
Report of the Commission on Faculty Compensation and Economic Benefits
April, 2015**I. Charge to the Commission:**

The commission was charged by the University Committee with the following tasks:

1. Undertake a comparison study of family leave policies at the UW-Madison and peer institutions.
2. Conduct a needs assessment for the UW- Madison.
3. Identify alternative parental leave practices, including though not necessarily limited to innovative practices used elsewhere that might be practicable here.
4. Make parental leave policy recommendations for UW-Madison faculty, working closely with ASEC, the governance body for academic staff.
5. Evaluate current UW-Madison practices for communicating parental leave options.
6. Evaluate the budgetary implications of proposed recommendations.

Commission Members:

Julie Allen, L&S/Scandinavian Studies
Randolph Ashton, ENGR/Biomedical Engineering
Anna Haley-Lock, L&S/Social Work
Robert Hamers, L&S/Chemistry
Rebecca Scheller, Academic Staff representative and co-chair of CWU, *ex officio* & non-voting
David Thomas, CALS/Animal Sciences
James Timjun, ENGR/Engineering Professional Development
Jessica Weeks, L&S/Political Science
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Introduction

Family leave policies are a critical part of the overall compensation and benefits package for faculty at all academic institutions. Parental leave is especially important for faculty at research-focused (R1) institutions such as UW-Madison because research plays a critical role in tenure and promotion and because even a temporary decline in research productivity due to family obligations can be irrecoverable. In recent years, many of UW's peer institutions have implemented benefits packages that provide teaching release, reduced committee loads, and other forms of relief to help ensure that faculty parents can adapt to their changed family situation while maintaining their research programs. While the Wisconsin Family Medical Leave Act requires employers to provide six weeks of leave upon adoption or birth of a child, the current UW policy requires use of sick leave or unpaid leave. The current policy does not meet the needs of many faculty and is not competitive with benefits offered at most peer institutions.

Current Benefits: What does UW-Madison Provide?

The UW-Madison Office of Human Resources summarizes family-related leave policy for faculty in a document titled *Balancing Family and Work*, last revised in November 2009.¹ Current policy is based upon the Federal Family and Medical Leave Act (FMLA), the Wisconsin Family and Medical Leave Act (WFMLA) and UW-System policy on sick leave. The document notes that "the integration of these laws and policies can be quite complicated" and advises faculty to contact Human Resources to discuss their specific situation.

¹ <http://www.ohr.wisc.edu/polproced/fambroch.pdf>

The core of the current paid parental leave policy is the ability of faculty to use accrued sick leave as paid “family leave” under the WFMLA. UW allows faculty to use sick leave in this manner even if not actually ill; this benefit is also applied equally to birth mothers and non-birth parents. However, parents can use no more than six weeks of sick leave per calendar year in this manner, even if they have accrued sick leave beyond six weeks. Some faculty may also use accrued vacation leave to supplement or as a replacement for accrued sick leave. However as discussed further below, faculty on 9-month appointments (representing the vast majority of UW faculty) do not accrue vacation, and therefore the majority of faculty on campus must rely exclusively on sick leave. Birth mothers are separately entitled to use sick leave if they have a medical condition that precludes work, as are faculty whose child or spouse/partner has a medical condition that requires direct care; in those cases, the maximum amount of leave available is not limited to six weeks, but rather by the amount of sick leave that the employee has accumulated.

Parental use of “sick leave” as family leave under the WFMLA must be initiated within 16 weeks of the birth or adoption of a child. For faculty on 9-month appointments, summer months off-payroll are not included in the 16-week time-frame. Faculty are permitted to take part of their paid leave on an intermittent or part-time basis, but only if doing so does not create an undue hardship on the University.

To summarize: for the vast majority of faculty on campus, birth mothers are allowed up to six weeks of leave on a medical basis, and all new parents are allowed up to six weeks of additional family leave. In all cases, salary may continue only if sick leave is used. Therefore, paid leave for medical and/or family is only available to the extent that the individuals have sufficient accrued sick leave.

