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☞ Details: Follow-up to Legislative Audit Bureau Report 06-12: An Evaluation: UW System Personnel Policies and Practices

(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2007-08

(session year)

Joint

(Assembly, Senate or Joint)

Committee on Audit...

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
(**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
(**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

* Contents organized for archiving by: Stefanie Rose (LRB) (October 2012)



WISCONSIN STATE LEGISLATURE

Joint Legislative Audit Committee

Committee Co-Chairs:
State Senator Jim Sullivan
State Representative Suzanne Jeskewitz

July 12, 2007

Dr. Kevin P. Reilly, President
University of Wisconsin System
1720 Van Hise Hall
1220 Linden Drive
Madison, Wisconsin 53706

Dear President Reilly:

Thank you for your letter, dated June 1, 2007, that reports on the status of your efforts to implement the recommendations in the Legislative Audit Bureau's evaluation of *UW System Personnel Policies and Practices* (report 06-12). We appreciate your timely submission of this information to the members of the Joint Legislative Audit Committee.

We are pleased by the progress of the University of Wisconsin (UW) System in responding to the audit's recommendations. We recognize the efforts undertaken by the Board of Regents, UW System Administration, and other committees and groups to improve your personnel policies and practices. We note that while some initiatives have already been implemented, others are works in progress with anticipated outcomes expected before the end of the calendar year.

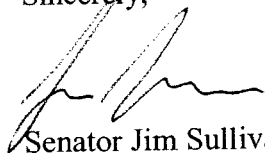
It is in recognition of the ongoing work in certain areas that we ask you to continue your efforts to keep us apprised of UW System's progress in revising its personnel policies and practices. To that end, we ask you to submit a second written progress report detailing the status of changes to the personnel policies and practices implemented in response to the audit. Among other items, this report should include information on:

- final revisions made to UW System's uniform leave reporting form (UW-1538);
- any actions that the Board of Regents takes on recommendations to clarify the use of colleague coverage;
- final policy changes that the Board of Regents approves regarding:
 - a) reporting sick leave, vacation, and personal holiday time;
 - b) reducing sick leave accrual for those employees who fail to report leave;
 - c) allowing supervisors the authorization to correct monthly leave reports that appear to be inaccurate;
 - d) eliminating the accrual of sick leave during faculty sabbaticals; and
 - e) changing how work schedules are defined, as those schedules relate to the use of sick leave and the statutory requirements for reporting sick leave.

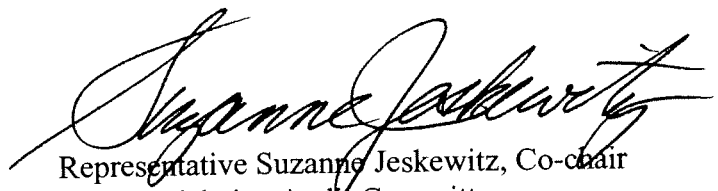
We also ask that you copy us on the annual report on limited appointments and the concurrent positions and other job protections afforded those in each position. We understand the first such report will be completed in December 2007. Please also copy us on the report on the number of consultants on the payroll, the number of unclassified consultants who have been employed in the same position for more than one year and why, and the length of time the unclassified consultants are expected to remain in those positions. We understand that this report is expected to also be available in December 2007. Please plan to submit all the requested information to our offices by January 15, 2008.

We appreciate your responsiveness to the Legislative Audit Bureau's recommendations and to our requests for additional information. Thank you for your continued cooperation.

Sincerely,



Senator Jim Sullivan, Co-chair
Joint Legislative Audit Committee



Representative Suzanne Jeskewitz, Co-chair
Joint Legislative Audit Committee

cc: Janice Mueller
State Auditor





Office of the President

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August 6, 2007

Senator Jim Sullivan, Co-Chair
Joint Legislative Audit Committee
PO Box 7882
Madison, WI 53707-7882

Representative Suzanne Jeskewitz, Co-Chair
Joint Legislative Audit Committee
PO Box 8952
Madison, WI 53708-8952

Dear Senator Sullivan and Representative Jeskewitz:

I am writing in response to your letter of July 12, 2007 in which you acknowledge receipt of our status report on our response to the Legislative Audit Bureau's evaluation of *UW System Personnel Policies and Practices* (report 06-12).

In your letter you requested a second written progress report be submitted by January 15, 2008. This report is to detail the status of changes to the personnel policies and practices implemented in response to the audit, as well as include copies of specific reports that will be made to the Board of Regents in December of 2007 on limited appointments and on unclassified consultants.

We will be sure to submit the requested information and reports to you by the date you requested.

Thank you for your support for our efforts to continue to make the University of Wisconsin System even more efficient and effective as we work with the Legislature on the University's Growth Agenda for Wisconsin

Sincerely,

Kevin P. Reilly
President

Cc: Regents
Chancellors
Cabinet
Janice Mueller, State Auditor



Matthews, Pam

From: Handrick, Diane
Sent: Monday, December 03, 2007 9:58 AM
To: 'Jim Jeskewitz'
Cc: Matthews, Pam
Subject: From WisPolitics (AP) on sick leave at the UW

Dec 2, 2:07 PM EST

Rules would tighten sick leave reporting for Wis. faculty, staff

By RYAN J. FOLEY
Associated Press Writer

MADISON, Wis. (AP) -- New rules would require University of Wisconsin faculty to take sick days even when colleagues cover their classes and would financially punish those who fail to report their leave.

The rules could rein in a lucrative benefit for some university employees, who can convert unused sick days into cash to buy health insurance in retirement. They come in response to an audit 14 months ago that suggested UW employees abused the perk by failing to report sick days.

The investigation found the average faculty member had a benefit of \$222,000 to buy health insurance upon retirement, three times as much as other state employees. Professors report being sick an average of less than one day per year, far fewer than all other employees, the nonpartisan Legislative Audit Bureau found.

