Draft Resolution regarding UWS Fringe Benefits Advisory Committee Recommendations for Leave Reporting: Section III

The UWM University Committee has carefully monitored the legislative and news organizations review and criticism of the UW System unclassified employees use of sick leave reporting. It is our belief that steps must be taken to ensure that the faculty are provided an opportunity to accurately report their use of sick leave. It is also our belief that the present procedures for reporting sick leave are ambiguous, poorly documented, and cumbersome. Furthermore, little or no education or training is provided to faculty on the importance and methods for properly reporting sick leave and annual leave. In addition, the University Committee is of the opinion that faculty should be held accountable and responsible for the accurate and timely reporting of sick leave. Therefore, we recommend that the UWM Faculty Senate approve this resolution.

UWM University Committee

John Johnson, Chair
Janet Lilly
Donald Solomon
Erika Sander
Mark Schwartz
Cindy Walker
Tom Walker

Whereas, Kevin Reilly, President of the University of Wisconsin System, in his March 16, 2007 letter to the various UW faculty governance groups asked for recommendations regarding UWS Fringe Benefits Advisory Committee Recommendations to improve Leave Reporting (February 28, 2007); (see Attachment 1); and,

Whereas, the faculty at the University of Wisconsin-Milwaukee (UWM) are committed to ensuring the fair and accurate reporting use of sick leave, vacation and personal holidays; and,

Whereas, the faculty at the University of Wisconsin-Milwaukee recognize that retaining the present paid sick leave fringe benefit is critical to both faculty recruitment and retention efforts;

Whereas, on May 17, 2007 the Faculty Senate at the University of Wisconsin-Milwaukee approved a resolution pertaining to Sections I and II of the UWS Fringe Benefits Advisory Committee Recommendations to improve Leave Reporting (February 28, 2007) (see Attachment 2)

Therefore, be it resolved that the faculty of UWM support the recommendations provided below.
Recommendations and Rationales

Section III of the UWS Fringe Benefits Advisory Committee’s February 28, 2007 recommendations included three suggestions.

1. **Evaluate the continued need for Colleague Coverage as a benefit to students when staff are absent from teaching responsibilities**

   This issue refers to situations in which a qualified individual stands in for an academic employee who is unable to perform his or her teaching duties due to personal illness or injury or other medical necessities. In these situations, within certain limits, current Board of Regents policy allows the incapacitated employee to be absent without charging sick leave or other paid leave.

   The Faculty Senate of the University of Wisconsin-Milwaukee recommends that this practice of using colleague coverage to exempt charging sick leave should be discontinued and that in the event a faculty member can not perform his or her duties, the faculty member absence should be charged against the faculty member’s accumulated sick leave.

   We believe that faculty should follow commonly accepted human resources practices and that a faculty member unable do perform his or her duties, due to illness should be expected to charge paid or unpaid leave regardless of whether a colleague covers or does the work.

   Furthermore, we believe replacement benefits (sick leave, income continuation insurance, long-term disability benefits) provide alternative solutions to the financial burdens associated with short and long-term illness.

2. **Re-evaluate the policy that allows sick leave accrual during sabbatical leave.**

   Under s. 40.02(22)(em), Wis. Stats., instructional faculty on sabbatical leave continue to receive creditable service in the Wisconsin Retirement System at the full-time rate and at the salary rate that was in effect immediately before the leave. They also accrue sick leave at the percent of appointment that was in effect before the leave.

   The Faculty Senate of the University of Wisconsin-Milwaukee recommends that this practice continue. There is no compelling reason to remove this legislatively mandated benefit. Any difficulties associated with the reporting of sick leave, while a faculty member is on sabbatical, are easily managed with the development and implementation of an online (electronic) sick leave reporting process.

(Resolution on UWS FBAC Leave Reporting Recommendations)
3. **Evaluate alternative models for defined work schedules as it relates to sick leave and the statutory requirements for reporting sick leave.**

   The Faculty Senate of the University of Wisconsin-Milwaukee recommends that the creation of alternative models for defining faculty work schedules should be seriously investigated.

   While faculty service responsibilities are characteristically fulfilled during a Monday through Friday, 8:00 a.m. to 5:00 p.m. timeframe, the same does not hold true for the completion of teaching or research responsibilities. Many of our faculty teach evenings, weekends and an increasing number teach online. The same holds true for when faculty complete their research responsibilities. Clearly, alternative work schedule models need to be created, tested and implemented.
Attachment 1

University of Wisconsin System
Improvements in Leave Reporting
Recommendations of the UW System President’s
Fringe Benefits Advisory Committee
February 28, 2007

I. Administrative changes to address the LAB findings and recommendations

2. Revise the System-wide uniform leave reporting form (UW-1538) for reporting use of sick leave, vacation, and personal holidays.

UW-1538 (see attached) consists of a report of the employee’s current leave balances and a space for the employee to report the next month’s leave usage. It is distributed to the institutions monthly by the UW Service Center. The institutions distribute the form electronically or manually to their employees.

Form UW-1538 could be improved in several ways:
   a. Create two separate forms; one that provides the employee with a statement of his or her current balances, and one for reporting monthly leave usage.
   b. Provide instructions on how to complete the monthly leave report.
   c. Provide a way to indicate use of vacation or other leave in lieu of sick leave since many unclassified staff make this choice.
   d. Show days of the week as well as dates on the current month’s leave report which would make it easier to complete and reduce errors.
   e. Ask all institutions to post a copy of form UW-1538 on their websites for use by employees. This form could be fillable and could be emailed to the supervisor and then to the payroll office. (This would require electronic signature capability.)
   f. Provide reason codes for adjustments to prior leave balances allowing for more accurate auditing of reasons for balance changes that are not the result of the current months leave activity, such as error correction.