According to the University of Wisconsin System’s 2015 *Employee Benefit Summary* document, all new faculty hires are provided 176 hours (22 days) of sick leave for use during their first 18- months of employment. Afterwards, they are eligible to accumulate an additional 96 hours (12 days) of sick leave per fiscal year. The majority of faculty are on 9-month appointments. A small percentage of faculty are on 12-month appointments; in addition to the above benefits, these faculty also accrue 176 hours (22 days) of vacation days per fiscal year, and can take 36 hours (4.5 days) of personal holidays that are not carried over each year. Looking only at the accrual of sick leave (the typical situation for most faculty, who are on 9-month appointments), it will take a new faculty member about 1.5 years to obtain enough sick leave days to cover the maximum 6-week WFMLA family leave period granted under current policy. This calculation assumes that the faculty member does not need to use any of the sick days for other purposes, such as illness. Should the faculty member wish to use WFMLA family leave for a second child, the faculty member would have to wait approximately three more years to again accrue six weeks of sick leave.

Faculty members are also permitted to extend their parental leave by adding a period of unpaid leave to any period of paid leave. Under the federal FMLA, full-time employees are entitled to a total of 12 weeks of leave (including the 6 weeks guaranteed by the WFMLA) for childbirth, adoption or foster care child placement, dependent care, or due to a serious illness that precludes work. In the case of childbirth or child placement, unpaid FMLA leave must start within one year from the birth or placement. During unpaid leave the faculty member’s group health insurance benefits must be maintained under the same terms and conditions as if the leave had not been taken, and the faculty member will remain responsible for paying any premium contribution (even though the faculty member is not drawing a salary). At the end of the leave period, the faculty member is entitled to return to the same or a comparable working position.

The *Balancing Family and Work* document emphasizes that structuring parental leave under current policy can be especially difficult when faculty members have instructional duties. The difficulties

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primarily arise because the maximum amount of paid family leave (six weeks) is insufficient to cover a full semester's worth of class sessions. The document says that "each situation [involving a faculty member with teaching responsibilities] carries its own unique circumstances, and there is no single, easy answer to offer." The document emphasizes that the faculty member considering taking family leave should talk with their department chair or dean to arrange a personalized plan. The department chair, in consultation with the Dean's office, is given authority to make the "final decision" on any plan for use of leave, including how to structure the leave to account for a faculty member's teaching duties. The department's executive committee may also play a role. The effect of this policy is to require the faculty member to negotiate with his or her chair or dean about the precise contours of their leave plan. The document mentions a number of options that a chair or dean might select from, including asking another faculty member to cover his/her course ("colleague coverage"); relieving the faculty member from teaching duties for the entire semester; having the faculty member "team teach"; doubling up class sessions before and/or after the birth; taking on extra service-type work in exchange for teaching release. In the case of colleague coverage, it is very important to note that the faculty member must still use sick leave during the period in which the colleague is covering the course, even though no funding is supplied to the department for a replacement lecturer. UW policy does not permit a faculty member to rely on colleague coverage in lieu of using accrued sick leave.² Current UW leave policy provides units with some degree of flexibility in designing unit-specific policies.

It should be noted that there is some confusion regarding colleague coverage given current Board of Regents Policy Document 20-1. This policy states:

Faculty with Teaching Responsibilities: In any semester in which a faculty member who has teaching responsibilities is entitled to use sick leave, the provisions of this policy shall be modified as follows:

1. If a faculty member's duties are assumed by colleagues for the duration of the semester, as has been the traditional way of covering teaching responsibilities, the absent individual will not be required to use sick leave until the end of the semester in which the absence began.
2. If a replacement is appointed to assume the faculty member's responsibilities he or she must use sick leave.

Whichever of the above situations occurs during the semester in which the absence commences, the absent staff member will be required to use sick leave thereafter.

The above Policy Document seems to suggest that a faculty member might be exempt from reporting sick leave if his or her courses are assumed by colleagues, but a faculty member would need to report sick leave if a replacement is appointed. The Policy Document goes on to state that whichever situation occurs, a "staff member" must use sick leave thereafter. This language makes it unclear as to whether (and under what conditions) a faculty member must report sick leave, and implies that a faculty member might be exempt from reporting sick leave, which conflicts with the December 14, 2007 memo from Catharine DeRubeis of the Academic Personnel Office to Human Resources Representatives.

