



Memorandum

Office of the Provost

James Administration Bldg., Room 504
Tel.: 514-398-4177 / Fax: 514-398-4768

TO: Senate

FROM: Anthony Masi, Provost
Lydia White, Associate Provost (Policies, Procedures & Equity)

SUBJECT: Amendment to *Regulations on Leaves of Absence for Tenured and Tenure Track Academic Staff*.

DATE: December 7, 2011

DOCUMENT #: D11-26

ACTION REQUIRED: INFORMATION APPROVAL

ISSUE: Items relating to the *Regulations on Leaves of Absence for Tenured and Tenure Track Academic Staff*.

BACKGROUND & RATIONALE: Leaves of absence currently include approval by the Vice-Principal (Research and International Relations). It is proposed to add the words ‘or delegate’ to articles 4.1 and 4.2, so that approvals can be handled expeditiously in the absence of the Vice-Principal (Research and International Relations). This would be parallel to what appears in the *Regulations on Sabbatic Leaves for Tenured and Tenure Track Academic Staff*. The Regulations include provisions for political candidacy and political office but not for other forms of public service. It is proposed to add a section to this effect (new Section 9).

MOTION OR RESOLUTION FOR APPROVAL: *Be it resolved that Senate recommend to the Board of Governors changes to articles 4.1 and 4.2 of the Regulations on Leaves of Absence for Tenured and Tenure Track Academic Staff and the addition of articles 9.1 and 9.2 as outlined in Appendix A.*

PRIOR CONSULTATION: MAUT, VP(RIR), Deans

NEXT STEPS: Approval by the Board of Governors

APPENDICES: Appendix A: *Regulations on Leaves of Absence for Tenured and Tenure Track Academic Staff with proposed changes*

Regulations on Leaves of Absence for Tenured and Tenure Track Academic Staff

<i>Last revised by:</i>		
Senate	May 19, 2010	Minute IIB.6
Board of Governors	May 25, 2010	Minute 9.2.4
Effective:	September 1, 2010	
<i>Full legislative history appears at the end of these Regulations</i>		

Current	Proposed	Comments
1 DEFINITIONS		
1.1 "Staff member" in these regulations shall mean a member of the tenured or tenure track academic staff.	No change	
1.2 The requirement of availability of a staff member for normal academic duties at the University, as defined in the "Regulations Relating to the Employment of Academic Staff" and in the "Regulations Relating to the Employment of Librarian Staff", is waived during a leave of absence.	No change	
1.3 In these regulations, the "Chair" (of a department) shall be deemed to refer to the Director of a School, when the request for a leave is from a staff member in a School.	No change	
1.4 In these regulations, where a staff member has been appointed to one of more departments, schools and/or faculties, the terms "Chair," "Dean" and "administrative librarian" shall include the Chairs, Deans and administrative librarians of each department, faculty or library in which the staff member holds appointment.	No change	
2 LENGTH OF LEAVE		
2. Subject to Articles 4.2 and 8 of these regulations, a leave of absence shall be limited to a maximum of two consecutive years. A sabbatical taken in conjunction with a leave of absence shall be deemed to be part of the two-year period.	No change	
3 APPLICATION FOR LEAVE OF ABSENCE		

3.1 A staff member shall submit a request for a leave of absence to the Chair and the Dean, or administrative librarian and Director or Dean of Libraries, as the case may be, using the forms required for that purpose, at least 90 calendar days before the proposed commencement of the leave.		
3.2 If a staff member currently on a leave of absence or a sabbatical year wishes to take a leave of absence for a second or subsequent year, the staff member shall submit a request to the Chair or Dean, or administrative librarian or Director or Dean of Libraries, as the case may be, using the forms required for that purpose, at least 90 calendar days before the end of the current leave.		
4 DECISIONS ON LEAVES OF ABSENCE		
4.1 Subject to Section 8.A, a request for an initial leave of absence for a period of two years or less, or for a leave of absence following a sabbatical year, may be granted by the Provost, after considering the recommendations of the Chair, the Dean, or administrative librarian and Director or Dean of Libraries, and the Vice-Principal (Research and International Relations).	4.1 Subject to Section 8, a request for an initial leave of absence for a period of two years or less, or for a leave of absence following a sabbatical year, may be granted by the Provost, after considering the recommendations of the Chair, the Dean, or administrative librarian and Director or Dean of Libraries, and the Vice-Principal (Research and International Relations) or delegate .	Typo in current 4.1. When VP (RIR) is not available, a delegate is required so that things can proceed in a timely manner. (Sabbatic leaves regulations already have this provision.)
4.2 Subject to Sections 8.4 and 8.6, a request for an extension of a leave of absence must be approved by the Principal, after considering the recommendations of the Chair, Dean, or administrative librarian and Director or Dean of Libraries, Vice-Principal (Research and International Relations) and the Provost. Such a request will be granted only in exceptional circumstances.	4.2 Subject to Sections 8.4 and 8.6, a request for an extension of a leave of absence must be approved by the Principal, after considering the recommendations of the Chair, Dean, or administrative librarian and Director or Dean of Libraries, the Vice-Principal (Research and International Relations) or delegate , and the Provost. Such a request will be granted only in exceptional circumstances.	
4.3 Subject to Section 8, the decision to grant a request for a leave of absence is at the discretion of the Provost or Principal, in accordance with Articles 4.1 and 4.2 above.	No change	