UW System spokesman David Giroux said the changes would apply to 18,000 faculty and academic staff. He said they are meant to preserve a valuable benefit that helps retain employees while showing the public the perk is not being abused.

"We believe most of our faculty members have been using the sick leave policy appropriately and so for most people this will have minimal effect," he said. "But it will demonstrate that we are willing to put in clear-cut guidelines for our employees and have a mechanism to enforce them."

The rules, which are expected to be enacted by the UW System Board of Regents this week, would require faculty members to take sick days for missing classes, even when other instructors teach their classes or cover their office hours.

They would also require all employees to file new monthly leave reports that would be uniform across the system, regardless of whether they were sick. Universities would punish those who failed to file reports by capping the amount of sick days they could convert into health insurance credits that year to 8.5 out of the 12 they are given.

Some faculty members have argued they did not take sick days because they have schedules in which they typically work more than 40 hours a week. They say they make up any work they miss because of illness during other times.

Mark Evenson, president of The Association of University of Wisconsin Professionals union, said faculty members are overwhelmingly opposed to the plan to require sick days when colleagues fill in. Nine faculty senates, including the one at UW-Madison, have come out against the change while two are in favor, he said.

He said the rule would discourage professors from helping their sick colleagues, might result in more classes being canceled due to illness and would hurt morale.

"We think this is really a bad idea," he said.

Giroux said it's reasonable to require instructors to take sick leave when they are unable to show up to work. He said data show that a small percentage of instructors have colleagues cover their courses and that would still be allowed under the rules.

"No employee likes to see anything like the erosion of benefits or rights," he said. "But what people need to do in this context is consider how reasonable these steps really are in the bigger picture."

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WISCONSIN STATE LEGISLATURE

Joint Legislative Audit Committee

Committee Co-Chairs:
State Senator Jim Sullivan
State Representative Suzanne Jeskewitz

May 13, 2008

Dr. Kevin Reilly, President
University of Wisconsin System
1720 Van Hise Hall
1220 Linden Drive
Madison, Wisconsin 53706

Dear President Reilly:

Kevin

As the legislative session draws to a close, we write to acknowledge receipt of your January 2008 follow-up report, which was prepared in response to our July 2007 correspondence. At that time, we requested a summary of actions taken by the Board of Regents, the University of Wisconsin (UW) System Administration, and other committees and groups to improve personnel policies and practices in response to the recommendations presented in the nonpartisan Legislative Audit Bureau's report (report 06-12).

As noted in earlier correspondence, we are pleased by UW System's progress in responding to the audit recommendations. The information presented in your January 2008 follow-up report evidences the breadth of personnel policies strengthened or clarified by careful review throughout the UW System.

As described in your follow-up report, UW System Administration now submits an annual report to the Board of Regents each December on the number of limited appointees with concurrent/back-up positions or notice of termination job protections at each institution for the current and prior years. In addition, UW System Administration also now provides the Board of Regents with a report on the number of unclassified consultants who have been employed in the same position for more than one year and why, the number of unclassified consultants hired at each institution in the past year, and the length of time the newly hired unclassified consultants are expected to remain in those positions. As the Joint Legislative Audit Committee continues to monitor UW System's implementation of the audit recommendations, we ask that you forward copies of the 2008 annual reports to our offices for our review when they are available.

We appreciate your responsiveness to the audit recommendations and thank you for your continued cooperation.

Sincerely,

Senator Jim Sullivan, Co-chair
Joint Legislative Audit Committee

Representative Suzanne Jeskewitz, Co-chair
Joint Legislative Audit Committee

cc: Janice Mueller
State Auditor

SENATOR SULLIVAN
P.O. Box 7882 • Madison, WI 53707-7882
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REPRESENTATIVE JESKEWITZ
P.O. Box 8952 • Madison, WI 53708-8952
(608) 266-3796 • Fax (608) 282-3624



UW Personnel Policies and Practices (Rpt 06-12) – Follow-up dated 1/15/08

- What mechanism is in place to assure that every unclassified employee has established what their 40/hr work week will be? Although there is a default workweek, does this responsibility fall to the immediate supervisor to ensure one is on file for all employees whom they are responsible for signing their time reporting? Difficult to police if no record exists. (page 3., attachment C refers to this requirement)
- UW recommended no change to policy regarding sick leave accrual during a sabbatical leave. (page 4)
- There was no much change in the number of Limited Employees or Consultants. Are you interested in asking to receive these reports one more time, December 15, 2008? It would be interesting to see if there is any real change in the consultants – note they still have a number who are “under review.”



Office of the President

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January 15, 2008

Senator Jim Sullivan
Representative Suzanne Jeskewitz
Co-chairs, Joint Legislative Audit Committee
State Capitol
Madison, WI 53702

Dear Senator Sullivan and Representative Jeskewitz:

I have enclosed the progress report you requested in your letter of July 12, 2007 on our response to the Legislative Audit Bureau's evaluation of UW System Personnel Policies and Practices (report 06-12).

The attached report is a copy of the actual report that I presented to the Board of Regents at their meeting on December 7, 2007. In that meeting, the Board approved policy changes to vacation, personal holiday, and sick leave reporting requirements and sick leave accrual for unclassified staff not in compliance with leave reporting requirements (as indicated in Attachments A, B, and D of the report).

The policy and procedural changes outlined in this report provide needed direction and guidance to all our unclassified staff, ensuring that these valuable leave benefits are appropriately used and properly recorded. Regent Tom Loftus chaired a Special Regent Committee that provided invaluable guidance in the development of these new policies and procedures.

Also included in the attached report are the specific reports you requested on limited appointments and unclassified consultants, Attachments I and J, respectively.

Thank you again for your support of our continuing work to make the University of Wisconsin System even more highly regarded worldwide as a model for quality in teaching, research, and public service.

