

OFFICE OF
THE PROVOST

MEMORANDUM

TO: UTEP ACADEMIC AFFAIRS PERSONNEL
FROM: JOHN WIEBE, PROVOST AND VICE PRESIDENT FOR ACADEMIC AFFAIRS
SUBJECT: FAMILY AND MEDICAL LEAVE ACT AND EXTENSIONS TO THE TENURE CLOCK
DATE: APRIL 1, 2020

Please allow this memorandum to serve as guidance for faculty and faculty administrators serving in an evaluative role for faculty members who have exercised their option to take Family and Medical Leave (FML) or have obtained a tenure clock extension. Pursuant to the Family and Medical Leave Act, UTEP provides up to 12 weeks of unpaid, job-protected leave, or 26 weeks for military caregiver leave, to all eligible employees, including eligible faculty, for certain family and medical reasons. Faculty are eligible if they have worked at least 1,250 hours at the University during the 12-month period preceding the requested leave.

In addition to FML, faculty may also be eligible for a tenure clock extension pursuant to the UTEP Handbook of Operating Procedures (HoOP), Academic Affairs Chapter 4, Academic Policies and Faculty Personnel Matters, § 4.4.1.5. A faculty member may request an extension of the maximum probationary period for certain circumstances as outlined within that section, including FML. These requests and recommendations for leave and for tenure clock extensions are forwarded through the unit chair or program director and college dean to the provost for approval.

When it is necessary and appropriate for faculty members to avail themselves of either or both of these benefits, UTEP supports that use. Upon faculty members' return from FML or upon resumption of the tenure clock, faculty colleagues and administrators conducting any evaluation or review should not take FML, requests for FML, tenure clock extensions, or requests for tenure clock extensions into account in any way.

If a faculty member believes that either FML or a tenure clock extension is being used in the evaluation process, it is recommended that the faculty member speak directly with those conducting the evaluation about this concern. If the concern is not addressed and resolved, the faculty member is advised to follow the grievance procedure as outlined in the HoOP under Human Resources, Chapter 7, Policy and Procedure for Grievance.

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