In addition to the leave policies discussed above, *Faculty Policies and Procedures* 7.04.(H)(1) allows untenured (probationary) faculty members (birth mothers and non-birth parents) to receive an extension of their maximum probationary period ("tenure clock"), even if leave is not taken. The tenure clock can be extended by up to one year for each childbirth and in cases of unexpected medical leave, and must be approved by the department's executive committee, the relevant dean, and the University Committee. The intent of the policy is to give probationary faculty a sort of "release" from research expectations by their faculty colleagues; however, federal, state, or private sponsors of the faculty member's research

² Memorandum from Catharine DeRubeis, Academic Personnel Office to Human Resources Representatives/Payroll Coordinators, December 14, 2007

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may still expect undiminished productivity. There is no equivalent benefit for tenured faculty members.

What is the need?

Parental leave is a necessity for the physical and mental health of both parents and child, as well as an integral part of a healthy workplace climate.^{3,4,5,6,7} Current UW policies impose financial hardships on faculty parents, especially in cases where faculty do not have sufficient sick leave and therefore must take unpaid leave. The workplace climate for parent(s) employed by UW- Madison would be enhanced by the knowledge that their salary will continue during the parental leave period without the use of (perhaps non-existent) accumulated sick leave or vacation days, and their work duties, primarily teaching, are being covered in an equitable and fair manner through a system that is applied consistently across the campus.

In many cases, UW-Madison faculty are entitled to claim up to 6 weeks of paid medical leave for the birth of a child and 6 weeks of paid family leave for the birth or adoption of a child (see details at <http://www.ohr.wisc.edu/polproced/fambroch.pdf>). However, paid parental leave is available only if the parent has accrued enough sick leave or vacation days to cover the period.

This is especially problematic for new faculty on 9-month appointments who do not accumulate vacation days and who may not have accumulated enough sick leave to cover the parental leave period. Requiring use of accumulated sick leave and/or vacation days for payment of salary during a parental leave can present a hardship on both new and longer-serving faculty because these days are no longer available for other medical situations and family emergencies that require time off.

Another issue regarding parental leave is coverage of instructional responsibilities of the parent(s) while on leave. Currently, the responsibility for finding course coverage is on a case-by-case basis for the faculty member, the department chair, or the college. While larger departments can often “absorb” the duties of faculty members taking a semester off from teaching for parental leave, smaller departments might be less able to provide colleague coverage or short-term staffing for courses. Putting the responsibility on the faculty member to find a colleague to cover their teaching responsibilities places them in a very awkward situation, especially for junior faculty, and lack of sufficient flexible funds at the department or college level makes the hiring of short-term staff for course coverage difficult.

A consistent policy for the UW-Madison campus on parental leave that includes paid leave without the use of sick leave or vacation days and the automatic availability of funds to hire short-term staff for coverage of courses taught by faculty on parental leave is required for an enhanced work environment for the UW-Madison faculty and for the well-being of their children.

Since UW-Madison lags behind most of its peer institutions in the parental leave benefit, the improvement of this benefit also will assist in the recruitment and retention of quality faculty.

³ L.P. Howell, L.A. Beckett, J. Nittiksimmons, and A.C. Villablanca, Generational and Gender Perspectives on Career Flexibility: Ensuring the Faculty Workforce of the Future, *American Journal of Medicine* **2012**, *125*, 719-728

⁴ A.C. Villablancak, L. Beckett, J. Nittiksimmons, and L.P. Howell, Career Flexibility and Family-Friendly Policies: An NIH_Funded Study to Enhance Women’s Careers in Biomedical Sciences, *Journal of Womens Health* **2011**, *20*, 1485-1496

⁵ T.A. Scandura and M.J. Lankau, Relationships of gender, family responsibility and flexible work hours to organizational commitment and job satisfaction. *Journal of Organizational Behavior* **1997**, *18*, 377-391

