

Change #18-3

pp. 53-57 of the 2008-2009 Handbook

Section VII Administrative and Professional Faculty Personnel Regulations

2. Selection/Appointment/Termination

- a. Administrative and Professional faculty are normally selected with the aid of advisory search committees operating in accordance with procedures outlined in Section XII. Recommendations of the search committee are considered by the hiring official, and a recommendation for appointment is made to the President who is the final authority on the appointment. All appointments are reported to the Board of Visitors at the next scheduled meeting of the Board. Appointments which will include academic department affiliation must include participation of the academic department in the selection process and the concurrence of the appropriate academic dean and the Provost prior to including academic department affiliation in the employment offer. Recommendation for appropriate academic rank must be processed through the Provost prior to referral to the President.
- b. Each Administrative appointee serves at the pleasure of a responsible official. Administrative and professional faculty are, in their administrative or professional faculty employment status, employees at will; accordingly, the University may terminate such appointments at any time, without notice, and without stating reasons.

⚠️ [If the terminated individual holds rank in an academic department (i.e., holds concurrent membership on the Instructional faculty) at the effective date of termination, the individual's employment status as a member of the Instructional faculty does not necessarily terminate as well. As such, at the conclusion of the administrative appointment, the individual's salary will return to the original instructional faculty salary at the time of the appointment plus an amount equivalent to the average adjustment to faculty compensation that accrued during the administrative appointment. If at the conclusion of the administrative appointment, the faculty rank has changed, the salary shall reflect the newly earned rank. The Provost may recommend a higher salary adjustment to the President for final approval. This Instructional faculty employment status of the subject individual is governed by the applicable provisions of "Instructional Faculty" section of this *Handbook*.]

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4. Leaves of Absence **Types of Leave**

a. Annual Leave

1) **Introduction:**

Annual leave for twelve-month administrative and professional faculty is credited at the beginning of the fiscal year as though it were accrued at the rate of eight (8) hours of each pay period (192 hours credited on July 10). Appointments made after the beginning of the fiscal year will be provided annual leave based on the accrual rate of eight (8) hours for each remaining pay period of the fiscal year. No more than ten (10) days or 80 hours of unused leave may be carried forward into the next fiscal year, unless an exception has been granted by the President.

Annual leave in excess of 80 hours at the end of the fiscal year should be used by July 9. The approval of annual leave shall be subject to such scheduling as to insure minimum disruption of the normal operation of the University. **Annual leave will not accrue while on leave without pay. Note: To ensure fairness, if the AP faculty member selects the VSDP program the 32 hours of family personal leave included with that program will be deducted from the non-VSDP annual leave allotment amount.**

2) **Leave Payout:**

Employees in the first year of administrative or professional faculty employment will not be paid for unused leave upon separation from the University. After the first year of administrative or professional faculty employment, employees will be paid for up to 80 hours of unused accrued leave upon separation **from full-time employment** from CNU unless the employee is grant funded and grant funds are not available. Payment is calculated by adding 8 hours for each completed pay period, the number of leave hours carried over from the previous fiscal year, less the number of annual leave hours taken. The payment rate will be determined by converting the annual salary to an hourly rate. Under unique and extraordinary circumstances exceptions granting more than 80 hours leave may be given by the President. **There is no leave payout when an AP employee accepts a classified or instructional faculty position at CNU.**

b. **Holidays**

(No changes)

c. **Administrative Leave**

(No changes)

d. **Leave with Full or Partial Pay for Educational and Research Purposes** (Professional Development)

(No changes)

e. **Sabbatical Leave**

(No changes)

f. **Sick Leave with Full or Partial Pay** (Virginia Sickness and Disability Program Participants - VSDP)

The University grants sick leave with full or partial pay based on the type of plan selected by the Administrative and Professional Faculty member. If the Administrative Professional Faculty member participates in the Virginia Sickness and Disability Program (VSDP), eligibility, program requirements and leave provisions are governed by the Commonwealth of Virginia. For more information, visit the Virginia Retirement System website at <http://www.varetire.org/members/benefitplans/vsdp/index.asp>.

g. **Sick Leave with Full or Partial Pay** (Non Virginia Sickness and Disability Program Participants - VSDP)

1) **Sick Leave with Pay Short-Term (Non VSDP)**

It is the policy of CNU to pay administrative professional faculty members for sick leave when taking less than or equal to 5 continuous working days.

- a) Sick leave may be used for employee's illness or non-work related injury which renders the employee unable to attend work. A supervisor may request a health care provider's certification of the medical condition.
- b) Peer coverage for work is provided by co-workers while on sick leave.
- c) Benefits are provided in accordance with the Commonwealth of Virginia requirements.
- d) Supervisors are responsible for monitoring short-term sick leave.