Sincerely,

A handwritten signature in cursive script that reads "Kevin P. Reilly".

Kevin P. Reilly
President

Attachments

Copy: Board of Regents
Chancellors
Cabinet
Janice Mueller, State Auditor



University of Wisconsin System
Report to the Board of Regents on Response to the Legislative Audit Bureau Report 06-12,
An Evaluation: Personnel Policies and Practices in the
University of Wisconsin System
December 7, 2007

I. Policy changes to address the LAB findings and recommendations

LAB Recommendations (page 34 and 39):

- *consider modifications to policies for reporting sick leave use by unclassified staff within the University of Wisconsin System;*
- *consider ways to modify how vacation time use is reported by unclassified staff within the University of Wisconsin System, such as by more strictly enforcing existing policies; and*

1. Require uniform leave reporting policy across the UW System institutions.

Status: Decision pending.

Regent

Action: Recommend adopting the following policy to be required at all UW System institutions for unclassified staff (Resolution I.2.f.1. – Attachment A).

Policy:

Effective January 1, 2008 it shall be the policy at each institution in the UW System, that sick leave, vacation and personal holiday leave, for full-time unclassified employees shall be charged in units of one-half days for full-time appointments. Absence of one-quarter day up to three fourths day shall be charged as one half day. Absence of three fourths day up to one and one quarter day shall be charged as one day. Employees with less than full-time appointments report actual hours absent.

Rationale:

Unclassified staff members are compensated as salaried professionals making them ineligible for overtime or for comp time. They typically work well beyond a standard 40-hour workweek and receive no additional compensation for doing so. Their leave reporting requirements should reflect this. Hourly reporting of leave is a system that makes more sense for the worker who is paid on an hourly basis and is eligible for overtime and comp time. Therefore, unclassified staff members should continue to be afforded the flexibility provided by the current system of reporting in half-day increments.

2. Require uniform capping of sick leave accrual policy across the UW System institutions. Provide a fact sheet for leave reporting policies and direction for supervisors on when it is appropriate and necessary to make corrections to leave statements.

- a. On an annual basis, reduce sick leave accrual if the employee has failed to report leave usage in one or more months during the year.

Status: Work is well underway to address the system programming changes that would be required to implement this policy, if approved.

Regent

Action: Regent approval of the policy is needed to implement at the end of fiscal year 2008. The following policy is recommended for adoption (Resolution I.2.f.2. – Attachment B).

Policy:

Effective with leave accrued in fiscal year 2007-08, sick leave accrual will be reduced if the employee has failed to file a report on leave usage in one or more months during the year. Sick leave accrual for that year will be limited to the capped amount specified in s. 40.05(4)(bp)1., Wis. Stats. (i.e., 8.5 days for an annual appointee or 6.4 days for an academic year appointee). The reduction will apply both to the sick leave available to employees during their careers and to the sick leave balance certified at retirement.

Rationale:

In August 1987, in response to a Legislative Audit Bureau (LAB) audit, the state legislature imposed a cap on the amount of sick leave faculty, academic staff, and limited appointees could use to pay for health insurance upon retirement, layoff, or death. With the cap, the amount of sick leave that could be carried over each year for the purpose of converting to credits to pay for health insurance was limited to 8.5 days for annual employees and 6.4 days for academic year employees. In order to receive a waiver for the sick leave cap, each UW System institution had to demonstrate strict compliance with the leave reporting requirements.

Faculty, academic staff, and limited appointees earn 12 days of sick each year which can be used to cover absences due to personal illness, injury, or medical appointments, as well as for care for family members and for bereavement leave. Unused sick leave accumulates from year to year. At retirement, the sick leave balance is converted to dollar credits to pay for health insurance premiums.

The value of the sick leave credit conversion for individuals at retirement and to the UW System in recruiting and retaining faculty and staff cannot be overstated. In order to retain this benefit, we must be able to show continued compliance with the reporting policies. Most UW System faculty, academic staff, and limited appointees already report their leave accurately, completely, and in a timely manner and will not be impacted by this policy. The decision to apply the sick leave cap to those who do not comply with the reporting requirements is essential for the continuation of the waiver of the sick leave cap for UWS faculty, academic staff, and limited appointees.

- b. Develop a fact sheet on leave reporting requirements to be included with the employment contract/letter and or other mechanism for disseminating this information to new and continuing employees and supervisors.

Status: Draft fact sheet is attached (Attachment C).

Regent

Action: Information only.

- c. Direct that supervisors correct a leave report that appears to be inaccurate, with appropriate documentation and notification to the employee.

Status: Instructions on the leave reporting form will include a reminder to supervisors of the need to review the accuracy of the leave reports as part of the sign off requirement and steps they need to take to correct or complete reports on behalf of the employee when they are aware of the need to do so.

Regent

Action: Information only.

3. Require sick leave reporting for teaching responsibility absences

Status: The Special Regent Committee on Response to the LAB Audit on Personnel Policies and Practices is on record as supporting the following policy change that would need to be approved by the Board of Regents.

Regent

Action: Regent approval of the policy is needed to implement at the beginning of the Spring term, in January 2008. The following policy is recommended for adoption (Resolution I.2.f.3. – Attachment D).

Policy:

Effective with the beginning of the Spring 2008 semester that starts in January 2008, teaching responsibilities not met because of an absence specified in UWS 19.01, Wis. Adm. Code, must be reported as sick leave, regardless of whether a qualified instructor covers the aforementioned responsibilities. Teaching responsibilities include class time preparation, actual classroom instruction, and scheduled office hours available to students for educational guidance.

