

Appendix D12: Detailed Procedures for Professional Leaves

A. Eligibility (Reference: Article D6B.01)

1. The ATS Member must have an appointment with Career Status when they are on professional leave. ATS Members who anticipate having Career Status prior to the proposed professional leave period may apply for professional leave provided that the number of months of eligible service requirement is met (Article D6B.01).
2. Regarding cumulative accrued service at the University of Alberta towards eligibility for a first professional leave:
 - a) In the event that an ATS Member accrued service under the ATS Schedule D or other AASUA Collective Agreement Schedule, excepting Schedules F and G, prior to appointment as a Career Status ATS Member, then such service will normally be counted towards service in determining professional leave eligibility pursuant to Article D6B.01. Service will be calculated taking into account the associated FTE of such prior appointment(s).
 - b) The service referred to in 2.a) above, must have been within the eight (8) years immediately preceding the ATS Member's appointment to the Career Status staff.
3. A person who joins the ATS membership of the University of Alberta directly from a permanent, full-time academic teaching position at another university is eligible to use up to two years of such service in determining professional leave eligibility at this University. Such service may only be used for a first professional leave and that professional leave must be for one year.
4.
 - a) With the exception of Leaves as provided for in the Employment Standards Code, including but not limited to Maternity Leave, Parental Leave, and Medical Leave, Leave periods are not normally counted as service in determining sabbatical eligibility. In no case will periods of professional leave, Assisted Leaves, and leave without pay be counted as service in determining professional leave eligibility.
 - b) For the purpose of determining professional leave eligibility, in the event that an ATS Member was on leave without pay from a portion of duties for a certain period of time, then only the remainder portion of duties provided for pay during such a period will be counted as service. For example, if a full-time ATS Member is on leave without pay from one third of duties for one year, then an allocation of 0.67 years service will be attributed to that year. That is, pro-rated calculations will be used.
 - c) In the event that an ATS Member's services were loaned to another institution through a secondment arrangement, then depending on the nature of the secondment, such period may be included as service in determining professional leave eligibility. This question of eligible service should be

determined prior to an ATS Member being approved for secondment. Service towards professional leave eligibility shall be decided as follows:

- i. If the loan secondment arrangement has been entered into at the instigation of the University rather than that of the ATS Member, then such period will be counted as service; but
 - ii. If the secondment arrangement had been entered into at the instigation of the ATS Member as a convenience with respect to employee benefits, etc. then the period will not be counted as service.
5. An ATS Member who is eligible for a full year professional leave but opts for a 6 month professional leave and takes such professional leave is not eligible for a full year professional leave until the ATS Member has served for 6 years following the expiry of the 6-month professional leave. (But see point E.4. below.)
 6. In the event of a dispute with respect to the eligibility of an ATS Member for professional leave, such a dispute shall be referred to the Provost for decision.

B. Applications (Reference: Article D6B.02)

1. Applications for professional leave, via the prescribed application form, are to be in the hands of the Dean by October 15 for professional leaves to take effect in the next academic year.
2. In the case of departmentalized Faculties, an application is to be submitted to the Dean through the appropriate Department Chair who shall indicate their recommendation on the form and forward it to the Dean by October 15.
3. On receipt of the applications, the Dean shall provide copies to ATSEC.
4. The applicant may attach additional documentation to the application if it is felt that such material will be of assistance in the consideration of the application.
5.
 - a) If an ATS Member has a joint appointment in two (or more) Departments in the same Faculty, the application for professional leave shall be routed through each Department Chair to the Dean. Each Department Chair shall insert comments and recommendations on the application.
 - b) If an ATS Member has a joint appointment in two Faculties, the application for professional leave shall be submitted to the Dean of the home Faculty for decision. However, the application shall be routed in such a way that each Department Chair involved shall insert comments and recommendations on the application form prior to it being sent to that Dean. (If the away portion of an ATS Member's appointment is in a nondepartmentalized Faculty, the application should be routed through the Dean of that Faculty prior to it being sent to the Dean of the home Faculty.)

6. In the event that the ATS Member wishes to change the professional leave program from that approved by the Dean, they must resubmit the application for reconsideration. The new application shall set out the details of the new program and the reasons for the revision.

