

FACULTY LEAVE – FREQUENTLY ASKED QUESTIONS

The following is provided as a resource for tenured and tenure-track faculty to gain information and answers to common questions regarding less than 12-month appointments including eligibility for leave and access to benefits. Other questions may be directed to AgriLife Human Resources.

Can a faculty member be employed for more than nine months?

Yes, a faculty member can be paid for up to 12 months in a 9 month academic year appointment and a 1-3 month summer appointment performing research and/or summer teaching duties.

How may a faculty member in the College of Agriculture and Life Sciences at Texas A&M University (*faculty member*) become eligible to accrue and use vacation leave.

Tenured and tenure track faculty who desire and meet all of the below requirements and obtain approval by the department head, agency director (if agency appropriated funds are supporting the salary), and vice chancellor/dean, are eligible to be on a 12-month, vacation-accruing appointment:

- a. Submit "Annual Request of Faculty Member to Remain in Vacation Leave-Accruing Appointment" form .
- b. A source of funds to cover the 'n' months not covered, if any, by TAMU/agency hard funds as of September 1.
- c. A set of duties in the faculty member's appointment letter and position description that require a 12 month time commitment (e.g. requirement to conduct experiments related to biological cycles/rhythms such as summer agronomic or ecological field work).
- d. Have not previously received a lump sum payment for accrued vacation leave.

Administrative positions of department head and higher are assumed to be 12 month employees and are not required to submit a request to have a vacation-accruing appointment.

If a faculty member is unable to meet the requirements for a 12 month vacation-accruing appointment in one year, will s/he have the option for a 12 month appointment at a future date?

No. Once a faculty member is in a non-vacation-accruing status (e.g. chose that option or did not qualify), they will remain in that status for the duration of their employment as a faculty member at TAMU.

What will happen to a faculty member's vacation leave balance if they become ineligible to accrue leave in the future?

The faculty member will be paid for the value of the leave. Payouts will be calculated using the salary rate that was in effect on the last day a faculty member accrued vacation. The payment will be less any applicable taxes.

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Are there ways to mitigate the tax impacts of lump sum payments for vacation balances?

Information is available at:

<http://www.tamus.edu/business/benefits-administration/retirement-programs/tda-and-dcp-voluntary-programs/>

Will faculty who do not accrue vacation leave have any personal leave time?

Faculty with appointments of less than 12 months can be absent from campus on personal time during university holidays and when no classes are meeting at the university. The dean has also directed the department heads to work within the allowed flexibility for emergency leave, administrative leave with pay, flexible work schedules and temporary flexible work schedules to aid faculty members when it is necessary to be absent when classes are meeting at the university.

Do faculty members with less than 12-month appointments continue to earn Sick Leave?

Yes, a faculty member who is budgeted by name for 50 percent or more time for at least 4 ½ months is eligible to accrue and use sick leave during the period of appointment. However, they cannot access sick leave during periods of non-appointment.

Can a faculty member spread his/her less than 12 month salary over 12 months?

Employees who are on less than 12-month appointments typically receive paychecks consistent with their appointment (i.e. a 9-month employee receives 9 paychecks). There is a provision for spreading payments for a less than 12-month appointment over 12 months, but very few AgriLife employees are currently enrolled in this program. It should be noted that electing to receive a 9-month salary over 12 months **would not make faculty eligible for vacation** leave nor change the way insurances and retirement are handled. Contact AgriLife Human Resources for additional information.

Can faculty access the department's facilities during the period of non-appointment?

Yes

Can faculty travel on business during periods of non-appointment?

Yes, as long as there is an expectation that the faculty member will return to the payroll the month following their period of non-appointment. Such travel should be processed in the same manner as travel during months of appointment.

Will faculty be covered by Workers Compensation Insurance during periods of non-appointment?

Faculty members are covered for workers compensation insurance when they are in the course and scope of employment furthering the affairs of their employer. There are times when a 9 month faculty member may have activities to attend to during the 3 months they are not employed. If an injury occurs during that period, the TAMUS workers compensation group will investigate whether the faculty was working in the course and scope and consider that as a factor when determining eligibility for WCI benefits.

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Are less than 12 month appointment faculty eligible for insurance benefits during the summer months?

Typically, benefit eligibility only continues through the last day of the month an employee actively worked. However, System Regulation 31.02.02 does have a provision for employees who are scheduled to work less than 12 months to allow benefit eligibility during the time they don't work (summer period) provided certain conditions are met. These conditions include:

- You are a regular, benefits-eligible employee scheduled to work less than 12 months who satisfied that appointment, AND
- You are expected to continue employment in a benefit-eligible position the following fiscal year (Fall term)

If you meet the above two conditions, then you are eligible to participate in the insurance plans and will maintain the employer contribution towards benefit premiums. Your eligibility would change at the point in which the *expectation* to return in the Fall is no longer applicable.

How does working less than 12 months affect retirement?

In TRS, an employee must work at least 4 ½ months to receive credit for a year of service; therefore, less than 12-month employees vest in TRS just like 12-month employees. ORP participants with appointments less than 12 months receive service credit during the months they are off as long as they return to the payroll the month following their period of non-appointment. During periods when an employee is not on the payroll, contributions are not made to TRS or ORP.

Please direct questions to AgriLife Human Resources – 979-845-2423.