

COMMITTEE: Faculty Welfare Committee

MEETING DATE: March 07, 2013

PERSON PRESIDING: Rachel Roper (chair)

REGULAR MEMBERS IN ATTENDANCE: Ken Ferguson, Rachel Roper, Susan Pearce, Linda Crane-Mitchel

EX-OFFICIO MEMBERS IN ATTENDANCE: Karen Mulcahy, John Howard, Jaime Perry

OTHERS IN ATTENDANCE: John Toller, Human Resources. Guest

ACTIONS OF MEETING

Agenda Item:

Approval of minutes from 2.14.13

Discussion:

None

Action Taken:

Minutes were approved

Agenda Item:

Approval of DRAFT Resolution on The Office of Equity and Diversity Annual Report to Faculty Senate

Discussion:

Committee was provided document via email with following comments from Committee Chair Roper on Thu 2/21/2013. 11 members plus committee chair approved for 12 out of 14 members and no objections.

At the Faculty Senate Chairs' meeting this week, I asked the chairs what they thought of having the Office of Equity and Diversity make an annual report to the Senate. The Parking Office makes an annual report to Senate, but currently there is no report on faculty equity/diversity. The chairs and officers seemed very supportive of the idea and suggested that the best way to institute an annual report to Senate would be to make a resolution from the FWC, and they had Lori put in on the Faculty Senate Agenda for the March Senate meeting. Therefore, I am asking you if FWC would like to make such a resolution to Faculty Senate. I got input from the officers, and Cheryl McFadden went to the Office of Equity and Diversity website and borrowed some of their language for the resolution (this text is shown in quotes in the attached draft document). Please take a look at the attached resolution and see if you support it and if you'd like to edit.

Chair Roper read the following section of the document –

Therefore, be it resolved that The Office of Equity and Diversity will deliver an annual oral and written report to the Faculty Senate with statistics on diversity in the faculty and administration (to include gender and other historically underrepresented groups including those of African and Hispanic descent) of East Carolina University, and

Therefore be it further resolved that The Office of Equity and Diversity report on any initiatives at East Carolina University designed to improve faculty representation of such groups and trends in employment and promotion rates.

Discussion –

Roper - Mark Sprague, Chair of the Faculty Senate asked that it be sent to OED. It was sent but with no response.

Action Taken:

Motion made to present (modified version – removal of quotes, addition of citation) the document to the Faculty Senate this month. Susan Pearce, 2nd by Linda Crane-Mitchel. Approved unanimously.

Assigned additional duties to:

Agenda Item:

Spousal and Domestic Hiring Standard Operating Procedure document

Discussion:

Last year the document was by the committee and the Faculty Senate but was rejected by the Chancellor. Earlier this year VC Horn and Provost Sheerer met with FWC and suggested changes. Changes were made.

Discussion in committee whether it would serve to advance hiring of female, minority and disabled candidates. It was agreed that it would.

Domestic partner defined by UNGA as a form of affidavit. Policy would apply to all faculty and faculty partners.

As voted in previous meeting, the document was sent to the Office of Equity and Diversity, VC Horn and the Provost and no comments were returned. (1 no comments, two no responses)

Document, *Why Spousal Hires?*, was read aloud by Chair Roper.

Why Spousal Hires? (by Chair Roper)

- 1. Policies facilitating academic spousal hiring are important for all faculty because a large proportion of faculty have academic spouses; 36%, according to a 2008 Stanford report, Dual Career Academic Couples.*
- 2. A spousal hiring policy is especially important for faculty at ECU since Greenville is a small city and has few other professional opportunities for spouses. In larger cities, there are many other places a professional spouse could find employment.*
- 3. A spousal hiring policy is an important recruitment and retention tool, allowing ECU to hire and maintain the best faculty.*
- 4. It is more expensive to run a full recruitment for a position to replace a faculty member who left for spousal reasons than it is to allocate some money toward a spousal hire. Dr. M Bauer in English stated during the Faculty Senate discussion, “she sees faculty leave every year because of a lack of jobs for spouses” (faculty senate minutes 4/12)*
- 5. Spousal hires are a faculty gender equity issue because more women are married to male faculty than the converse (49.6 percent of women and 36.6 percent of men have academic spouses [Townsend American History Association 2013]).*

6. A spousal hiring policy is just as important for recruiting racial minority faculty. It may even be more important for recruiting minority faculty, as they are nationally highly sought for improving faculty racial diversity. Offering a spousal hiring option may help recruit minority faculty to ECU.

