

<b>Section:</b>	II.3.39	
<b>Title:</b>	Modification of Teaching Duties	
<b>Effective Date:</b>	September 18, 2020	
<b>Approved By:</b>	Provost	
<b>Responsible Unit:</b>	Academic Affairs (609) 771-3080; academic@tcnj.edu	
<b>Related Documents:</b>	<ul style="list-style-type: none"> <li>• <a href="#">Reappointment and Promotion Document</a></li> <li>• <a href="#">Family Medical Leave Act</a></li> <li>• <a href="#">New Jersey Family Leave Act</a></li> <li>• <a href="#">Jury Duty and Military Leave Policies</a></li> </ul>	
<b>History:</b>		
<u>Version</u>	<u>Date</u>	<u>Notes</u>
2.0	September 18, 2020	Revised
1.0	July, 2013	New policy; Initial Release

## I. INTRODUCTION

The College of New Jersey recognizes the need for family-friendly policies and practices. When eligible teaching faculty take Family Medical Leave during a semester, or when faculty are serving on extended jury or military duty, the timing of the leave may adversely affect the classroom experience. The intent of this policy is to allow faculty to modify their teaching duties before or after an extended leave, defined as more than three weeks. This policy outlines the parameters for faculty eligibility for modification of teaching duties, and describes the process for formalizing the modified work plan.

## II. DEFINITIONS

Modified Duty: a work assignment that takes the place of a teaching assignment.

## III. POLICY

- A. Faculty who are eligible to take family or medical leave according to the New Jersey Family Leave Act and the Federal Family and Medical Leave Act (for more information, see: <https://hr.tcnj.edu/benefits/leave-programs/>) are also eligible to apply for modification of teaching duties. The faculty member notifies Human Resources as early as possible, and provides any required documentation.

Qualifying life events for purposes of this policy are those events entitling leave to the faculty member pursuant to the New Jersey Family Leave Act (NJFLA) and Family Medical Leave Act (FMLA), which include:

- The birth or adoption of a child, or the foster placement of a child, to allow the faculty member to care for the child;
- A serious health condition that results in inability to perform the functions of his/her position;
- A serious health condition affecting the spouse, child, or parent, to allow the faculty member to provide care;
- A serious injury or illness incurred in the line of duty affecting a covered service member who is the spouse, child, parent or next of kin of the candidate to allow the faculty member to provide care;
- A qualifying exigency arising out of the fact that the spouse, child or parent of the faculty member is on covered active duty (or has been notified of an impending call or order to covered active duty) in the Armed Forces;
- An act of domestic violence or a sexually violent offense committed against the faculty member or the faculty member's spouse, domestic partner, civil union partner, child or parent in accordance with the NJ SAFE Act.

B. Faculty who are required to serve on extended jury duty, or who are serving Military Leave may also request modification of teaching duties. See Human Resources: <https://hr.tcnj.edu/benefits/leave-programs/>

C. The following guidelines are used by human resources to establish the modification of teaching duties:

- i. Faculty who take FMLA leave for more than three weeks during a semester are eligible for modified duties for the balance of the semester.
- ii. In the case of expected medical leave, the modified duties can begin prior to the event.
- iii. The timeframe of the modified duties is dependent upon individual circumstances.
- iv. Typically, when the leave extends beyond a single semester, the faculty member is eligible for modified duties in only one of the semesters.

D. The work assignment that comprises the modified duty is negotiated between the faculty member, the department chair, and the dean of the school. The dean solicits ideas for the modified duty from the faculty member and the department chair, as well as considers the needs of dean's own school. The dean, chair, and faculty member then meet to form a plan for the work assignment(s) and deliverable items that would comprise the modification of duties.

The faculty member, chair, and the dean should keep in mind equivalency of time when negotiating the modified duties. Additionally, the timeframe in which the work is to be completed should also be negotiated, keeping in mind that flexibility may be necessary based on the circumstances. A written record of the modified work assignment is kept by the dean to ensure consistency across modified work assignments.

If the faculty member, chair, and dean are not able to agree on a modified work plan, arbitration takes place between the faculty member, the chair, the dean, and the provost to formalize a plan. At the request of the faculty member, a representative of human resources could serve as arbiter, and a representative of AFT may be requested to be present during arbitration.

E. The chair and dean should work to ensure, as much as possible, that modified work assignments reflect best practices and minimize disruptions to student learning, including:

- Faculty covering classes for a colleague on leave get paid in overload (prorated for teaching time)
- A qualified adjunct is hired to cover specialized/advanced classes for which a qualified faculty member may not be available
- Ensuring consistency in grading (sharing assignments, rubrics, etc.) when possible
- Making clear to students which faculty member they are rating in the student course evaluations.