C. Limitations on Number of Professional leaves Awarded (Reference: Article D6B.02.8)

1. The number of professional leaves approved for a given academic year shall not exceed 10% of the number of ATS Members in a given Faculty.
2.
 - a) The total number of ATS Members in a Faculty on which the limit calculation is based will be the number of ATS Member positions in the approved budget for the Faculty in the year prior to the year in which the professional leaves are to be taken. The Provost shall advise each Dean of this total (and therefore, of the maximum number of ATS Member professional leaves for each Faculty) by October 15.
 - b) The total value of professional leaves will be determined and stated on a total FTE basis. The professional leaves granted will be distributed based on the applicant ATS Members' FTE appointments. That is, if a total of 2.0 FTE professional leaves are available, the FTE will be distributed to applicant ATS Members based on their respective FTES, for example, 3 professional leaves of 0.7 FTE, 0.5 FTE and 0.8 FTE, respectively.
 - c) In the event that the 10% maximum calculation provides a number which is neither a whole number nor a number which is exactly at a one half interval, then the maximum number of professional leaves will be taken to the next higher one half interval. For example, if a Faculty had ATS positions equivalent to 66 x 1.0 FTEs, the exact calculation would provide 6.6 x 1.0 FTE professional leaves; in such a case, the effect of this rule is that the Faculty would have a maximum of 7.0 FTE of professional leaves available. Similarly, if the Faculty had ATS positions equivalent to 64 x 1.0 FTE, although the exact calculation indicates 6.4 FTE of professional leaves available, the Faculty would be allowed 6.5 x 1.0 FTE professional leaves.
3. An ATS Member who has a joint appointment in two Faculties, will be counted as one in the home Faculty. The total number of Faculty positions in such a Faculty will be adjusted accordingly.
4. In the event that a Faculty does not fully utilize its ATS professional leave quota in a given year, the Faculty may carry forward the underutilization to subsequent professional leave years provided that the carry forward shall not exceed 10% of the quota for the given year, with fractions taken to the next higher one half (0.5) professional leave in accordance with the following table:

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Professional leave Quota for a given year	Maximum FTE allocation to be carried forward to next year
1.0 - 5.0 FTEs	0.5 FTE
5.5 - 10.0 FTEs	1.0 FTE
10.5 - 15.0 FTEs	1.5 FTE
15.5 - 20.0 FTEs	2.0 FTE
20.5 - 25.0 FTEs	2.5 FTE
25.5 - 30.0 FTEs	3.0 FTE
30.5 - 35.0 FTEs	3.5 FTE
35.5 - 40.0 FTEs	4.0 FTE

D. Recommendations (Reference: Article D6B.02)

1. In the case of an ATS Member in a departmentalized Faculty, application for professional leave is to be submitted to the Dean through the appropriate Department Chair who, after reviewing the application, will attach their recommendation to it and send it to the Dean.
2. In making a recommendation to the Dean, the Department Chair can comment upon any aspect of the proposed professional leave, e.g., the professional leave program, the merit of the applicant, relative merits of all the Department's applicants and their professional leave programs, needs of the Department during professional leave, arrangements for supervision of graduate students, financial considerations, etc.
3. In the case of an ATS Member whose appointment is held jointly in two (or more) Departments, each Department Chair shall submit a recommendation with respect to the application.
4. The Department Chair must submit the application of an ATS Member to the Dean for consideration. The Department Chair may not reject an application for professional leave.
5. On receipt of the applications, the Dean shall provide copies to ATSEC.

E. Decision (Reference: Article D6B.02)

1. Article D6B.02 provides that the ATSEC shall consider all applications for professional leaves and recommend to the Dean as to which professional leaves should be approved or not approved. Upon consideration of ATSEC's recommendations, the Dean makes a decision on the applications.
2. In their consideration of applications for professional leaves, the ATSEC and Dean shall consider the proposed programs to determine whether they are meritorious and whether they will be to the mutual advantage of the ATS Member and the University. The ATSEC and Dean shall also take into account the effect which a professional leave would have on the operations of the Faculty and/or Department, the financial resources available for replacements of staff, the recommendation of the Department Chair, and such other matters as the Dean feels are relevant in reaching decisions. It is understood that detailed procedures with respect to professional leave decisions may vary from Faculty to Faculty so long as the general University-wide procedures are observed. For example, in Faculties where the number of applications exceeds the 10% limit, the procedures for turning down applications so that the limit is not exceeded may well vary from Faculty to Faculty; some sort of ranking process will undoubtedly occur, perhaps within departments in the first instance and subsequently in the Faculty. In addition, different Faculties may have different ways of handling the matter of professional leave replacement appointments and these may have an effect on the professional leave decision process.
3. Article D6B.02.9 states that when an ATS Member is granted professional leave and the Department Chair or Dean, for the purposes of the normal operation of the Faculty/Department, deems that the work of the Faculty/Department would be unduly hampered, an ATS Member may be required to defer the professional leave for 6 to 12 months. Such time shall nevertheless be counted toward eligibility for a succeeding professional leave. The following rules shall apply in this case:
 - a) In order for the effect of the clause to be achieved, an ATS Member must actually apply for professional leave. Simply being eligible is not sufficient.
 - b) The provisions of Article D6B.02.9, i.e., deferral of professional leave, do not apply in the case of an ATS Member whose application was denied due to the 10% limit for the Faculty. The provision applies only in the case of an ATS Member whose application was initially granted then was deferred because the work of the Department would be unduly hampered if the ATS Member were granted the professional leave.
 - c) If an ATS Member is required to defer a professional leave for one year and takes it at that later time, then the ATS Member is eligible for a subsequent full year professional leave 5 years after returning from the delayed professional leave or for a subsequent 6-month professional leave two years after returning from the delayed professional leave. For example, assume that an ATS Member had applied for a professional leave for the period July 1, 1993 - June 30, 1994 but was required to defer such professional leave to the period July 1, 1994 - June 30, 1995. If the ATS Member went on the