2) Sick Leave with Pay Extended (Non VSDP)

It is the policy of CNU to pay administrative professional faculty members when taking 6 or more continuous working days of sick leave provided by the following schedule:

- a) For between 0 year of CNU service and less than 10 years, 90 calendar days of paid extended sick leave.
- b) For between 10 years of CNU service and less than 20 years, 180 calendar days of paid extended sick leave.
- c) For 20 years of CNU service and above, 270 calendar days of paid extended sick leave.

The following conditions must be met:

- a) The University requires that a request for extended sick leave be supported by a health-care provider's certification of the medical condition of the person affected to include the date when the serious condition began and the probable duration of the condition from the licensed treating professional.
- b) The medical certification requires a statement that the employee is unable to perform the essential functions of his or her job as defined by the Americans with Disabilities Act.
- c) An intermittent leave or reduced schedule request necessitated by planned medical treatment must include the expected treatment dates and duration of treatment.
- d) An intermittent leave or reduced schedule request necessitated by an employee's own health condition must include a statement of the medical necessity for the leave and the expected duration.
- e) NOTE: When possible, the employee should provide certification in advance of, or at the commencement of, the requested leave. When that is not possible, certification must be provided reasonably soon after the leave begins.
- f) Requests for Second and Third Opinions:
 - (1) The University may require, at its own expense, a second opinion from its designated or approved health-care providers. (This health-care provider cannot be one who is employed by the University on a regular basis).
 - (2) When the second opinion differs from the first, the University may, at its own expense, require a third opinion from a health-care provider designated or approved jointly by the employee and the University. The opinion of the third health-care provider shall be considered final and binding upon the employer and the employee.
 - (3) The University may require an employee to report periodically during the leave period on his or her leave status and intention to return to work, and to provide subsequent re-certifications on a reasonable basis.
 - (4) NOTE: Requests for re-certification every four to six weeks are considered reasonable.

Work coverage for extended sick leave is usually provided by the supervisor. In these types of leave situations, temporary pay is rarely given. It is expected that the manager use existing resources to cover the absence. Employee benefits are provided in

accordance with the Commonwealth of Virginia requirements. It is strongly recommended that the Administrative Professional Faculty purchase the University sponsored long-term disability package upon hire at the University.

3) Sick Leave with Pay Extended and FMLA Eligible (Non VSDP)

It is the policy of CNU that while an Administrative and Professional faculty member is out on extended sick leave with pay and is eligible for family and medical leave that the extended sick leave run concurrently with FMLA. Once the amount of extended sick leave provided by the University has been exhausted, the Administrative and Professional Faculty member can supplement the amount of FMLA time remaining, if any, with existing accrued annual leave. Benefits are provided in accordance with the Commonwealth of Virginia requirements. The incumbent's position may be recruited and filled at University discretion when extended sick leave and FMLA have been exhausted.

4) Leave without Pay – Family Medical Leave (Non VSDP)

The University grants leave in compliance with the Family and Medical Leave Act (FMLA) that requires the University give eligible Administrative and Professional Faculty up to twelve (12) weeks of unpaid, job-protected (for continuing positions), leave during any calendar year for; the birth, adoption, or foster care of a child; serious health condition of the employee; or the serious health condition of an immediate family member. Employees are eligible for FMLA if they have been employed with CNU for at least 12 months and have worked 1,250 hours during the prior 12-month period.

Administrative and Professional faculty taking leave under the FMLA have a guaranteed right to return to their same or equivalent position and pay (based on position availability). Health benefits may continue during the leave at the same level and conditions as if the administrator had continued to work. The administrator must give 30 days advance notice to the Provost or Vice President of the need to take FMLA leave, unless emergencies or unforeseen events preclude such advance notice.

A request for leave due to a serious health condition must be supported by a certification from the health care provider. This requirement includes the administrator's or family member's health care provider. The certification for a family member should include a statement from the health care provider that the administrator is needed to care for the family member. Certification forms are available in the Office of Human Resources.

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Delete current information in VII 5 and add the following:

5. ~~Evaluation~~ Performance Planning and Evaluation

This policy delineates the method for performance planning and annual evaluations of Administrative and Professional faculty. This policy applies to all Administrative and Professional Faculty members and all those who supervise Administrative and Professional Faculty members. Each Administrative and Professional faculty member's performance will be formally evaluated annually. Policy requirements, processes, and timelines can be found on the CNU Human Resources website at <http://hr.cnu.edu/policies.html>. Required forms for both processes can be found at <http://hr.cnu.edu/forms.html>.

