

To: Duke School of Medicine
From: Ann J Brown MD MHS
Vice Dean for Faculty
RE: Key Policies on Faculty Leaves and Time Away from Duke
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Purpose: This document was developed at the request of the SoM Chairs, and provides brief information about several high impact policies affecting faculty. The sources of information for the majority of what follows include the Duke Faculty Handbook, the PDC Intranet Website, and Duke Benefits. Please refer to the websites for updates and details.

Duke Faculty Handbook	http://provost.duke.edu/faculty-resources/faculty-handbook/
PDC Benefits 919-684-4358	https://intranet.dh.duke.edu/ent/pdc/HR/SitePages/Home.aspx
Duke Benefits 919-684-5600	http://www.hr.duke.edu/benefits/

Details for each item below are found in the Duke University Faculty Handbook Chapter 4, Professional Affairs of the Faculty, unless otherwise noted.

Leaves of Absence – Academic Reasons

Non-Sabbatical Competitive Leaves (e.g. Fellowship)

- **Unpaid** (University salary is discontinued during these leaves)
- Benefits discontinued during leave unless special arrangements made
- For academic reasons/scholarly growth
- Limited to 2 years of every 7
- Approvals required: Chair, Dean, and Provost

Sabbatical Leaves

- May be **paid**
- If paid
 - Benefits continue
 - Salary includes University component only
 - PDC salary not covered during sabbatical unless doing clinical work
- Duration may be 1 year with half salary (and full benefits), or half year with full salary
- If sabbaticals are earned but not used, up to two sabbatical leaves may be taken in consecutive semesters. In this case the faculty member is eligible for full pay for one year. Total time off from consecutive sabbatical leaves may not exceed one year.
- Requests due by December 1 of the year prior to the leave

- Eligibility for Sabbatical: tenured faculty, full or half year. Eligible after each six years of active service
- Proposal must be endorsed by Chair and SoM Dean, and approved by the Provost
- Expectation is that faculty will return to Duke and provide service for at least one year
- Primary purpose is to increase the value of the professor's further service to both his/her profession and the university

Leaves of Absence- Non Academic Reasons

Family Medical Leave (FMLA)

- **Unpaid** time away from work
- Benefits continue
- May be taken concurrently with other leaves (Temporary Medical, Parental)
- Up to a total of 12 weeks in a rolling 12 month period
- Military Family Leave (below), in combination with all Family Medical Leave, should not exceed 26 weeks within a 12 month period
- Eligibility: employment for at least 12 months, with at least 1250 hours of service in preceding 12 months
- Reasons may include child's birth, adoption, foster care, care of family member with serious health condition, personal health concerns
- Leave may be intermittent, except for Parental Leave, which must be taken all at once
- Doctor's note required

Military Leave

- In accordance with Uniformed Services Employment and Reemployment Rights Act (USERRA)
- Military Family Leave, in combination with all Family Medical leave, should not exceed 26 weeks within a 12 month period

Personal or Other Leave

- Must be requested in advance
- Unique and extraordinary reasons
- Must be shown to be of mutual benefit to both Duke and faculty member
- Up to one year; could be extended for special circumstances
- Benefits discontinued if leave without pay
- May also consider using Flexible Work Arrangements Policy instead of Leave

Temporary Medical Leave (University)

- **Paid** leave
- University pay provided for illness, injury or other temporary medical restriction lasting more than 4 weeks
- Leave may be granted for 4 weeks to 1 year

- May be “part time”
- Employer contribution to benefits continues
- Faculty member should contact Benefits Office if leave >3 months to determine if long term disability leave is more appropriate
- Counts as leave time under FMLA
- Doctor’s release required for return to work

Temporary Parental Leaves- Regular Rank Faculty

- **Paid leave**
- 3 month leave with University pay for birth of child, adoption of child <6 years old, birth of domestic partner’s child
- Leave is for primary caregiver
- Requests for leave should be made within 3 months of confirmation of adoption or pregnancy
- Chair must affirm (in writing to Dean) their understanding that the requestor is the primary caregiver
- Automatic 1 year tenure clock extension
- Employer contribution to benefits continues
- Counts as leave under FMLA

Temporary Parental Leaves-Non-Regular Rank Faculty

- **Paid leave**
- Six week leave with University pay, and six additional weeks under FMLA for birth of child, adoption of child < 6 years old, birth of domestic partner’s child
- Leave is for primary caregiver
- Requests for leave should be made within 3 months of confirmation of adoption or pregnancy
- Chair must affirm (in writing to Dean) their understanding that the requestor is the primary caregiver
- Employer contribution to benefits continues

Long-Term Disability Leaves (University)

- For leaves > 4 months
- Contact Duke University Benefits Office 919-684-5600

Other Policies Related to Faculty Work at Duke

Flexible Work Arrangements (FWA)

- Applies to regular rank faculty
- Requires Chair approval with written memorandum of understanding (MOU) between faculty member and chair
 - Policy may not be available to all faculty, depending on unit needs
- Faculty maintain full time status- no “part time” labels

- University and PDC benefits maintained
- Provides a mechanism for a time-limited modification of duties
 - 3 year max, with option to renew
- Automatic tenure clock extension
 - 3 months for each year of leave on approved Flexible Work Arrangement
 - Maximum accumulated tenure clock relief-for any reason-is 36 months (3 year) total
 - Calculation of maximum accumulated tenure clock relief excludes relief associated with parental leave. Parental leaves are unlimited
- Faculty encouraged to use this policy proactively (rather than after the fact)

