

FACULTY MODIFIED DUTIES GUIDELINES

Washington State University provides a variety of leave options for all of its employees to assist in dealing with adverse life events, as the University realizes that taking leave is not always the best solution to addressing such matters. In some circumstances, a modified workload for a period of time may offer a better solution than the use of leave. These guidelines provide examples of the circumstances under which WSU encourages the use of modified duties in support of its faculty and indicate the process by which faculty request such a modification. These guidelines explain application of part of the Faculty and Administrative Professional Personnel Leave Policy, BPPM 60.56, and Shared Leave, BPPM 60.58, including application of modified duties under the Family Medical Leave Act and University procedures implementing modified duties. See <http://www.hrs.wsu.edu/Faculty>.

Flexible Work Arrangements/Modified Duties: Overview

The provision of modification of duties (“modified duties”) is not leave. A faculty member who has been granted modified duty status pursuant to these guidelines will be fully employed and fully paid. Modification of duties requires a full-time work assignment that simply alters the usual mix of a faculty member’s work away from less flexible duties towards more flexible ones. For example, a faculty member might be relieved of his or her formal, classroom teaching obligations for one semester and be assigned different duties that could be more readily scheduled around care giving. Substitute duties might include: the preparation of research proposals, papers, and course materials; devotion of full-time effort to research; development of curricula and/or course materials; work on accreditation and/or certification materials; supervision of graduate student research; and, in most cases, academic service. If academic service expectations require frequent on-campus attendance, modification of that obligation may be negotiated as well.

Circumstances Leading to a Grant of Request for Modified Duties and/or Flexible Schedule:

Eligible faculty members are encouraged to request, and supervisors are encouraged to grant, modified duties in the following circumstances:

- when the faculty member is responsible for the primary care giving for a family member who requires assistance due to a serious health condition;
- when the faculty member is responsible for the primary care giving for a family member who requires assistance as the result of being injured while in duty for the armed services, or
- when the faculty member is a parent or in a parental role and shares primary care giving responsibilities for a newborn or for a placed or adopted child of age 6 or younger who has recently entered the home.

Family member, as used in this policy, shall include children, spouse, and parents, as further defined in the Faculty Friendly Policies and Resources web page (<http://www.hrs.wsu.edu/Faculty%20Family%20Friendly%20Policies%20Front%20Page>), and shall also include domestic partners.

Note: These guidelines do not apply to requests for modified duties for the faculty member's own illness. Such requests are addressed through the University's Leave policies (<http://www.hrs.wsu.edu/Facully%20Leave%20Policies>) and through Reasonable Accommodation (which may or may not entail leave) (<http://www.hrs.wsu.edu/Reasonable%20Accommodation>).

Eligibility:

Any faculty member employed by the University in a full-time tenured or tenure-track position, or any member of the faculty (including temporary faculty) employed full-time for at least three years of continuous service or employed half-time or more for at least five years of continuous service is eligible for modification of duties. Other faculty who are not within the above definition may be granted modified duties if their direct supervisor, in consultation with the dean or higher level supervisor and the Provost, agree that this option may be given without adversely impacting the performance of University functions or its budget.

Deans and Chair Responsibilities:

Deans and chairs are to communicate the availability of leave and of modified duties and other options to all faculty members. College administrative offices should be familiar with the existence of University leave and modified duties options, and are encouraged to direct faculty to Human Resource Services consultants to fully review all available leave and modified duty options.

In situations where the use of the modified duties guidelines is appropriate, the chair/ area administrator is to work with a faculty member to devise a modified workload and schedule that enables the faculty member to remain an active and productive member of the department. Because a modified workload will not impact salary unless the faculty member has requested and received a reduced workload, the faculty member must be given a set of full-time responsibilities.

Chairs may consult with their deans and the Office of the Provost in arriving at work assignments. The substitute duties may be department-based or college-based, or a combination thereof. Chairs and, where applicable, deans, must consult Human Resource Services to ascertain whether supporting medical documentation is required (see below, paragraph 4 under "Modified duty/flexible schedule request process and guidelines"). They may also consult with Human Resource Services consultants to consider other available options for a faculty member who is requesting modified duties.

Faculty Member Responsibilities:

An eligible faculty member is encouraged to speak with his/her chair or department head as soon as possible about the need for modified duties to ensure the maximum amount of time for planning by the University. Delays in raising the issue are not alone a reason to deny the request, however.

