

**FACULTY SENATE**  
**January 21, 2009**  
**REID HALL 104**  
**4:10 PM – 5:00 PM**  
**MONTANA STATE UNIVERSITY-BOZEMAN, MONTANA**  
**Minutes**

**Members Present:** Amin, Becker, Cherry, Eittle, Fields, Fischer, Gerlach, Lansverk, Lynch, Merzdorf for Jacobs, Mokwa, Neumeier, Osborne, Prawdzienski, Simpson, Sowell, Varricchio, T. Weaver, Wisner, Wojtowicz, Yoo for Zhu

**Members Absent:** Bangert, Bennett, Fleck, Gee, Igo, Jackson, Jacobsen, Larson, Lei, Livingston, Maskiell, C. McClure, Political Science, Versaevel, Watson, D. Weaver

**Others Present:** David Dooley, Joe Fedock, Leslie Taylor, Shannon Taylor, Greg Durham, Jim Robison-Cox

Chair Wes Lynch called the meeting to order at 4:10 PM. A quorum was present.

***Announcements – Wes Lynch***

- FS Meetings:
  - January 28, 2009 – Warren Jones, Marvin Lansverk will speak about the accreditation.
  - February 4, 2009 – Learn more about what FS members think is important to them as members, to identify places where the FS could more effectively operate (both within our meetings and as we communicate with our relevant faculty members), and identify areas where FS value could be improved upon.
  - February 11, 2009 - Campus Sustainability Update – Cliff Montagne, David Klem.
  - February 18, 2009 – Union bargaining unit make-up discussion.
- HB87 – To increase the contribution to OPR by 1%; Chair Lynch took a straw vote of FS members and all were in favor of FS writing a letter of support of the bill.

***Sick Leave – Provost Dave Dooley, General Counsel Leslie Taylor***

- The disparity in reporting sick leave on campus by departments (mechanism, forms, even the understanding of what being sick is) has resulted in the development of a new sick leave form.
  - State law already requires sick leave be reported. The new form, with its accompanying Q&A explanation page, clarifies reporting requirements. Basically, departments will be required to file monthly reports, which require faculty to come in and sign off on the form, reporting all sick days, if any, that month. The form, then, is reviewed by department heads and ultimately, goes to Human Resources.
  - Part of the context for this new form is the large build-up of unused sick leave which, according to state law, faculty members upon retirement, receive as a 25% payout. Since university budget planning was not being done centrally to manage this unfunded liability, the university recently moved the responsibility down to the department level, in a recent UPBAC decision. It is assumed that the liability will then have to be covered by vacancy savings.
  - The other part of the context for this is that many faculty members have built up very large sick leave balances—some apparently never have been sick. Even though this is due in great part to the professional nature of faculty workloads and responsibilities (rather than having jobs that keep faculty strictly on the clock), there is a concern about appearances. The bottom line, thus, is that faculty should be taking sick leave when they are sick and miss regularly scheduled work activities, such as class, or meetings, etc.
- Most of the feedback and questions about the new form has focused on the Q&A explanation page. Some questions posed included:
  - If faculty have a doctor's appointment on Friday for two hours, but they work for two hours on Saturday, why should sick leave be reported, if faculty did not miss a scheduled activity (e.g., classes, office hours, appointments, meetings)? Provost Dooley and Leslie Taylor stated that work time may be flexed, but sick time cannot be. If you are sick on a day of work, then sick leave should be reported. There is nothing on the form that addresses how faculty work; it only requires that sick leave be reported.
  - Another question posed: Although every state employee subscribes to a sick leave policy, they also have annual leave; faculty do not. Therefore, how do faculty attend an event such as a funeral, wedding, etc. if they don't use sick leave?

- Faculty should work out schedules with their department head and colleagues so that their obligations are covered. Therefore, they should not use sick leave for time off other than when they are sick.
- Faculty discussed the possibility of enacting personal days. It was noted by Leslie Taylor, however, that MSU does not have the authority to create new benefits or leaves.

\*A question was posed about why faculty should take sick leave during breaks, such as Spring Break and Christmas Break. The intent here, is that if faculty miss regularly scheduled activities due to being sick, they should report it as sick leave. Furthermore, if someone reports being sick the week before and the week after spring break, then it only makes sense that sick leave also be taken for spring break itself.

- It was pointed out that Missoula's sick leave policy is governed by the union contract; they may not have the exact same reporting mechanisms as MSU does, though the governing state law is the same.
- Montana state employees who are adoptive parents and birth fathers may take up to 15 days parental leave immediately following the birth or placement of a child. You may *request* to take sick leave, annual leave, leave without pay, compensatory time or other appropriate paid leave.

The Faculty Senate meeting ended at 5:00 PM, as there was no further business.

*Signature*

Wes Lynch, Chair

*Signature*

Gale R. Gough, Secretary