⁶ T.D. Allen, Family-supportive work environments: The role of organizational perceptions, *Journal of Vocational Behavior* **2001**, *58*, 414-435

⁷ S.C. Eaton, If You Can Use Them: Flexibility Policies, Organizational Commitment, and Perceived Performance, *Industral Relations* **2003**, *42*, 145-167

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In order to assess how UW-Madison's parental leave policies compare to those of UW- Madison's peer institutions, The Commission performed an in-depth review of peer institute policies. To form our comparison peer group, we followed standard practice at UW-Madison: we included the 14 other universities in the Committee on Institutional Cooperation⁸ (CIC) and four other top public universities. The comparison list is shown below, with the footnotes providing the URL for each institution's current university-wide parental leave policy (as of February 2015).

Comparison institutions:

1. Indiana University⁹
2. Michigan State University¹⁰
3. Northwestern University¹¹
4. Ohio State University¹²
5. Pennsylvania State University¹³
6. Purdue University¹⁴
7. Rutgers University¹⁵
8. University of California¹⁶
9. University of Chicago¹⁷
10. University of Illinois at Urbana-Champaign¹⁸
11. University of Iowa¹⁹
12. University of Maryland²⁰
13. University of Michigan²¹
14. University of Minnesota (Twin Cities)²²
15. University of Nebraska-Lincoln²³
16. University of North Carolina²⁴
17. University of Texas at Austin²⁵
18. University of Virginia²⁶
19. *University of Wisconsin-Madison*²⁷

⁸ <https://www.cic.net/about-cic/member-universities>

⁹ https://www.indiana.edu/~vpfaa/academicguide/index.php/Policy_F-4

¹⁰ <http://www.hr.msu.edu/documents/facacadhandbooks/facultyhandbook/parentalLeave.htm>

¹¹ <http://www.northwestern.edu/provost/policies/faculty-leave-and-holidays/policy-on-faculty-family-leave.html>

¹² <http://hr.osu.edu/public/documents/worklife/Parentalcareguidebook.pdf?t=201411343650>

¹³ <http://guru.psu.edu/policies/OHR/hrg18.html>

¹⁴ <http://www.purdue.edu/policies/human-resources/vie3.html> and

<http://www.purdue.edu/discoverypark/advance/assets/pdfs/documents/worklife/work-family-policies.pdf>

¹⁵ http://rutgersaaup.org/sites/default/files/images/FT_Agreement_2007-2011.pdf

¹⁶ <http://www.ucop.edu/academic-personnel-programs/files/apm/apm-760.pdf>

¹⁷ <https://facultyhandbook.uchicago.edu/page/parental-leave-three-quarter-faculty-appointments>

¹⁸ https://nessie.uihr.uillinois.edu/cf/leave/index.cfm?Item_id=1343&mlink=1 and

<http://www.cam.illinois.edu/ix/ix-c/ix-c-45.htm>

¹⁹ <http://www.uiowa.edu/~our/opmanual/iii/22.htm#228>

²⁰ http://faculty.umd.edu/faculty/leave_ppl.html

²¹ <http://spg.umich.edu/policy/201.93>

²² <http://www1.umn.edu/ohr/benefits/leaves/parental/index.html>

²³ http://svcaa.unl.edu/faculty/policies/work_life_balance.shtml

²⁴ <http://academicpersonnel.unc.edu/faculty-policies-procedures-guidelines/leave/faculty-serious-illness-major-disability-and-parental-leave-policy/>

²⁵ <https://www.policies.utexas.edu/policies/modified-instructional-duties>

²⁶ https://policy.itc.virginia.edu/policy/policydisplay?id=HRM-038#Parental_Leave

²⁷ <http://www.ohr.wisc.edu/apo/policies/index.htm>

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To illustrate how UW’s parental leave policy compares to that of its peers, we first quantified the policies for biological mothers. We focused on teaching relief and divided institutions into three categories:

1. those providing paid teaching relief of 12 or more weeks;
2. those providing paid teaching relief for 6-12 weeks; and
3. those providing no paid teaching relief (for example, institutions where the only way for a parent to take paid teaching relief is if they are able to use accrued sick leave).