Rationale:

In many professional settings throughout the country, when an employee is absent due to illness or for any other reason and has time-sensitive responsibilities, a coworker covers for them to ensure that the responsibilities are carried out. Such coverage in many cases is considered a part of their regular job expectations. Indeed, current situations exist in the university setting in which colleagues cover for each other when there is a conflict with teaching such as when a faculty member presents a paper at a conference. Colleagues and coworkers receive no benefit other than reciprocation for these occasions.

We recognize the benefit to students in the provision of having colleagues cover teaching responsibilities. However, when an instructor is unable to carry those responsibilities out due to an illness, it is important to avoid the perception of misuse of the sick leave benefit. Therefore, individuals absent due to illness, as defined in UWS 19.01, should be recording their use of sick leave regardless of whether or not a colleague is able to cover their teaching responsibilities.

4. Affirm the policy that allows sick leave accrual during sabbatical leave.

Status: Recommend no change to the current policy.

Regent

Action: Information only.

Rationale:

During a sabbatical, a faculty member remains employed by the University and is expected to fulfill many of the same responsibilities as when not on sabbatical. These responsibilities include working full time on the sabbatical project. In return, faculty expect to enjoy many of the same rights as when not on sabbatical, including the accrual of sick leave.

Therefore, we recommend it is essential to maintain the current policy in which the employee accrues sick leave. The employee would be required to formally establish a 40-hour workweek for the purposes of sick leave reporting and report sick leave used during those hours. It will be necessary to educate the employee of this requirement before the sabbatical begins. This approach has merit in that it reflects the fact that the person is still employed by the University and is expected to be working full time during the sabbatical. It also does not require a temporary administrative change to the leave accrual and reporting during the sabbatical period.

5. Affirm the current policy for defined work schedules as it relates to sick leave and the statutory requirements for reporting sick leave.

Status: Recommend no change to the current policy, but will provide staff with additional information on the rationale and requirement for defining a work schedule for purposes of leave reporting (Attachment E).

Regent

Action: Information only.

6. Required sabbatical leave forms, agreements, and signatures.

LAB Recommendation (page 75):

- *To ensure compliance with statutory requirements and consistency in institutional practices, we recommend University of Wisconsin System Administration develop both:*
 1. *a standard agreement for signature that lists all statutory and policy requirements related to faculty sabbaticals, including the need to return to the institution for at least one year after a sabbatical, to complete a final report on sabbatical activities within three months after a sabbatical, and to submit monthly leave reports while on sabbatical; and*
 2. *a standard form for all institutions to use in determining total compensation received by faculty on sabbatical, including compensation from outside sources and from short-term duties at individual institutions.*

Status: Form for signatures (Attachment F) and form for determining total compensation (Attachment G) have been developed and are in effect beginning Fall of 2007.

Regent

Action: Information only.

II. Administrative changes to address the LAB findings and recommendations

LAB Recommendations (pages 34 and 39):

- *the Board of Regents consider modifications to policies for reporting sick leave use by unclassified staff within the University of Wisconsin System;*
- *consider ways to modify how the use of vacation time use is reported by unclassified staff within the University of Wisconsin System, such as by more strictly enforcing existing policies; and*
 1. Revise the System-wide uniform leave reporting form (UW-1538) for reporting use of sick leave, vacation, and personal holidays.

Status: The leave reporting form will be ready for implementation in early 2008.

Regent

Action: Information only.

UW-1538 (**Attachment H**) consists of a report of the employee's previous leave balances and a space for the employee to report the current month's leave usage.

It is distributed to the institutions monthly by the UW Service Center. The institutions distribute the form electronically or manually to their employees.

Form UW-1538 improvements:

- a. Continues use of the current perforated form, however, an online form will be created to provide easier compliance, especially for those not on campus at the monthly leave reporting due date.
 - b. Instructions on how to complete the monthly leave report will be provided.
 - c. A place on the leave reporting form will be provided to indicate use of vacation or other leave in lieu of sick leave since many unclassified staff choose this option.
 - d. Days of the week as well as dates on the current month's leave report will be shown which will make it easier to complete and reduce errors.
 - e. Each UW System institution will be asked to post a copy of form UW- 1538 on its website for use by employees. Eventually as time and technology permit, this form will be able to be completed on-line and emailed to the supervisor and then to the payroll office. This may not be possible until the new Human Resource System is fully implemented.
 - f. Reason codes will be provided for adjustments to prior leave balances allowing for more accurate auditing of reasons for balance changes that are not the result of the current month's leave activity, such as error correction.
2. Create a system-wide deadline for submission of the current month's leave report to the payroll office.

Status: A standard deadline will be incorporated along with the implementation of the revised leave reporting form in early 2008.

Regent

Action: Information only.

Form UW-1538 indicates a deadline, approximately the 10th of the next month. Flexibility will be provided in order to take into account circumstances beyond an individual's control that would cause the individual to fail to turn in the report in a timely manner, such as illness or emergencies.

3. Improve employee education regarding the importance of proper sick leave and annual leave reporting.

Status: Items a, b, and c have been implemented as of Oct. 2007. Items d and e will be addressed once policy decisions under Section I above are finalized at the December 2007 meeting of the Board of Regents.

Regent

Action: Information only.

Examples of improved educational measures include:

- a. Revise and disseminate the UWSA PowerPoint presentation on sick leave to include more information about how to report leave usage.

- b. Provide institutions with new employee orientation materials to help new employees understand the leave reporting requirements.
- c. Require each institution to issue an annual reminder on sick leave reporting and provide materials that the institution could use to do so.
- d. Revise and simplify policy guidelines on leave reporting (UPG#9 & 10) to make them more understandable for employees.
- e. Offer specialized training to supervisors regarding the review of leave reports.

III. Annual Reports to the Board of Regents Required by the LAB Audit

LAB Recommendation (page 48):

- *Require University of Wisconsin System Administration to report annually on the number of employees with concurrent or back-up positions or notice of termination protections at each institution for the current and prior years.*

Status: Report is complete for October 2006 and October 2007 payroll periods for the current and prior years (Attachment I).