<p>4.4 In deciding whether to grant a leave of absence or an extension of a leave of absence, the Provost or Principal, as the case may be, shall consider:</p> <p>(i) the staff member's academic development; and</p> <p>(ii) how the staff member's responsibilities, including but not limited to responsibility for teaching, research and administration, can be fulfilled during the staff member's absence.</p> <p>Notwithstanding the above, the Provost or Principal, as the case may be, may exceptionally grant a leaves of absence, or an extension of a leave of absence, on compassionate grounds.</p>	No change	
<p>5 SALARY AND BENEFITS</p>		
<p>5.1 A staff member shall not be paid during a leave of absence.</p>	No change	
<p>5.2 During the leave of absence, the staff member may elect to continue employee benefits coverage by paying the full amount of the University's and the staff member's costs.</p>	No change	
<p>5.3 Upon return from a leave of absence, the staff member's salary shall be adjusted to reflect any across-the-board salary increases resulting from salary policy. The period of leave of absence shall not be considered for merit salary adjustment, except in extraordinary circumstances.</p>	No change	
<p>6 TENURE AND SABBATIC LEAVE</p>		
<p>6.1 The staff member shall elect, as provided in the “<i>Regulations Relating to the Employment of Academic Staff</i>” or the “<i>Regulations Relating to the Employment of Librarian Staff</i>” whether to include or exclude as periods of service for tenure consideration periods of leave of absence.</p>	No change	
<p>6.2 Leaves of absence shall not count as credited service towards sabbatic leave, except in extraordinary circumstances.</p>	No change	

7	SECONDMENT LEAVE		
7.1	A secondment leave is a special type of leave of absence and is subject to an agreement between the University and another institution.	No change	
7.2	The specific terms of a secondment leave shall be determined by the Dean or Director or Dean of Libraries and approved by the Provost in accordance with applicable regulations and shall be set out in an agreement between the University and the receiving institution.		
8	POLITICAL CANDIDACY	POLITICAL CANDIDACY	
8.1	A leave of absence for political purposes is a special type of leave of absence. The University recognizes that members of the academic community can make significant contributions as elected politicians. Thus, staff members should be as free as the members of any other profession to enter public life.	No change	
8.2	A staff member seeking office as a candidate in a provincial or federal election, on request in writing to his or her Chair, Dean, administrative librarian and Director or Dean of Libraries, as the case may be, and the Provost, shall be granted a leave of absence without pay during the official campaign period.	No change	
8.3	If a staff member is elected he or she shall be also granted a leave of absence without pay (i) until the expiry of the staff member's appointment with the University, if the staff member is a staff member without tenure, or (ii) for a maximum duration of six years, if the staff member is a staff member with tenure.	No change	
8.4	If, three months prior to the expiration of the leave of absence provided for in section 8.3, the staff member gives written notice to the Chair, the Dean, administrative librarian and the Director or Dean of Libraries, as the case may be, and the Provost of his or her intention to return to the University on the expiration of his or her current term of office, the staff member's leave of absence shall be extended until the expiry of that term of office.	No change	

8.5	If the staff member: (i) fails to give notice as specified in section 8.4, or (ii) having given notice as specified in section 8.4, fails to resume his or her position with the University on the expiry of his or her leave of absence or extension thereof, the staff member's appointment will terminate.	No change	
8.6	Notwithstanding Sections 4.2 through 4.4, no extension other than that provided for in section 8.4 shall be granted a staff member who is absent from the University on a leave of absence for political purposes.	No change	
		9. PUBLIC OFFICE	
		9.1 The University recognizes that members of the academic community can make significant contributions in the service of the community with appointments to public office or by temporary assignment to public bodies or agencies, such as federal or provincial governments or international agencies and organizations of high repute.	There is a need to recognize the possibility of leaves for purposes of public office which are other than political.
		9.2 If a staff member is appointed to public office, he or she may be granted a leave of absence without pay until the expiry of the staff member's appointment with the University or for a maximum duration of five years, whichever comes first.	
9	RETURN FROM LEAVE OF ABSENCE	10	RETURN FROM LEAVE OF ABSENCE
9.	A staff member who does not return from the leave of absence at the end of the approved period shall be deemed to have resigned from the University.	10.	A staff member who does not return from the leave of absence at the end of the approved period shall be deemed to have resigned from the University.
			Renumbering.
10	REPORTING	11	REPORTING
10.	The Provost shall report once each year to the Senate and the Board of Governors the leaves of absence that have been applied for and approved each year, and the number of staff members currently on leave of absence, and the length of each leave of absence.	11.	The Provost shall report once each year to the Senate and the Board of Governors the leaves of absence that have been applied for and approved each year, and the number of staff members currently on leave of absence, and the length of each leave of absence.
			Renumbering.

Legislative History:

Senate	March 10, 1976	Minute 109
Board of Governors	March 22, 1976	Minute 4721

Amendments:

Senate	May 14, 2003	Minute 6
Board of Governors	May 26, 2003	Minute 8

Senate	May 25, 2005	Minute 11
Executive Committee	June 20, 2005	Minute 6

Senate	December 7, 2005	Minute 7
Board of Governors	December 12, 2005	Minute 8

Senate	May 7, 2008	Minute 5
Board of Governors	May 23, 2008	Minute 2

Senate	May 19, 2010	Minute IIB.6
Board of Governors	May 25, 2010	Minute 9.2.4