3. Create a system-wide deadline for submission of the current month’s leave report to the payroll office.

Form UW-1538 indicates a deadline, approximately the 10th of the next month. Most institutions think that the 10th of the next month is a workable deadline.

3. Instructions on UW-1538 should clarify use of colleague coverage as defined under Unclassified Personnel Guideline 10.05. Supervisors should be cautioned to review reports of colleague coverage use for appropriateness.

4. Improve employee education regarding the importance of proper sick leave and annual leave reporting.

Examples of improved educational measures include:

(Resolution on UWS FBAC Leave Reporting Recommendations)
a. Revise and disseminate the UWSA PowerPoint presentation on sick leave to include more information about how to report leave usage.
b. Revise and simplify policy guidelines on leave reporting (UPG#9 & 10) to make them more understandable for employees.
c. Provide institutions with new employee orientation materials to help new employees understand the leave reporting requirements.
d. Require each institution to issue an annual reminder on sick leave reporting and provide materials that the institution could use to do so.
e. Offer specialized training to supervisors regarding the review of leave reports.

II. Policy changes to address the LAB findings and recommendations for discussion with governance groups

1. Require leave reporting on an hour-for-hour basis.

   It appears that several institutions have already taken this step. Form UW-1538 currently directs the employee to report in hours. The system described in UPG #10 may be unnecessarily cumbersome. Hour-for-hour reporting is consistent with the requirements of the state and federal Family and Medical Leave Acts.

2. Establish UWS System Policy that authorizes the institutions to:
   a. not allow sick leave accrual in any payroll period where the employee fails to submit a leave usage report so, for any month for which an individual does not submit a report, sick leave will not accrue for that month,
   b. consider compliance with leave reporting as a factor in merit increases,
   c. include leave reporting requirements in the employment contract as a condition of employment,
   d. permit supervisors to correct a leave report that appears to be inaccurate, with appropriate documentation and notification to the employee, and
   e. refuse to certify sick leave conversion credits to the Department of Employee Trust Funds when an employee’s leave reporting is incomplete.

III. Policy Areas for Further Evaluation

The following are substantive policy issues which should be referred to the governance groups for further evaluation.

1. Evaluate the continued need for Colleague Coverage as a benefit to students when staff are absent from teaching responsibilities

2. Re-evaluate the policy that allows sick leave accrual during sabbatical leave

3. Evaluate alternative models for defined work schedules as it relates to sick leave and the statutory requirements for reporting sick leave.
I. Administrative changes to address the LAB findings and recommendations

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   f. Create two separate forms; one that provides the employee with a statement of his or her current balances, and one for reporting monthly leave usage.
   g. Provide instructions on how to complete the monthly leave report.
   h. Provide a way to indicate use of vacation or other leave in lieu of sick leave since many unclassified staff make this choice.
   i. Show days of the week as well as dates on the current month’s leave report which would make it easier to complete and reduce errors.
   j. Ask all institutions to post a copy of form UW-1538 on their websites for use by employees. This form could be fillable and could be emailed to the supervisor and then to the payroll office. (This would require electronic signature capability.)
   k. Provide reason codes for adjustments to prior leave balances allowing for more accurate auditing of reasons for balance changes that are not the result of the current month’s leave activity, such as error correction.

2. Create a system-wide deadline for submission of the current month’s leave report to the payroll office.

Form UW-1538 indicates a deadline, approximately the 10th of the next month. Most institutions think that the 10th of the next month is a workable deadline.

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4. Improve employee education regarding the importance of proper sick leave and annual leave reporting.

   Examples of improved educational measures include:
I. Revise and disseminate the UWSA PowerPoint presentation on sick leave to include more information about how to report leave usage.

m. Revise and simplify policy guidelines on leave reporting (UPG#9 & 10) to make them more understandable for employees.

n. Provide institutions with new employee orientation materials to help new employees understand the leave reporting requirements.

o. Require each institution to issue an annual reminder on sick leave reporting and provide materials that the institution could use to do so.

p. Offer specialized training to supervisors regarding the review of leave reports.

5. Require leave reporting on an hour-for-hour basis.

It appears that several institutions have already taken this step. Form UW-1538 currently directs the employee to report in hours. The system described in UPG #10 may be unnecessarily cumbersome. Hour-for-hour reporting is consistent with the requirements of the state and federal Family and Medical Leave Acts.

6. Establish UWS System policy authorizing the institutions to implement any of the following:
   a. On an annual basis, reduce sick leave accrual if the employee has failed to report leave usage in one or more months during the year. Sick leave accrual for that year will be limited to the capped amount specified in s. 40.05(4)(bp)1., Wis. Stats. (i.e., 8.5 days for an annual appointee or 6.4 days for an academic year appointee). The reduction will apply both to the sick leave available to employees during their careers and to the sick leave balance certified at retirement.
   b. Include leave reporting requirements in the employment contract as a condition of employment.

7. Establish UWS System policy authorizing the institutions to implement any of the following:
   a. Permit supervisors to correct a leave report that appears to be inaccurate, with appropriate documentation and notification to the employee.
   b. Consider compliance with leave reporting as a factor in merit increases.

III. Policy Areas for Further Evaluation

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2. Re-evaluate the policy that allows sick leave accrual during sabbatical leave.

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(Resolution on UWS FBAC Leave Reporting Recommendations)