**Regent
Action:** Information only.

LAB Recommendation (page 64):

- *University of Wisconsin System Administration annually report to the Board of Regents on:*
 1. *all consultants hired, including those paid on a lump sum basis; and*
 2. *the number of unclassified consultants who have been employed in the same positions for more than one year and why, as well as how long they are expected to remain in those positions.*

Status: Report is complete for the period from October 2006 through October 2007 (Attachment J).

**Regent
Action:** Information only.

Attachment A

**Sick Leave, Vacation, and Personal Holiday
Leave Reporting for Unclassified Staff**

BUSINESS, FINANCE, AND AUDIT COMMITTEE

Resolution I.2.f.1:

That, upon the recommendation of the President of the UW System, the Board of Regents approves the following policy:

Effective January 1, 2008 it shall be the policy at each institution in the UW System that sick leave, vacation, and personal holiday leave for full-time unclassified employees shall be charged in units of one-half days. Absence of one-quarter day up to three fourths day shall be charged as one half day. Absence of three fourths day up to one and one quarter day shall be charged as one day. Employees with less than full-time appointments shall report actual hours absent when using sick leave, vacation, and personal holiday leave.

Attachment B

**Reduction of Sick Leave Accrual for
Unclassified Staff Failing to Report Leave Usage**

BUSINESS, FINANCE, AND AUDIT COMMITTEE

Resolution I.2.f.2.:

That, upon the recommendation of the President of the UW System, the Board of Regents approves the following policy:

Effective with sick leave accrued in fiscal year 2007-08, any employee who fails to file a report on leave usage as required by UW System policy in one or more months of any year shall not be permitted to accrue sick leave for that year in an amount exceeding the cap established by s. 40.05(4)(bp)1., Wis. Stats. (i.e., 8.5 days for an annual appointee or 6.4 days for an academic year appointee).

12/7/07

I.2.f.2.

Leave Reporting Requirements Fact Sheet

Whether you are a new or existing employee, it's important to recognize that sick leave, vacation, and personal holidays are significant elements of the UW System total compensation package. Accountability for proper leave use and reporting are essential to ensure the on-going availability of these valuable benefits.

- For unclassified employees – faculty, academic staff, and limited appointments – leave is earned on a fiscal basis, July 1 through June 30.
- Annual-based employees earn sick leave, vacation, and personal holidays.
- Nine-month academic year employees earn sick leave and legal holidays that fall during the academic year, but not vacation or personal holidays.
- If you are employed on a part-time basis, your leave time is pro-rated consistent with your percentage of employment or actual hours worked.

Sick Leave

In Wisconsin, unused sick leave has a high value after retirement. At retirement, the sick leave balance is converted to dollar credits to pay for health insurance. Employers contribute to fund the program.

- New full-time employees are granted an initial entitlement of 22 working days (176 hours) of sick leave. After 18 months of service, employees with *annual appointments* earn sick leave at the rate of one day per month and employees with *academic-year appointments* earn sick leave at the rate of six days per semester.
- Except for the initial entitlement, sick leave may be taken only after it has been earned.
- Sick leave can be used when you cannot be present during your official schedule due to medical appointments, your own illness or injury or that of a family member who requires your care, or the death of a family member. State law and UW policy allows employees to use sick leave for time off for a birth or adoption.
- If you report completely, accurately, and in a timely manner, your unused sick leave accumulates from year to year without limit.

Leave Reporting

In response to a Legislative Audit Bureau (LAB) report, in 1987 the state legislature imposed a cap on the amount of sick leave faculty, academic staff, and limited appointees could use to pay for health insurance upon retirement, layoff, or death. With the cap, accrued sick leave would be limited to 8.5 days per year for annual employees and 6.4 days per year for academic-year employees.

In order to obtain a waiver to this cap, each UW institution independently agreed to identify a standard 40-hour work week for reporting purposes, distribute a monthly statement, and collect monthly reports, even if no leave has been used. Accurate leave reporting is part of the UW System's responsibility to the public. It is important to remember that you are a part of a larger community and your actions can affect not only you but also your colleagues and your institution.

- You must establish a standard work week for reporting purposes.
- Your official schedule should total 40 hours per week (pro-rated for part-time), and should include all classes, office hours, other regularly scheduled obligations, and time for research or other self-directed work required by your appointment.
- The default schedule for all unclassified employees is Monday through Friday, 7:45 a.m. – 4:30 p.m.
- With the approval of your department chair or supervisor, you may file an alternate schedule. With the approval of your department chair or supervisor, you may change your official schedule whenever necessary.
- A leave report is due monthly, regardless of whether any leave time is used during the month.
- Submit your monthly leave report to your department chair or supervisor, whichever is applicable, no later than the **10th of the month**.
- Indicate the amount and type of leave taken on the day or days of the month for which the report is completed, and sign and date the form.
- Part-time employees report actual hours missed.
- Full-time employees report sick leave in half- and full-days (4 and 8 hours).

During each work day, if you miss:	< 2 hrs	2-6 hrs	6-10 hrs
Report leave of:	0 hrs	4 hrs	8 hrs

Additional Information

- Unclassified Personnel Guideline (UPG) on Sick Leave Policy www.uwsa.edu/hr/upgs/upg10.pdf.
- UWSA web site for sick leave: www.uwsa.edu/hr/benefits/leave/sick.htm.
- UWSA presentation on leave reporting www.uwsa.edu/hr/leave/unclassleavereporting.ppt.
- UWSA sick leave presentation www.uwsa.edu/hr/benefits/leave/unclasssickleave.ppt.
- UWSA unclassified employees benefits presentation www.uwsa.edu/hr/benefits/newemp/orientunclass.ppt
- Leave reports are required by www.legis.state.wi.us/statutes/Stat0040.pdf

Attachment D

Sick Leave Reporting and Teaching Responsibilities

BUSINESS, FINANCE, AND AUDIT COMMITTEE

Resolution I.2.f.3:

That, upon the recommendation of the President of the UW System, the Board of Regents approves the following policy:

Effective with the beginning of the Spring 2008 semester, teaching responsibilities not met because of an absence specified in UWS 19.01, Wis. Adm. Code, must be reported as leave, regardless of whether a qualified instructor covers the aforementioned responsibilities. Teaching responsibilities include class time preparation, actual classroom instruction, and scheduled office hours available to students for educational guidance.

