

Board Meeting
May 16, 2019

AMEND *THE GENERAL RULES CONCERNING UNIVERSITY ORGANIZATION AND
PROCEDURE*

Action: Amend Article IV, Section 1, of *The General Rules Concerning University Organization and Procedure*

Funding: No New Funding Required

The General Rules Concerning University Organization and Procedure

(General Rules) are enacted by the Board of Trustees and supplement the University of Illinois *Statutes*. The *General Rules* address administrative organization; powers, duties, and responsibilities of University Officers; and various other administrative matters.

Article IV, Section 1, of the *General Rules* concerns “Terms of Employment of Academic and Administrative Staff”.

Postdoctoral Research Associates (Post Docs) are integral members of our academic research staff. The University of Illinois System continues to provide competitive employment opportunities across our research enterprise to Post Doc employees. Post Doc appointments are time-limited, typically around two years, and may not exceed five years. Post Docs have the same eligibility requirements for the state employee group insurance program and retirement benefits as recurring positions do. The dual cost of the health insurance and retirement benefits is the most significant factor in determining the fringe rate.

Post Docs on a 12-month appointment at full-time also accrue 24 vacation days each academic year, which may roll over and accumulate each additional academic year up to a maximum of 72 days. At the time of termination, unused vacation leave up to a maximum of 48 days is paid to the separating Post Doc. Fringe termination rates are intended to pay for terminal vacation payouts. However, these funds are insufficient to cover terminal vacation payouts for time-limited appointments.

In an analysis of peer institutions, most do not offer vacation rollover each year for Post Docs, nor do they offer compensable terminal pay for unused vacation leave. Most also accrue at lower rates per year.

An amendment is recommended to the *General Rules* to change future Post Doc vacation leave benefits from compensable to non-compensable. Post Docs would receive the same vacation leave accrual and usage but would not be eligible for a payout of unused hours at the time of separation. This amendment retains the amount of vacation available to Post Docs while addressing the financial impacts of a terminal vacation payout.

An initial draft of the proposed change was shared with the Chancellors, Provosts, Vice Presidents, University Counsel, Vice Chancellors for Research, and Human Resources offices. In addition, the University Senates Conference was consulted and provided endorsement of the proposed amendment.

The proposed revision to Article IV, Section 1, is attached to this item.

The Board action recommended in this item complies in all material respects with applicable State and federal laws, University of Illinois *Statutes*, *The*

General Rules Concerning University Organization and Procedure, and Board of Trustees policies and directives.

The President of the University of Illinois System recommends approval.

ARTICLE IV. EMPLOYMENT POLICIES

SECTION 1. TERMS OF EMPLOYMENT OF ACADEMIC AND ADMINISTRATIVE STAFF

(a) The terms of employment of the academic and administrative staff, as defined in the University of Illinois *Statutes* shall be explicitly stated by the nominating officer, indicating that services are required for:

- (1) The academic year, which shall consist of two semesters.
- (2) Twelve months, including allowable vacation.
- (3) The summer session.
- (4) Other stated periods.

(b) The teaching staff shall be appointed with services required for either the academic year or for twelve months. Those who are appointed for the academic year shall be free for other employment, either in the University or elsewhere, during the summer months, except that they shall report for any departmental meetings before registration and render all services requested of them in connection with registration and the preparation of materials and reports for the academic year. No vacation benefits accrue on appointments with services required for the academic year.

(c) The administrative, research, and extension staffs generally shall be appointed with services required for twelve months, including allowable vacation. Allowable vacations for those appointed for twelve months shall consist of 24 working days per appointment year. Vacation shall be arranged to accommodate the convenience of the staff member and the requirements of the unit. Vacation may be accumulated up to a maximum of 48 working days. During a partial-year appointment, vacation shall be prorated. Vacations taken during the holiday recesses, other than the actual holidays recognized by the University, shall be considered a part of the annual vacation allowance of 24 days. Holidays recognized by the University shall be New Year's, Martin Luther King Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, Christmas, and such other days as may be determined by the president of the University.

(d) Procedures for the determination of compensation for services for periods less than the full academic year shall be approved by the appropriate chancellor/vice president and by the president.

(e) Members of the staff required to render services during the academic year may be employed in the summer session or to perform research or other services during a period not exceeding two months and receive for each month of such service additional compensation at the monthly rate of one-ninth of the full-time rate paid for services required during the preceding academic year. Such employment may be for longer periods during the summer only upon the advance approval of the chancellor/vice president. Staff members required to render services for twelve months, with allowable vacation, shall not receive additional compensation for services rendered during the summer. For staff members rendering services partly on a twelve-month basis and partly on an academic-year basis, this regulation applies only to the twelve-month portion.