7. Other universities offer assistance with spousal hires. If ECU does not, this will place ECU at a competitive disadvantage. For example, UNC at Chapel Hill has a spousal hiring program including an EEO waiver, and at Arizona State University, "If an individual is recommended finalist for a position and the applicant's relative desires university employment, and the university has an available position for which the relative is qualified, a waiver of advertising for the second position must be obtained from the director of the Office of Equity and Inclusion, Human Resources, and the campus director of Human Resources."

8. This policy is likely to help ECU increase its proportion of women faculty. 2010 data from IPAR indicated that for tenured or tenure track faculty in Academic Affairs (46 departments):

15 departments (33%) had less than 25% female faculty.

21 departments (46%) had less than 25% of their tenured faculty that are female.

22 departments (48%) had no female full professor.

3 departments (6%) had no male full professor.

In summary, facilitating faculty spousal hires will help ECU recruit and retain the highest quality faculty, support work life balance, and improve faculty diversity.

Action Taken:

Motion made to forward *Spousal and Domestic Hiring Standard Operating Procedure* as amended and *Why Spousal Hires?* documents to the Faculty Senate this month. Ken Fergusson, 2nd by Susan Pearce. Approved unanimously.

Assigned additional duties to:

Rachel Roper will discuss *Spousal and Domestic Hiring Standard Operating Procedure* document with OED.

Agenda Item:

Draft lactation policy

Discussion:

Chair Roper spoke with Karen Summerlin 2/28/13 and she said that the interim regulation is being reworked. She said it now states 'employee' not 'staff' and employee includes faculty. I asked her if they would please clarify/expand the word 'employee' so that there is no question that faculty are included.

She said she would pass this information along. John Toller confirmed that the document would state that faculty are covered by this policy.

Students are not covered by this policy

John Toller recommends that education on providing appropriate lactation procedures to departments.

Discussion on length of providing accommodations. The Federal policy is silent on this issue.

Action Taken:

Assigned additional duties to:

Agenda Item:

Modification of Faculty Serious Illness and Parental Leave, to include Intermittent Leave

Presentation of memo and document by John Howard. Memo and suggested changes to existing policy follow:

February 18, 2013

To: Faculty Welfare Committee

Re: (Draft) Proposal for Including Paid Intermittent Leave in the Faculty Serious Illness and Parental Leave (FISL)

History: Policy on Serious Illness and Disability Leave for Faculty first approved by ECU Board of Trustees effective May 6, 2005; Last revised: July 22, 2010. THIS POLICY WAS GOVERNED BY THE ECU FACULTY MANUAL THROUGH JUNE 30, 2011; THE EFFECTIVE DATE OF THE AMENDED POLICY WAS JULY 1, 2011. See <http://www.ecu.edu/PRR/06/45/01>

*Related Policies: UNC Policy Manual 300.2.11 Policy on Serious Illness and Disability Leave for Faculty; ECU Faculty Manual, Part XI, Part VIII, Part IX; federal Family and Medical Leave Act; North Carolina Family Illness Leave Act
UNC Policy Manual 300.2.11*

Rationale for Suggested Changes: ECU's FISL policy is designed to provide faculty members coverage consistent with existing Federal, State, and UNC policies regarding the treatment of employees for the purposes of newly assuming parental duties; taking leave for illness, or caring for an immediate family member with serious illness.

The current policy does not address a provision included in the FMLA (part 825.202) that allows for intermittent leave for those covered by FMLA. The existing policy would allow for unpaid intermittent leave consistent with FMLA. However, by not explicitly addressing the issue there is no clear provision for ECU Faculty receiving paid leave in an intermittent schedule. The implication is that the faculty member must take the entire leave paid or forego pay for leave if s/he chooses to take leave intermittently.

FMLA Intermittent Leave Definition FMLA 825.202 (a):

FMLA leave may be taken "intermittently or on a reduced leave schedule" under certain circumstances. Intermittent leave is FMLA leave taken in separate blocks of time due to a single qualifying reason. A reduced leave schedule is a leave schedule that reduces an employee's usual number of working hours per workweek, or hours per workday. A reduced leave schedule is a change in the employee's schedule for a period of time, normally from full-time to part-time.

Suggested changes for ECU - FISL:

Proposed Definition

FISL may be taken intermittently or on a reduced leave schedule if the qualifying event has created a need that may be best accommodated through an intermittent or reduced leave schedule. Intermittent leave is FISL taken in blocks of time rather than in its entirety. This means the allotted leave time (12 weeks) can be spread over longer periods of time to meet the needs of the qualifying event.