Rationale for Defining a 40-hour Work Schedule for Purposes of Leave Reporting

At the UW System, unused sick leave has a high value after retirement. Not only are your unused hours of sick leave converted to dollar credits to pay for health insurance, but also, if you work for the State and/or UW System for at least 15 continuous years prior to retirement, those hours are matched (up to a limit) under the Supplemental Health Insurance Conversion Credit Program. At retirement, the cost of your health insurance premiums is deducted from your accumulated sick leave credits until the credits are used up. The ability to convert unused sick leave, and to receive supplemental sick leave credits, is a substantial, *non-taxable* addition to your retirement income.

Most UW System peer institutions do not have a monetary value associated with the accrual of unused sick leave. And for those that do, the value is substantially less than the monetary value of our accumulated sick leave conversion program. Sick leave, vacation, and personal holidays are significant elements of the UW System total compensation package and a significant recruitment and retention tool.

In response to a Legislative Audit Bureau (LAB) report, in 1987 the state legislature imposed a cap on the amount of sick leave faculty, academic staff, and limited appointees could use to pay for health insurance upon retirement, layoff, or death. With the cap, accrued sick leave would be limited to 8.5 days per year for annual employees and 6.4 days per year for academic-year employees, instead of the 12 days per year unclassified employees may accrue without the cap.

In order to obtain a waiver to this cap, each UW institution independently agreed to identify a standard 40-hour work week for reporting purposes, distribute a monthly statement, and collect monthly reports, even if no leave has been used.

Normally, salaried professionals are exempt from overtime regulations and are not accountable for a 40-hour per week schedule. Many UW System faculty, academic staff and limited employees work far more than forty hours per week. However, in order to simply and fairly report sick leave usage and to be accountable to the State, it is necessary to identify a work schedule that uses a generally acceptable standard. This does not imply that unclassified staff only work 40 hours per week; it merely is a way to establish a workable means of recording the use of sick leave that is as equitable as possible.

Therefore, a 40-hour work week must be established for each individual against which he or she will report the use of sick leave. The specific schedule may change as needed to reflect changes in one's regular work schedule. With the approval of your department chair or supervisor, you may file a 40-hour work schedule that meets your needs, and you may change your official schedule whenever necessary. If you choose not to file a specific 40-hour work week schedule your sick leave reporting will be based on the standard state work schedule Monday – Friday 7:45 a.m. to 4:30 p.m.

Good documentation of your eligibility for sick leave credits and accurate leave reporting are part of our responsibility to the state and to the public. It is important to remember that you are a part of a larger community and your actions can affect not only you but also your colleagues and your institution. Accountability for proper leave use and reporting are essential to ensure the on-going availability of these valuable benefits.

Additional Information

- Unclassified Personnel Guideline (UPG) on Sick Leave Policy www.uwsa.edu/hr/upgs/upg10.pdf.
- UWSA web site for sick leave: www.uwsa.edu/hr/benefits/leave/sick.htm.
- UWSA presentation on leave reporting www.uwsa.edu/hr/leave/unclassleavereporting.ppt.
- UWSA sick leave presentation www.uwsa.edu/hr/benefits/leave/unclasssickleave.ppt.
- UWSA unclassified employees benefits presentation www.uwsa.edu/hr/benefits/newemp/orientunclass.ppt
- Leave reports are required by www.legis.state.wi.us/statutes/Stat0040.pdf

Attachment F

SABBATICAL AGREEMENT BETWEEN THE BOARD OF REGENTS OF THE UNIVERSITY OF WISCONSIN SYSTEM OPERATING AS UNIVERSITY OF WISCONSIN - _____ AND _____

(Name of faculty member receiving sabbatical leave)

The Board of Regents of the University of Wisconsin System (Board), operating as the University of Wisconsin - _____ ("Institution"), grants _____ ("Faculty Member") sabbatical leave, pursuant to Wis. Stats. 36.11(17), and implementing Board and institutional policies, for the period _____, subject to the following conditions, and any other campus specific policies and conditions included as an addendum to this agreement, which are hereby acknowledged and agreed to by Faculty Member:

1. **Sabbatical Leave.** Sabbatical leave is for the purpose of enhancing teaching, course and curriculum development, or conducting research, or any other scholarly activities related to instructional programs within Faculty Member's field of expertise. Faculty Member may not use the sabbatical leave to accept other paid employment during the period of the leave, except as follows: _____, which is expressly stipulated as a condition of the sabbatical leave. Any compensation received in connection with such paid employment is subject to paragraph 3 below.
2. **Administration of Sabbatical Leave.** Institution reports earnings, creditable service, leave benefits and contributions to the Wisconsin Retirement System at the full-time rate, based on the rate of pay in effect immediately prior to the beginning of the sabbatical. Leave benefits will also continue to accrue at the rate in effect immediately prior to the sabbatical. Faculty Member shall submit a leave statement to Institution's Human Resources Department for each month of the sabbatical leave according to Institution's administrative policies.
3. **Compensation.** Faculty Member may receive and is encouraged to seek supplementary grants or other awards while on sabbatical leave, but such compensation when combined with the amount of institutional compensation, shall not exceed the full compensation normally received from their institution for that period. Faculty Member shall specify all grants or other awards applied for in the application for the sabbatical program. Such additional grants or awards may be received by Faculty Member only if the conditions for accepting the additional resources do not interfere with the stated purposes of Faculty Member's sabbatical program. However, Faculty Member may seek additional support specifically for travel or unusual living expenses incident to the sabbatical program without restriction by the full-compensation maximum.
4. **Return to Institution.** Faculty Member shall return to Institution for at least one academic year of full-time service after the termination of the sabbatical, or repay any compensation (salary, plus the University's share of fringe benefits) received from Institution during the sabbatical.
5. **Written Report.** Faculty Member must submit a written report in accordance with the process and format established by the institution outlining his/her accomplishments during the leave and include an accounting of all compensation received while on sabbatical in accordance with #3. above, on the attached form within three months of returning to Institution. These reports are to be filed and maintained in the Vice Chancellor's Office and be available upon request.
6. **Sabbatical Leave.** Faculty Member acknowledges that sabbatical leave is subject to Wis. Stat. 36.11(17), and implementing Board and Institution policies, copies of which have been provided to Faculty Member.