Vacation

- 22 business days or 1 month for faculty in the School of Medicine on 12 month appointments

Retirement

- Gradual reduction in responsibilities possible: Flexible Work Arrangements Policy may be useful
- Discussions should begin at least one year prior to retirement
- Refer faculty member to Duke University Benefits Office 919-684-5600
- For PDC retirement policy, contact PDC Benefits office 919-684-4358

Emeritus Status

- Eligibility: Age 65 or older OR 10 or more years of University service
- Requires nomination by Chair, and approval by Dean, Provost, President and Board of Trustees
- Benefits: inclusion on faculty mailing lists, access to Athletic Facilities, Computer Service, support from OIT Service Desk, Directory Listing, Identification Cards, Library Privileges, Mail, Parking (currently subsidized by the Provost)
- Principal Investigator Eligibility: Participation as a PI is conditional on the approval by the Dean and provost, and upon the availability of departmental and other necessary resources. In the SoM, Emeritus professors generally are not allowed PI status
- Space: laboratory and office space may be requested (but are not guaranteed)

Tenure clock extensions (see table)

- Requests should be made in writing to chair, then forwarded to the Dean, then Provost
- Requests due within 3 months of onset of life event
 - Proactive requests encouraged (retroactive requests discouraged)
- Granted for life events that can be expected to markedly delay the research process
- 3 year overall limit on tenure clock relief
- Calculation of maximum accumulated tenure clock relief excludes relief associated with parental leave. Parental leaves are unlimited

TABLE: Tenure Clock Relief for Specific Situations

1	Parental Leave (each parent is eligible if both parents are untenured faculty and are significantly engaged in caring for the new child)	Automatic 1 year relief	No limit on tenure clock extensions for parental leaves
2	Primary caregiver for parent, child, spouse or domestic partner for serious health conditions (as defined by FMLA)	1 semester relief per event	Max two extensions
3	Serious health condition (defined by FMLA) of faculty member	Max two semesters relief per event	Max two extensions
4	Death of parent, child, spouse or domestic partner	One semester relief per event	Max two extensions
5	Catastrophic residential property loss	One semester relief per event	Max two extensions
6	Other personal or family priority approved via Flexible Work Arrangements (FWA) policy	3 months relief for each year of FWA	Max two extensions
7	Specialized experience or training, or significantly increased administrative duties		These extensions do not count toward the maximum number of extensions allowed (2-6 above), but overall limit to tenure clock relief for all reasons is 3 years
8	Flexible Work Arrangements (FWA)	3 months per year of FWA (note that page 4-16 of fhb states that relief is prorated to percent effort during part time status)	3 year limit on tenure clock relief

Consulting by Duke Faculty (see Chapter 5, section 5.2.2.4 of Faculty Handbook)

- One day per week/4 days per month of consulting is allowed
- Greater than this raises possibility of Conflict of Commitment
- Must be reported on annual Conflict of Interest form

Non-renewal of non-tenured appointments (see Appendix C, section III-D of Faculty Handbook)

- Non-tenured faculty must receive letter of non-renewal no later than Jan 15 of the year of their non-renewal

- If unable to provide notice by Jan 15, the University will “pay the incumbent the appropriate fraction of his or her academic year’s salary in lieu of notice”

PDC Policies regarding Paid Leave (<https://intranet.dh.duke.edu/ent/pdc/HR/SitePages/Home.aspx>)

- Vacation: 22 days per year
- Short Term Disability Policy (STDP)
 - Effective 7/1/2012
 - All PDC faculty enrolled in the Long Term Disability (LTD) policy through the PDC were automatically enrolled in STDP
 - Members may “opt out” of STDP benefit by waiving their right to participate
 - If STDP is declined, faculty member is not eligible for PDC Maternity/Adoption/Paternity benefit
 - Up to 12 weeks of coverage at 60% PDC salary following a 7 day waiting period
- Maternity Leave:
 - 8 weeks paid leave using Short Term Disability Policy
 - Pay is 60% of PDC salary, paid by insurance company. This income is TAX-FREE so take home pay will be approximately the same as usual after-tax PDC salary
 - Must be enrolled in PDC Short Term Disability Plan (STDP)
 - For mother’s recovery from childbirth and care of the newborn child, as determined by the STDP
 - Note University Temporary Parental Leave is 12 weeks, 4 weeks longer than PDC Maternity Leave
- Paternity Leave:
 - 5 consecutive business days at 100% pay, paid by PDC and taxed as usual
 - Must be enrolled in PDC Short Term Disability Plan (STDP)
 - For the parent¹ of a newborn child, who did not give birth
- Adoption Leave:
 - 8 weeks paid leave at 100% pay, paid by PDC and taxed as usual
 - Must be enrolled in PDC Short Term Disability Plan (STDP)
 - For the purpose of adoption proceedings (including necessary pre-adoption travel) and initial parent-child bonding, provided that the member is the primary caregiver of the adopted child

¹ For purposes of this policy, “parent” includes a biological parent, a step-parent, or anyone who will live in the same household as the newborn child and take on the duties normally associated with parenthood.