delayed professional leave, they would be eligible for a subsequent full professional leave in the period July 1, 2000 - June 30, 2001 and for a subsequent 6-month professional leave in the period July 1, 1997 - June 30, 1998.

- d) If an ATS Member is required to defer a professional leave under the provisions of Article D6B.02.9 but chooses not to take such delayed professional leave during the next professional leave year, then there will be no reduction in the years of eligible service required for subsequent professional leaves.
 - e) If an ATS Member is required to defer a professional leave and chooses to accept such a delayed professional leave, that will be considered as a first call on the professional leaves to be awarded by the Faculty in that year. That is, such professional leave will not be competition with other applications for that year.
 - f) If an ATS Member applies for professional leave, is awarded it as requested and subsequently decides voluntarily not to take it, there will be no reduction in the years of eligible service required for future professional leaves. In addition, the ATS Member would be required to reapply in the regular manner for future professional leaves.
 - g) If there are insufficient funds to enable adequate replacement of an ATS Member while on professional leave and the ATS Member is thereby denied such professional leave, this will be interpreted as falling within the intent of Article D6B.02.9. That is, such an ATS Member will be placed on the deferred list and may take such professional leave in the following professional leave year.
 - h) If an ATS Member is required to change the dates of a 6-month professional leave from July 1 - December 31 to the next succeeding January 1 - June 30 and takes such professional leave, Article D6B.02.9 shall not apply. That is, the deferred time of 6 months shall not be counted toward the eligibility for a succeeding professional leave.
4. If an ATS Member is eligible for a full year professional leave and applies for it but is offered a choice between a 6-month professional leave and a deferred professional leave (full year) because the normal operations of the Department would be hampered by a full year professional leave (Article D6B.02.9) and if the ATS Member takes the 6-month professional leave, then they are eligible for a full year professional leave 3 years from the expiry of the 6-month professional leave.
5. a) Decisions with respect to professional leave in the next professional leave year should be made no later than January 1.
- b) The decision reached regarding an application for professional leave shall be one of the following:

- i) professional leave is granted;
- ii) professional leave is denied;
- iii) professional leave is deferred to the next professional leave year in accordance with the provisions of Article D6B.02.9.
- iv) application is placed on a waiting list pending withdrawal by approved applicants. (Such a waiting list should be used in the event that the Faculty was at the 10% limit for the number of professional leaves.)

Note: Should the reason for placing an application in category iii) cease to exist (e.g., additional replacement funds) the applicant may be offered a choice between immediate professional leave and a deferred professional leave.

- c) When the Dean has reached a final decision with respect to an application for professional leave, the applicant shall be advised immediately by the Dean of that decision. In the case of approved professional leaves, the Provost will formally advise the ATS Member of the approval; at the same time, they will send the ATS Member the various documents which are to be completed by the ATS Member and returned to the appropriate office.

F. Appeal of Professional leave Decision (Article D6B.02.7)

Article D6B.02.7 provides that an ATS Member may appeal the decision of the Dean not to approve a professional leave application where ATSEC has recommended approval and if the quota for the Faculty has not been met or exceeded. Such appeal is submitted to the Provost within 15 days following receipt of the Dean's letter advising that the professional leave has not been approved. The decision of the Provost is final.

G. Outside Employment/Remuneration While on Professional leave (Reference: Article D6B.03.3)

Supplementary professional activities undertaken during professional leave are covered by the provisions of Article D3, as if the ATS Member were performing their regular responsibilities. For example, if an ATS Member proposed to teach at another institution, this would be considered as a major supplementary professional activity and, as such, permission to do so would be required from the Department Chair/Dean; in addition, the professional leave program should make reference to the proposed activity.