7. Acknowledgment. In signing this Agreement, Faculty Member acknowledges and agrees:

- a. That he/she has read this Agreement, and any applicable campus specific addendum and fully understands the terms and conditions hereof, which are contractual and not a mere recital;
- b. That he/she has not relied on any statement or representation made by or on behalf of the Board or Institution other than as set forth herein, but wholly upon his/her own judgment, belief, and knowledge and the advice of any other advisers, including any attorney or tax professional he/she may have consulted; and
- c. That he/she is voluntarily signing this Agreement with full knowledge as to its meaning and consequences.

Faculty Member: _____ Date: _____

Institution by: _____

(Title)

**Compensation Received During Sabbatical Assignment
University of Wisconsin-XXX**

Name:
Date:
Department:
Sabbatical Term:

Please indicate the amount and source of all compensation you received during the term of your sabbatical. You do not need to include supplements you received to address additional cost of living expenses incurred during your sabbatical or compensation from typical consulting activities (which must be reported on Outside Activities Report).

- | | | |
|---|---|----------|
| 1 | Payments made through UW institution*
e.g., payment for sabbatical, salary from
supplemental grants | \$ _____ |
| 2 | Payments made directly to faculty member
from grants or awards (provide names of
agency or organization providing grants or
awards and the amounts for each below) | \$ _____ |
| 3 | Salary paid directly to faculty member from
from non-UW-institution employment e.g., as
a visiting professor at another institution
(provide names of other employers and the
amounts for each below) | \$ _____ |
| 4 | Other (specify below) | \$ _____ |
| | Total* | \$ _____ |

*To be filled in by institution

NAME: _____

DEPT: _____

LEAVE STATEMENT

Thru _____ pay period

MAJOR DEPT: _____

TITLE: _____

APPT ID: _____

TYPE: _____

PAYROLL %: _____

PAY BASIS: _____

		HOURS				
	PRIOR BALANCE	EARNED	USED	ADJUSTMENTS	ENDING BALANCE	
					AS OF _____	
VACATION						
SICK LV						
FLOAT HOL						
ALRA LV						

MESSAGES

I UNDERSTAND MY OBLIGATION TO PROVIDE MEDICAL CERTIFICATION FOR SICK LEAVE USED FOR MORE THAN 5 CONSECUTIVE FULL WORK DAYS.

UW - Madison

Leave report for _____ (Month) _____ (Year)

NAME: _____

APPT ID: _____
PAYROLL %: _____

TITLE: _____

Report amount of leave used in HOURS. If no leave was used, please enter zero in the Total Hours row.

	VACN	SK LV	F HOL	ALRA	CO COV		VACN	SK LV	F HOL	ALRA	CO COV
1						17					
2						18					
3						19					
4						20					
5						21					
6						22					
7						23					
8						24					
9						25					
10						26					
11						27					
12						28					
13						29					
14						30					
15						31					
16											
						Total Hours					

I certify that my leave report is accurate. I understand that misrepresentation can lead to disciplinary action.

Employee Signature date

Supervisor Signature date

RETURN BOTTOM PORTION BY _____ TO: _____

BOARD OF REGENTS LIMITED REPORT - DECEMBER, 2007

	Number of Limited Employees by Institution OCTOBER, 2006	*Number of Limited Employees with Concurrent/Backup Appointments by Institution OCTOBER, 2006	**Number of Employees with 0-6 Months Notice of Termination Protections OCTOBER, 2006	Number of Limited Employees by Institution OCTOBER, 2007	*Number of Limited Employees with Concurrent/Backup Appointments by Institution OCTOBER, 2007	**Number of Employees with 0-6 Months Notice of Termination Protections OCTOBER, 2007
Madison	479	372	107	472	360	112
Milwaukee	148	141	7	146	136	10
Colleges	60	28	32	60	25	35
Eau Claire	45	44	1	46	43	3
Extension	53	41	12	47	34	13
Green Bay	55	28	27	55	27	28
La Crosse	49	44	5	46	42	4
Oshkosh	27	21	6	30	24	6
Parkside	32	19	13	29	15	14
Platteville	24	20	4	22	20	2
River Falls	26	11	15	27	10	17
Stevens Point	38	33	5	42	35	7
Stout	35	29	6	32	26	6
Superior	30	15	15	35	15	20
Whitewater	36	33	3	36	34	2
System Admin.	29	26	3	30	23	7
Systemwide	10	8	2	11	8	3
TOTAL	1,176	913	263	1,166	877	289

* As noted in s. 36.17(1), Wis. Stats., "A person holding a tenured or academic staff appointment under ss. 36.13 and 36.15 shall not lose that appointment by accepting a limited appointment." Similarly, s. 230.33(1m), Wis. Stats., states "A person appointed to an unclassified position by an appointing authority other than an appointing authority described under sub. (1), when both the classified and unclassified positions are within the appointing authority's department, shall be granted a leave of absence without pay for the duration of the appointment and for 3 months thereafter, during which time the person has restoration rights to the former position or equivalent position in the department in which last employed in a classified position without loss of seniority." Because of these statutory protections, we will continue to have Limited appointees with concurrent Faculty, Academic Staff, or Classified appointments.

