's supervisor and dean or vice president. Such approval is not guaranteed. With a supervisor's approval, the faculty member may use available annual leave to extend the approved period of personal leave. Annual leave is a form of paid leave (see [Section 3.A., Annual Leave and Holidays](#), below).

A. Family Leave:

A faculty member who is tenured or tenure-track or who is non-tenure-track with an appointment of one year or more may request leave with partial pay or without pay for up to one year when circumstances in his/her family make it difficult for the faculty member to carry out assigned duties. Family leave may be approved to allow the faculty member to serve temporarily as the primary caretaker of his/her child, spouse, or other disabled or elderly adult.

While on family leave:

- the faculty member may remain enrolled in the University's health plan so long as he/she pays both the employer and employee cost of the premium (faculty members on leave with partial pay who work at least 0.25 FTE pay only the employee cost);
- the University will make contributions to life insurance and disability plans.

The University will not make contributions to the faculty member's retirement benefit plan while the faculty member is on family leave without pay. For faculty members on family leave with partial

pay, the University continues to make a contribution to the faculty member's retirement plan, proportional to the level of work (i.e., for a faculty member approved for family leave of half-time, the University will contribute half of the faculty member's retirement contribution). Unpaid leave awarded under the federal Family Medical Leave Act (FMLA, see [below](#)) may offer different benefits during the period of approved leave. Faculty members considering a request for family leave should consult with a benefits counselor in UVA HR to determine the impact of such leave on his/her benefits.

Tenure-track faculty members may request in advance that family leave not be counted as part of the probationary period. The request must be approved by the dean or vice president and the executive vice president and provost.

Unpaid leave approved for faculty members under FMLA runs concurrently with other paid and unpaid leave described in this policy, including but not limited to, Family Leave, Parental Leave, and Medical Leave. FMLA provides for up to 480 hours of unpaid leave per leave year. Leave hours available through FMLA may not be accrued across leave years.

Faculty members should submit their requests for FMLA leave directly to UVA HR, which will notify the faculty member's dean's office or the appropriate vice president in the event the leave is approved. For complete details regarding unpaid leave that may be awarded under FMLA, see policy [HRM-026: Family, Medical, and Military Leave](#). For details regarding procedures related to FMLA and request forms, see UVA HR's [Guidelines for Requesting Family, Medical, or Military Leave](#).

B. Parental Leave:

A faculty member who is tenured or tenure-track or who is non-tenure-track with an appointment of one year or more may request up to eight weeks of leave with full pay or sixteen weeks of leave at half-pay upon a qualifying parental leave event, either through the birth, adoption, or placement of a child, or the assumption of legal guardianship for a child under eighteen years of age. The faculty member's benefits remain unchanged during the period of paid leave. No more than two faculty members may be approved for parental leave related to the same qualifying parental leave event.

A faculty member who is taking paid parental leave may also request an additional four weeks of unpaid parental leave. During the four weeks of unpaid parental leave, the University will pay no salary but will contribute the employer's portion of any allowable health and life insurance premiums, so long as the faculty member continues to pay the employee's share of the premium. During these four weeks, the University will not make contributions to the faculty member's retirement benefit plan.

Parental leave must be completed within twelve months of the date of the birth or placement of the child. Faculty may use leave on an intermittent (non-sequential) basis during this twelve-month period.

Schools and units must make every effort to accommodate faculty members' leave preference while also providing for the continuity of their operations. If the parents of a child (birth, adoptive, foster, or legal guardian) are faculty members working in the same department, unit, or program, the faculty members may be required by their school or unit to stagger or otherwise coordinate their periods of paid and unpaid parental leave so as to minimize the disruptive effect of leave on the

department or unit.

For faculty members who give birth, any approved paid parental leave is in addition to paid leave received as a result of short-term disability.

All paid and unpaid parental leave runs concurrently with any unpaid leave granted under FMLA (see [Section 2.F. below](#)).

C. Leave for Other Personal Reasons:

A faculty member who is tenured or tenure-track or who is non-tenure-track with an appointment of one year or more may request leave for personal reasons other than those specified above.

Personal leave may be granted with partial pay or without pay for up to two years.

For the first 12 months of unpaid personal leave, the faculty member may remain enrolled in the University's health plan so long as he/she pays both the employer and employee cost of the premium. The University will provide life and disability insurance for up to twenty-four months. The University will not make contributions to the faculty member's retirement benefit plan while the faculty member is on leave without pay.