Figure 1 below illustrates that UW lags well behind its peers. Out of the 18 peer institutions surveyed, only one does not provide paid teaching relief without the use of accrued sick leave for birth mothers.

Indiana	North-western	Penn State	Purdue	Rutgers	Cal	Illinois	Michigan	Nebraska	North Carolina	Texas
Michigan State	Ohio State	U. of Chicago	Maryland	Minnesota	Virginia					
Iowa	Wisconsin									

Figure 1. Comparison of family leave policy at peer Institutions with the top row (green) representing institutions with paid teach relief of 12 weeks or more; the middle row (blue) representing those with paid teaching relief of 6 to 11 weeks; and the lowest row (red) representing those with no teaching relief without taking sick leave

We next undertook a qualitative assessment of the policies for parents other than biological mothers, including but not limited to partners of the biological mother and adoptive parents. The data show that UW is not competitive with its peers, as according to UW-Madison’s policy, parents other than non-biological mothers are at best allowed to take 6 weeks of teaching relief, which they must fund using sick leave or take leave without pay. At many other institutions, all new parents are treated equally, sometimes receiving up to a semester of teaching relief without the use of accumulated sick leave.

What are some of the practices that might work at Madison, and what would be the approximate cost?

One approach (described below) would be to relieve faculty of their teaching responsibilities for one semester, with the understanding that it is essential for faculty to continue research activities, often as a required element of federally sponsored research grants. Assuming the most common scenario of a faculty member on a 9-month appointment and with a teaching load of two 3-credit courses per semester, an Associate Lecturer hired at a 67% appointment and based on the minimum \$29,500 9-month salary would cost \$9883 in salary and \$3410 in fringe benefits (34.5% of salary, 2013-2014 rate), for a total of \$13,923 for one semester of teaching relief.

Data compiled in 2011-2013 indicate that an average of 46 children were added to faculty insurance policies. Assuming that this number is an accurate reflection of the number of births and adoptions, the cost of providing lecturer replacement funds for eligible faculty parents would be approximately \$640,000/year.

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As noted earlier, many faculty do not have sufficient accrued sick leave, and many other universities do not require faculty to use sick leave in cases of childbirth/adoption. Another practice at some universities is to provide 6 weeks of paid leave for new parents. Based on the 2012-2013 Assistant Professor salary of \$77468 (UW-Madison Data Digest), for 9 months (39 weeks) we estimate the 6 weeks of leave would cost \$11918 salary + 4112 benefits = 16,030. Assuming 46 childbirth/adoptions take place each year, this would cost approximately \$737,000/year.

What is our recommendation?

The Commission recommends that the University undertake a comprehensive analysis of benefits for male and female faculty associated with childbirth, adoption, and the resulting burdens placed on new parents. Faculty are in a unique position among university staff because of the long-term, multi-year responsibilities associated with advising Ph.D. students and maintaining research programs—duties that must be maintained even when birth or adoption of children take place. In the recommendations below, we define “teaching relief” to be relief from group instruction/classroom teaching, outreach, and from extensive service work, with the expectation that faculty would continue to fulfill obligations associated with their research and clinical activities and continue to advise graduate students.

Recommendation 1: The commission recommends that the university should work within the human resources redesign program to develop and establish policies that would enhance the ability of new parents to adapt to their changing family situation. These policies should be flexible to accommodate the diversity of needs of different families while providing a uniform set of minimum benefits.

Recommendation 2: The commission recommends that the university provide at least one semester of paid teaching relief to all parents upon birth or adoption of a child. This leave should be granted automatically without a specific request and should not require the use of “sick leave.”

Recommendation 3: It is essential that teaching relief provided to new parents be accompanied by a mechanism to provide funds as necessary to the faculty member’s department sufficient to provide a replacement instructor without imposing additional burdens on other faculty.

While our charge is to address needs of faculty, our investigation suggests that similar benefits should also be considered for other categories of university staff.