Examples of qualifying events that may be met through intermittent leave:

- *Faculty who are ill or who are returning from an accident or surgery where they can work partial but not full days due to the event.*
- *Faculty who are able to return to work but may need time off for treatment. (E.g, days off for chemotherapy and recovery, repeated medical interventions, therapy, etc).*
- *Faculty who are the primary caregiver for an immediate family member who needs their assistance in the above situations).*
- *Faculty who are taking care of a new dependent child but desire to maintain a work schedule while caring for that child.*

Respectfully,

Faculty Leave Sub-Committee Chair John Howard

Suggested Policy changes:

Page 3 deletion.

3.2.3.1 Primary Caregiver , The primary caregiver is eligible for leave with pay for 12 **consecutive** calendar weeks beginning on the date of the documented qualifying event. See section 4.3.2 for documentation requirements.

3.2.3.2 Secondary Caregiver , Secondary caregiver is the term that applies in instances in which there are two (2) East Carolina University faculty members who are both eligible for leave pursuant to this policy (see section 2, above, for eligibility requirements) for the same birth, adoption, or foster care placement of a child (hereinafter referred to as ,two eligible employees.. for the purposes of this section 3.2.3). For such a documented qualifying event, the secondary caregiver is eligible for leave with pay for 21 **consecutive** calendar days (in addition to the leave with pay for the primary caregiver in section 3.2.3.1) any time within the 12 consecutive calendar month period immediately following the documented qualifying event.

Page 4 – 5. Additions.

3.4 Intermittent Leave

3.4.1 Leave may be taken intermittently or on a reduced leave schedule if the qualifying event has created a need that may be best accommodated through and intermittent or reduced leave schedule.

3.4.2 Intermittent leave is leave taken in blocks of time rather than taking the 12 weeks in its entirety. This allows employees to engage in work between leave periods without exhausting the requested leave time in a continuous span.

3.4.3 Reduced leave is leave in which a reduced schedule (e.g., shortened days or work weeks) where an employee may be best served by partial return to work.

3.4.4 Examples of qualifying events that may be met through intermittent leave:

3.4.4.1 Faculty who are ill or who are returning from an accident or surgery where they can work partial but not full days due to the event.

3.4.4.2 Faculty who are able to return to work but may need time off for treatment. (E.g, days off for chemotherapy and recovery, repeated medical interventions, therapy, etc).

3.4.4.3 Faculty who are the primary caregiver for an immediate family member who needs their assistance in the above situations).

3.4.4.4 Faculty who are taking care of a new dependent child but desire to maintain a work schedule while caring for that child.

Discussion:

Currently ECU offers paid FMLA and intermittent is a part of FMLA.

Examples of negative experiences by faculty at ECU.

John Toller, HR will verify the appeal process. Individuals may need to be informed that HR handles requests. Federal requires intermittent leave while ECU offers paid FMLA. This may be a concern on the clinical side due to lack of revenue stream impacting the university.

Action Taken:

Assigned additional duties to:

FW Committee to send comments to John Howard. Modified document to be sent to entire committee, legal, and a copy for Mark Sprague.

Agenda Item:

Faculty mentoring programs

Discussion:

Ken Ferguson developed the University Mentoring Program (working draft, March 7, 2013) document for the Faculty Welfare Committee discussion.

Committee reviewed sections 8 – 10.

Section 12 – any report filed regarding the mentee should be copied to mentee.

Section 6 – add assisting mentee with PAD.

Jaime Perry related her prior experience at a different university. Her experience was not a positive one and she cited several possible problems with mentoring relationships. Roper thought a mentoring program would continue for years, not just for a semester.

Action Taken:

The committee will continue to discuss this issue

Assigned additional duties to:

Committee members should send comments to Ken by 3/19/2013

Roper will discuss the mentoring issue with several other ECU entities at a March 13 meeting.

Agenda Item:

Up-date on childcare committee activities by Linda Crane-Mitchel

Discussion:

Committee contacted very successful programs in WI and PA for more information.

Devised survey on childcare needs and have submitted the survey to IRB.

Plan to deploy survey as soon as possible and compile results for report to the committee.

Action Taken:

Assigned additional duties to:

Survey should be vetted by Faculty Welfare Committee if it is sent out by Faculty Welfare Committee.
Linda Crane-Mitchel will send survey to IPAR for approval.

NEXT MEETING: April 11th, 2013, 3:00PM at Rawl Annex

ITEMS TO BE DISCUSSED:

Intermittent leave
Mentoring