Modified Duty/Flexible Schedule Request Process and Guidelines:

1. **Period of Modification:** The period of modified duties will be for up to one semester, or an equivalent amount of time for those faculty members whose responsibilities are not tied directly to teaching on the academic calendar.
2. **Impact of Modification upon Future Work:** Modification of duties shall not result in additional duties during the subsequent semester (e.g., the faculty member will not be asked to make up a released teaching load before or after the semester of modified duties).
3. **Outside Employment during Period of Modified Duties:** The faculty member cannot be employed by another institution during the period of modified duties, nor can the release time be used for extensive professional travel or other increased professional activities (including consulting, other outside employment, or community activities) that do not meet the goals of the guideline.
4. **Medical Documentation of Health Concerns:** Human Resource Services must be contacted to assist in determining what medical documentation may be required to verify a family member's health condition and subsequent eligibility for modified duties. **IN NO EVENT SHOULD DEANS OR CHAIRS DIRECTLY SEEK OR RETAIN MEDICAL RECORDS.**
5. **Impact upon Leave Options:** Under most circumstances, available leave should be exhausted before a faculty member is assigned modified duties in lieu of teaching or other regular work assignment. Exceptions may be made where doing so is in the best interest of the University. Leave may be taken on an intermittent basis. For example: a faculty member whose assigned workload is thirty percent teaching may be relieved of the teaching portion of those duties using accrued leave and continue to perform the remaining research and service duties. **There are no work expectations for individuals taking 100% approved sick or family leave. In the event of intermittent or part-time leave (e.g., using leave to replace teaching duties); there are no work expectations as to that portion of the workload being replaced through the use of leave.**
6. **Timing of Request for Modified Duties:** The faculty member should submit a request for modified duties as early as possible so the faculty member and department can plan appropriately.
7. **Semester of Modified Duties:** The semester of modified duties will ordinarily be awarded no later than 12 months after the triggering life event (e.g., no later than twelve months after the faculty member assumes primary care responsibilities for a family member or after the date of birth, adoption, or other entry of a young child into the home). In the case of the entry of a child into a home, faculty may request and obtain modified duties for the semester during which it is anticipated that the child will enter the home.
8. **Number of Modified Duty Semesters:** A request for modified duties will be granted no more than twice each ten years for any faculty member, absent extraordinary circumstances.
9. **Use of Modified Duties by More than One Faculty Member in the Department:** If two faculty members in the same department are eligible for modified duties, they should usually request them in different semesters, absent extraordinary circumstances.
10. **Responsibility to Provide Coverage for Duties that have been Removed:** Departments and Colleges are responsible to replace teaching that is lost through the granting of a term of modified duties, and to cover other duties that are lost due to modified duties as needed to serve the needs of the University, grantors, and students

11. **Request Approval:** Requests must be approved by the department head, dean, and provost.
- A request form is available on the Provost’s web site under “Forms,” and on the Human Resource Services Website under Faculty Friendly Leave Policies: Forms <http://www.hrs.wsu.edu/Faculty%20Family%20Friendly%20Policies%20Front%20Page>
 - If the department head does not support the request, the reasons for denial shall be provided in writing, and the request automatically forwarded to the dean for further review and action.
 - If the dean does not support the request, the reasons for denial shall be provided in writing, and the request automatically forwarded to the provost for further review and action.
 - If the request is granted, final decisions about the nature of the modified duties will be made by the department chair in consultation with the dean and provost.
12. **Faculty Presence during Period of Modified Duties:** During the period of modified duties, faculty members will be expected to remain in the community in order to be available to their students and colleagues. Absences from the community during regular work times require the usual approvals from the department and college and utilization of WSU’s leave policies.
13. **Impact on Tenure Consideration:** WSU policy allows for an extension to the tenure clock under certain circumstances. Tenure-track faculty members who seek modified duties are also eligible to seek an extension to the tenure clock. The policy upon tenure clock extensions is available in the *WSU Faculty Manual*, available online at: http://facsen.wsu.edu/faculty_manual/.

Applicability of University Policy: All University policies and procedures remain in effect during any type of duty modification or flexible schedule, including Telework arrangements as outlined in BPPM 60.34.

NOTICE

These guidelines do not take the place of policies and other resources that may be appropriate including reasonable accommodation, flexible scheduling, parental leave, medical leave, family medical leave or other leave processes available to faculty. Visit one of WSU’s knowledgeable benefits and leave specialists in the Human Resource Services office located at French Administration Room 139.

Questions regarding benefits and leave policies should be directed to Human Resource Services – Benefits at 335-4521 or <http://www.hrs.wsu.edu>