If a faculty member is approved for personal leave with partial pay, the faculty member will remain enrolled in the University's health plan and will pay only the employee contribution toward the health insurance premium. The University will continue to make a contribution to the faculty member's retirement plan, reduced to reflect the faculty member's percentage of leave (for example, if a faculty member has been approved for personal leave of half-time, the University will contribute half of the faculty member's retirement contribution). Life and disability coverage continue so long as the partial pay is equal to at least one quarter of full pay.

D. Modified Duties:

In association with and in addition to a period of leave for personal reasons, faculty members may request to have modified duties during a semester in which they take leave. During the period of modified duties, the school will relieve the faculty member from organized teaching and service responsibilities. For faculty members with significant direct clinical responsibilities or limited teaching obligations, other modifications should be provided appropriate to their circumstances.

Modified duties are not a reduction in effort and should not be postponed to be redressed at a later date. During the period of modified duties, the faculty member is expected to fulfill their other professional responsibilities at 100% effort. This includes those responsibilities for which the faculty member is uniquely qualified and which may not be delegated, such as writing and reviewing papers, submitting proposals, and advising graduate students.

Each school is required to publish a school-specific modified duties policy that must be approved by the provost. School policies must conform to the general requirements set forth in this policy and, where appropriate, provide greater specificity, consistent with the school's particular needs and structure.

E. Disability Benefits (Medical Leave):

The types of disability benefits available to faculty are determined by the faculty member's retirement plan (Virginia Retirement System or Optional Retirement Plan). Short-term disability is

generally described as a type of “sick” leave for absences of more than five days, including leave for the birth of a child. For more information on short-term disability for faculty members enrolled in an Optional Retirement Plan, see the [site](#) maintained by the Provost’s Office. The short- and long-term disability plans for faculty are determined by their retirement plan, either the Virginia Retirement System (VRS) or the Optional Retirement Plan (ORP). For more information about the disability programs associated with each plan, visit UVA Human Resources [disability benefits information page](#). Days off work as a result of personal illness or injury that do not meet the conditions of short-term disability should be managed between the employee and his or her supervisor.

F. Family and Medical Leave Act (FMLA):

By federal law, a faculty member who has been with the University at least 12 months and has worked at least 1,250 hours during the 12 months before the start of the leave is entitled to unpaid family or medical leave under the following conditions:

- the birth of a child;
- the placement of a child with the faculty member for adoption or foster care;
- the faculty member is needed to care for a family member (child, spouse, or parent) with a serious health condition; or
- the faculty member’s own serious health condition makes him/her unable to do his/her job.

3. Leave for Other Reasons:

A. Annual Leave and Holidays:

Teaching faculty members employed for nine months do not receive annual leave. They observe University holidays and determine their own hours during semester breaks scheduled in the academic calendar. They do not have specific University responsibilities or duties during the summer apart from those associated with registration and the preparation of materials for the academic year.

Annual leave is available to faculty members who hold full-time appointments of a year or longer. Annual leave for faculty is granted in accordance with the following schedule:

12-month contractual cycle ---- 22 working days
11-month contractual cycle ---- 20 working days
10-month contractual cycle ---- 18 working days
09-month contractual cycle ---- 16 working days

- A. Part-time faculty members are eligible for annual leave proportionate to working time. Annual leave may be distributed throughout the year at the faculty member's option with the concurrence of the supervisor.

Any unused annual leave lapses at the end of each fiscal year and may not be accumulated. There is no compensation made for any unused leave at the time a faculty member accepts another position or converts to a different employment classification. Departments are responsible for monitoring annual leave for their faculty.

University holidays are scheduled so as to limit disruption to the academic calendar. UVA HR posts the holiday schedule. University holidays are not counted against annual leave. The academic calendar is set approximately two years in advance. Faculty members with teaching responsibilities are expected to attend on all days in which a class is scheduled.

B. Leave of Absence for Military Duty:

Faculty called to military duty will be placed on leave without pay by the department. If the faculty member is a twelve-month employee, the individual may take any available annual leave before being moved to a non-pay status. Paid leaves of absence for military duty, which are limited to fifteen working days per federal fiscal year, include training time and active service.