(f) Full-time employees shall not receive compensation for services in excess of a normal schedule within the University except for a reasonable amount of instruction in continuing

education courses or grading of special examinations (outside regular course work), all to be done at a time that does not conflict with other university duties. Exceptions may be made to this rule only with advance approval of the chancellor/vice president. These exceptions should be held to a minimum.

(g) All staff members rendering services on a twelve-month basis with allowable vacation shall be compensated in twelve equal monthly installments.

(h) Staff members with the exception of assistants rendering services during the academic year shall be compensated in twelve monthly installments or on a pro rata basis for shorter periods. Assistants shall be compensated in monthly installments during the period over which services are rendered.

(i) In case of termination of service of members of the academic and administrative staff, the following rules shall govern the determination of salaries:

(1) Services required for twelve months, with allowable vacation:

a) After the first month of service, a pro rata share of earned vacation shall be paid, **except to research associates modified by the postdoctoral title. Postdoctoral research associate vacation shall be ineligible for termination pay and shall not transfer to any position that is not postdoctoral.**

b) A pro rata reduction in final salary payment shall be made for any vacation taken but not earned.

(2) Services required for the academic year: Total payments shall equal a percentage of the annual salary determined by the services rendered in relation to the academic year established for the campus.

(j) All employees of the University unless excepted by the president are required to present medical evidence of their capability to safely perform the duties necessarily associated with the position that is being sought. The form in which this evidence is to be presented will be prescribed by the director of the health service at each campus. Employees securing a rating of "unemployable" may not be employed except on approval of the president. As deemed necessary by the directors of the health services, new employees are required to be immunized against communicable diseases. Employees of the University whose duties require them to handle food products shall be subject to periodic medical examinations given under the supervision of the directors of the health services, and no individual shall be employed in duties of this nature who shows evidence of any communicable disease.

(k) Failure on the part of an employee to take any required physical examination after being notified to do so shall serve to make the university employment contract inoperative and salary payments shall cease.

(l) Upon request, an academic staff member shall be granted, without loss of salary, bereavement leave of up to three work days due to the death of a member of his or her immediate family or household, and one work day due to the death of a relative outside the immediate family. Leave beyond these amounts may be approved under special circumstances. However, such additional leave will normally be taken without pay or be charged to accrued vacation. Substantiation of the reason for bereavement leave may be required.

Under the Illinois Child Bereavement Leave Act, employees otherwise eligible for Family and Medical Leave are eligible for an additional seven (7) unpaid days to attend the funeral, or an alternative to a funeral; to make arrangements necessitated by the death of the child; or to grieve the death of the child. Employees may use accrued leave benefits to remain in pay status while taking leave under this Act. The Act does not create a right for an employee to take unpaid leave that exceeds the unpaid leave time available under FMLA; therefore, employees who have exhausted their 12-week FMLA entitlement may not take the additional seven days under this Act. Leave provided under this Act must be used within 60 days after the employee receives notice of the death of his/her child. If an employee suffers the death of more than one child in any 12-month period, the employee is entitled to take up to six weeks of unpaid bereavement leave in the 12-month period.

“Immediate family” shall be interpreted to be: father, mother, sister, brother, spouse, domestic partner, civil union partner, and child of the employee. If unborn child, gestational age must be 20 or more weeks. Also included as immediate family are mother-, father-, brother-, sister-, son-, and daughter-in-law, as well as grandchildren and/or grandparents (includes grandparents-in-law). Biological, adopted, foster, legal wards, step or in loco parentis relationships are considered as immediate family under this policy and for the definition of a child for purposes of the Child Bereavement Leave Act. “Relative outside the immediate family” shall be interpreted to be: aunt, uncle, niece, nephew, or cousin of the employee. Great aunt, great uncle, great niece, and great nephew are included in the definition of relative outside the immediate family. For purposes of application of the Bereavement Policy, relationships existing due to marriage will terminate upon the death or divorce of the relative through whom the marriage relationship exists. Current marital status will be defined in accordance with Illinois State law.

(m) Upon request, an eligible academic staff member shall be granted, without loss of salary, parental leave of up to two weeks immediately following the birth of a child, or upon either the initial placement or the legal adoption of a child under 18 years of age. An employee must have completed six continuous months of employment in order to be eligible for parental leave, which is limited to one leave per academic appointment year. An employee who resigns employment before or at the expiration of the parental leave normally shall be required to reimburse the University for the cost of wages paid during the leave.