

PIERPONT COMMUNITY & TECHNICAL COLLEGE
Board of Governors Policies and Procedures
POLICY # 38
TITLE: FACULTY ABSENCE DUE TO ILLNESS OR INJURY

Effective Date: November 10, 2005

Amended: August 22, 2012

Repealed:

The purpose of this policy is to clarify faculty rights and responsibilities when a faculty member cannot meet with classes or carry out other official/assigned duties because of personal illness or injury; to clarify the duties of Deans, or their designees in such cases; and to provide guidelines for requesting short-term disability leave. Since faculty members on a contract of less than twelve months do not earn or accrue sick or annual leave (per HEPC Series 38 and WVCCTC 135-38), this policy addresses leave and time off payroll procedures for less-than-twelve-month faculty when personal illness or injury occurs.

This policy is not intended to address all issues surrounding the request for unpaid medical, Family Medical Leave Act (FMLA), or WV Parental leave and is in no way intended to limit or prohibit faculty members from requesting and taking such leave. The Human Resources Office administers the FMLA and all other leave plans and processes. Please note that FMLA and other leave, as applicable, will run concurrent with the leave provisions outlined in this policy.

The Human Resources Office is responsible for the interpretation, application, and administration of this policy.

State law (§12-3-13) prohibits the payment of wages when work is not performed. This policy is intended to provide a procedure and plan that protects the faculty member and the institution in cases in which faculty members are unable to work due to personal illness or injury.

The Pierpont Community and Technical College Board of Governors strongly encourage all benefits-eligible faculty members to enroll in a short-term disability plan and direct the administration to make such a plan available. Faculty on a less-than-twelve-month contract who do not enroll in the short-term disability plan are not eligible for any other provisions to maintain their pay or salary and may find themselves without compensation if they are removed from payroll.

GENERAL PROVISIONS

Each faculty member is employed to carry out duties which include but are not limited to meeting with each assigned class during its scheduled time frame and performing other related faculty responsibilities.

A faculty member who must miss scheduled work time (class, office, committee, or other) because of personal illness or injury is required to notify his or her supervisor immediately. The

faculty member and his/her supervisor should notify the Benefits Office in Human Resources immediately if it appears, or there is reason to believe, the faculty member may miss more than five consecutive (5) days of work. This is to ensure that both the employee and the institution have invoked FMLA rights and responsibilities.

A work day is defined as a day on which the faculty member would regularly be scheduled to meet with a class, hold office hours, or perform other duties such as advising or committee work

In no case may a faculty member “subcontract “or agree to pay a colleague or other person directly for teaching his/her classes or performing other assigned work. Coverage and substitutes are arranged by the Dean/designee and appropriate compensation is paid through the State Auditor’s Office only.

DEAN/DESIGNEE RESPONSIBILITIES

In the event of the faculty member’s absence, it is the responsibility of the Dean (or his or her designee such as department chair or program coordinator) to ensure that:

1. Another member of the faculty/staff meets with the classes affected, or
2. He/she meets with the classes:
3. The students are notified in advance if it becomes necessary to cancel classes and the absent faculty member is unable to contact the students.
4. The faculty member has provided appropriate provisions via an online platform (i.e. Blackboard) to accommodate for any missed in-class work/activities, or

In addition, the Dean will develop and maintain a record-keeping system for documenting notification of faculty absences due to illness or injury and will notify Human Resources when a faculty member has been absent five (5) consecutive work days due to personal illness or injury. The Dean or designee will ensure that the faculty employee has provided verification of HR’s receipt of a “Return to Work Authorization/Medical Release” form when absence exceeds five (5) or more consecutive work days and will ensure that the faculty member does not work until HR has reviewed and permitted the return to work.

FACULTY RESPONSIBILITIES

Faculty members have the following responsibilities:

1. A faculty member who must miss scheduled work time (class, office, committee, or other) because of personal illness or injury is required to notify his or her immediate supervisor.

2. If physically able, notify the students in advance if it becomes necessary to cancel classes.
3. If physically able, offer assistance or suggestions to the Dean or designee in arranging for another faculty or staff member to meet with affected classes.
4. Before returning to work after a period of absence of five (5) or more consecutive work days, the faculty member must ensure that a “Return to Work Authorization/Medical Release” form from the treating health care professional is provided to HR Benefits Office. The faculty member is not to return to work until HR has received this form and informed both the faculty member and his/her Dean/designee that the return to work is accepted. HR will also notify the Dean/designee of any medical restrictions on the faculty member’s return.
5. Faculty members are strongly encouraged to enroll in short-term disability coverage (STD) and are advised that compensation is not guaranteed to those faculty members who do not carry short-term disability coverage.

Faculty members must notify the Benefits Office of Human Resources and request a claim form to file for disability income benefits (short-term disability benefits claim form currently available through the Benefits Office). STD benefits start the 8th consecutive day of illness/injury and provide 60% nontaxable benefit up to 26 weeks of disability if proper documentation is provided by the health care professional.

Faculty members whose illness or injury prevent them from carrying out their assigned duties for fourteen (14) consecutive calendar days will be removed from payroll. Up until this point the employee may remain on payroll, with the appropriate notification to HR of the employee’s absence after the five (5) consecutive work days. No work from home or part-time work arrangements are permitted during this time. The administration will work with those faculty members enrolled in short-term disability to initiate the receipt of disability benefits as defined by the plan.

During any medically authorized absence of more than five (5) consecutive days, the affected faculty member is to be fully released from duty and is not to provide services of any kind to Pierpont. Unless and until the Human Resources Benefits Office has obtained an authorized release form from the faculty employee’s physician or other health care professional, the faculty member may NOT work or enter into any “part-time” or “work from home” arrangement with his/her Dean/designee or on his/her own initiative. Only the Provost may approve part-time or work from home arrangements, and these must be requested by the faculty member, detailed in writing with a set beginning and ending date, and have the Dean/designee’s written approval.

Failure of a faculty member and/or his/her Dean/designee to abide by the provisions of this policy may be a cause for disciplinary action of the parties involved.

While this policy addresses the procedures for short-term illness and injury leave and encourages faculty members to enroll in a short-term disability plan, the Board also encourages all faculty members to enroll in some form of long-term disability coverage.