Although health insurance is not available for faculty members on leave without pay for military duty, the faculty member and his or her dependents can enroll in COBRA continuation coverage for up to twenty-four (24) months. If the faculty member is called to active service, the University will pay the employer contribution toward continuation coverage and the usual COBRA administrative fee will be waived. Employer-provided life and disability insurance will be continued for twenty-four (24) months of unpaid military leave, in accordance with the life and disability contract.

All faculty members called to military duty should consult with UVA HR regarding their rights under the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA).

C. Conversion Leave:

Faculty members who are converting from a 12-month to a 9-month appointment may be placed on leave without pay if their conversion date does not coincide with the start of the 9-month appointment cycle in August. Because faculty members with a 9-month appointment pay their annual benefit premiums in nine installments, rather than twelve, faculty members on conversion leave will be billed for their share of any benefit premiums not deducted from their salary prior to the start of conversion leave. Faculty members who have elected to purchase additional life insurance coverage through the University will be billed for these premiums also.

During conversion leave, life and disability insurance continue. Health insurance continues for faculty members who pay the employee-share of the premiums when billed by Human Resources. The University does not make contributions to faculty members' retirement accounts during conversion leave.

D. Jury Duty:

A faculty member who serves on a federal jury will receive payment for his/her services. A faculty member must use annual leave if he/she keeps the payment. If the faculty member remits the payment back to the University (see [Procedures](#) below), he/she should not use annual leave.

Money received for non-federal jury duty is considered "reimbursement for expense" and the faculty member should not use annual leave.

E. Administrative Emergency Leave:

Leave authorized by the University President to ensure continuity of operations due to unexpected or extraordinary circumstances, such as one experienced during times of pandemic illness or communicable disease outbreak. Emergency Administrative Leave is typically paid leave, regardless of fund source, and such leave is available only during periods authorized by the University President.

F. Compliance with Policy:

Failure to comply with the requirements of this policy may result in disciplinary action up to and including termination in accordance with relevant University policies.

Questions about this policy should be directed to the [Office of the Executive Vice President and Provost](#).

Procedures

For Faculty:

- Faculty members considering a request for any type of leave and/or modified duties should consult with their supervisor and UVA HR. Members of the clinical faculty are encouraged to also consult with the University Physicians Group.
- Faculty members who require an extension beyond the limits established for the relevant leave category must submit a request prior to the end of the approved leave to their supervisor, detailing the extenuating circumstances and specifying the term of additional leave being requested. If the supervisor and dean or vice president recommend approval of the extension, they will forward it in writing to the appropriate executive vice president or the president, who will grant approval in writing if he/she makes the determination that the extension is in the best interests of the University.
- Faculty members who believe they may be eligible for FMLA leave should submit their request to UVA HR; UVA HR will notify the dean's office or the appropriate vice president's office once the leave is approved.
- Faculty members who have served on a federal jury and wish to remit the payment for their service to the University (so as to avoid using annual leave for time served on the jury) should endorse the check and submit it to the Payroll Office in Financial Operations.

For Schools and Units:

- Schools wishing to extend a period of leave beyond twenty-four months or award leave with partial pay that is less than 25% of the faculty member's full pay should send a written request and brief justification to the associate vice provost for administration. Appropriate justifications include awarding partial leave with pay to allow a faculty member to accept an external fellowship that will fund most but not all of a faculty member's salary. Requests should be submitted to the Provost's Office at least 30 days prior to the start of the requested leave.

Related Information

[HRM-026: Family, Medical, and Military Leave](#) (University policy that applies to all University employees, including faculty, and contains information about the Family Medical Leave Act FMLA)

[PROV-009: Faculty Holding Appointments at Other Institutions or Organizations](#)

[PROV-017: Promotion and Tenure](#) (see section 1, "The Probationary Period on the Tenure Track," for information regarding requests to extend the probationary period)

[Guidelines for Requesting Family, Medical, or Military Leave Short-Term Disability](#)

[Virginia Retirement System](#)
[Optional Retirement Plan](#)

Major Category [Human Resource Management](#)

Next Scheduled Review Sunday, January 9, 2022

Revision History

Added Compliance section 7/21/21; Updated Section 2.C 6/17/20; Added #3E 4/14/20; Updated links 4/17/19; Revised 1/9/19; Updated links 1/29/18; 1/4/17; 7/16/14.

Category Cross Reference

[Executive Vice President & Provost Policies](#)

Supersedes Policy Text

Faculty Leaves of Absence; Leave with Partial Pay (Benefits While on Leave).

Approved By Policy Review Committee

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