On July 26, 2005, the President temporarily suspended the use of new administrative backup appointments and the Board of Regents through adoption of Resolution 9091, November 11, 2005, effectively eliminated the use of administrative backup appointments; however, many such appointments had been granted prior to that time, so until those employees terminate or retire, such backup appointments will continue.

** The notice of termination protections is not a requirement that must be included in letters of hire; Regent Policy Document 20-18 states the following:

4. Limited appointees entering UW System from other institutions who do not hold tenure elsewhere and were not recruited with a tenurability requirement shall not be granted concurrent appointments; however, at the discretion of the appointing authority, such employees may be granted not more than six months notice of termination as permitted under s. UWS 15.01, Wisconsin Administrative Code, at the same salary, and with possible reassignment to other duties during this period. (Emphasis added)

However, as per s. UWS 15.01, Wisconsin Administrative Code, whenever possible, 3 months notice of termination will be provided.

ANNUAL REPORTS TO THE BOARD OF REGENTS REQUIRED BY THE LAB AUDIT

The Limited Appointments and Back-Up Positions recommendation included in the Legislative Audit Bureau Audit of the University of Wisconsin System Personnel Policies and Practices (page 48) stated the following:

We recommend the Board of Regents:

- *require University of Wisconsin System Administration to report annually on the number of employees with concurrent or back-up positions or notice of termination protections at each institution for the current and prior years.*

As noted in our June 1, 2007 report to the Joint Legislative Audit Committee: "The UW System has established a policy of yearly review for this purpose (Unclassified Personnel guideline 2.02). The report will be presented to the board of Regents each year in December using October payroll data."

The summary that follows compares October, 2006 Limited appointment data with October, 2007 Limited appointment data in terms of total numbers, those with concurrent/backup appointments, and those with 0-6 months notice of termination protections. As the summary notes, the October, 2007 data shows a slight overall decrease in the total number of Limited appointments, a more significant overall decrease in the number of Limited appointments with concurrent or backup appointments, and an increase in the number of Limited appointments with 0-6 months notice of termination protections.

UNCLASSIFIED CONSULTANT HIRES OCTOBER, 2006 THROUGH OCTOBER, 2007

Madison	6
Milwaukee	5
Colleges	1
Eau Claire	4
Extension	0
Green Bay	0
La Crosse	1
Oshkosh	2
Parkside	6
Platteville	0
River Falls	11
Stevens Point	3
Stout	2
Superior	0
Whitewater	4
System Admin.	0
Systemwide	<u>0</u>
Total	45

Of these 45 hires:

- 36 are short-term terminal appointments (less than 6 months)
- 2 are 12-month appointments
- 2 are 9-month appointments
- 1 is a 7-month appointment
- 2 will have titles changed 12-1-07 to titles more specific to job responsibilities
- 1 is under review to have the title changed
- 1 started as a 12-month project manager appointment; was extended, at a reduced %, to 18 months to complete the project

ACTIVE CONSULTANT APPOINTMENTS OF MORE THAN ONE YEAR'S DURATION**There are 27 employees who hold such appointments****Of these 27:**

- 15 have or will have their title changed or it is under review
- 9 have sporadic work or work for specific timeframes or events and are not paid on a regular, ongoing basis
- 2 are rehired annuitants providing expert consultation to the schools in which they work regarding specific projects, initiatives, program planning and management; both appointments are expected to end by the end of FY '08, otherwise titles will be changed
- 1 is a rehired annuitant providing orientation and guidance to Deans, serving as a resource to senior level search and screen committees, and advising the Chancellor on organizational design changes; the appointment is expected to end at the end of FY '08

ANNUAL REPORTS TO THE BOARD OF REGENTS REQUIRED BY THE LAB AUDIT

The Consultant recommendation included in the Legislative Audit Bureau Audit of the University of Wisconsin System Personnel Policies and Practices (page 64) stated the following:

We recommend University of Wisconsin System Administration annually report to the Board of Regents on:

- *all consultants hired, including those paid on a lump-sum basis;*
- and*
- *the number of unclassified consultants who have been employed in the same position for more than one year and why, as well as how long they are expected to remain in those positions*

As noted in our June 1, 2007 report to the Joint Legislative Audit Committee, a review of the use of the Consultant title at that time found that "other job titles were available that more accurately characterize the nature and extent of the work that was being performed . . ." We continue to work with the institutions on the appropriate use of the Consultant title and, as the attached summary indicates, the institutions are reviewing their use of the Consultant title and making changes as necessary.

The following page contains the Consultant summary information in response to the LAB recommendation.



3/5/07 UW Colleges & Universities

①

• UW Audit

+ Jan - Kate Walsh

? Nass - Was UW cooperative, provide info requested

? - Sick leave we policies adequate, but ignored

↳

? Rep Hinz - any states provide post retirement benefits as opposed to sick leave - comparable

↳ some do, some don't, we are in the upper tier

↳ every state looking at.

? Rep Hinz - salary, senior, sick leave - total comp other states

↳ may not include all fringe

+ Pres. Reilly & Regent Walsh

- Walsh - nothing more damaging than personnel prob.

- Vice Chancellor

- New sick leave rules

- incentives

• encourage reg. & timely reporting - not allow accrual w/o report

• compliance as a factor in merit

• Walsh - it is the culture that we are changing that is different w/this audit (as opposed to previous ones in 1979 & 85)