H. Professional leave Salary (Reference: Article D6B.03.1)

Professional leave salary is based on the level of the ATS Member's regular salary and any market supplement being received which shall be defined as the ATS Member's basic University salary. Professional leave salary is 90% of that basic University salary value. Other University stipends, such as administrative stipends,

clinical income and honoraria paid in lieu of professional fees, etc. do not enter into the calculation of the professional leave salary. Non pensionable salary supplements and stipends may or may not be paid during a professional leave depending on the conditions set by the funding source.

I. Return to Service Obligation (Reference: Article D6B.03.7)

1. Before the ATS Member will be paid any professional leave salary, they must sign an agreement to return to the service of the University following the professional leave.
2. The professional leave agreement provides that if the ATS Member does not voluntarily return to the service of the University following professional leave or if the ATS Member returns to the service but does not stay in such service for a period of 6 months, or longer, then the ATS Member must repay to the University 12.5% of the professional leave salary received. In certain exceptional situations, such as an unexpected medical condition that does not allow for a return to service, this provision may be waived by the University.

J. Report Following Professional leave (Reference: Article D6B.03.6)

1. The ATS Member is required to submit a report concerning their activities during professional leave on return from such professional leave. Copies of the report are to be submitted to the Dean and Department Chair. In nondepartmentalized Faculties a copy is to be sent to the Dean and, where appropriate, to the ATS Member's division Chair or Head.
2. The report is to be submitted within 3 months of return from professional leave.
3. There is no set format for the professional leave reports and these may vary from Department to Department and Faculty to Faculty. The ATS Member should check with the appropriate Dean and/or Department Chair in this regard prior to the preparation of the report.

K. Period of Professional leave (Reference: Article D6B.03.5)

1. a) Article D6B.03.5 provides that 6 month professional leaves shall be restricted to the periods July 1 - December 31 or January 1 - June 30 unless otherwise directed by the Provost. In effect, these 6 month professional leaves are intended to cover no more than one academic (or teaching) term. Therefore, this principle would rule out a 6-month professional leave of, say, October 1 - March 31 since such a period would encompass two academic terms.
- b) Although provision is made in clause Article D6B.03.5 for variations to the general rule, these will be made only in exceptional cases and where the abnormal professional leave period is supported by each of the ATS Member,

the Department Chair, the Dean and the Provost. In such cases, then, the Provost shall be the decision maker with respect to the professional leave.

2. a) With respect to when a full year professional leave may be taken, the normal and recommended period for such professional leaves is July 1 - June 30.
- b) There may be cases where full year professional leaves of other than July 1 - June 30 are advantageous. In the event that such periods are proposed, the following procedures shall apply:
 - i) Where the professional leave is proposed to begin in the period May 1 - September 1, the Dean may approve such periods provided the period is supported by the ATS Member and the Department Chair.
 - ii) Where the professional leave is proposed to begin in the period September 2 - April 30, such a period may only be approved if supported by each of the ATS Member, the Department Chair, the Dean and the Provost. In such a case, then, the Provost shall be the decision maker with respect to the dates.
3. In no case will the professional leave be split into two (or more) professional leave periods.
4. Article D6B.03.3 provides that a full year professional leave shall be inclusive of the annual one month vacation entitlement and a 6-month professional leave shall be inclusive of one half of the annual vacation entitlement, i.e.), one half of one month. The salary during the vacation will be at the professional leave rate.
5. If an ATS Member wishes to take a leave without pay following the termination of a 6-month or full year professional leave, such leave without pay will be for not less than 6 months. The intent of this rule is to prevent ATS Members from taking leave without pay only for that period which encompasses a formal teaching term.
6. Professional leave periods of odd duration, e.g., 10 months, 5 months, 4 months, etc. are not permitted.

L. Employee Benefits While on Professional leave (Reference: Articles 20 and D9)

1. While on professional leave, the ATS Member may continue to participate in all those employee benefits covered in Articles 20 and D9. These benefit programs may include pension plans; disability insurance; medical insurance; professional expense; tuition remission (where the course is a University of Alberta course); group life insurance; dental care; and supplementary health care.
2. a) Pension contributions while on professional leave are based on regular University salary not on professional leave salary.

- b) In the case of the Universities Academic Pension Plan (UAPP) the Staff Member may discontinue contributions while on professional leave and make up such contributions, plus interest, on return to the service of the University.
 - c) Regulations governing UAPP (including pensionability of professional leaves) is under review. If such regulations vary from the foregoing, the UAPP regulations will apply.
4. If an ATS Member takes ill or is injured during a professional leave and who, as a result, cannot complete the professional leave program, they shall be placed on Medical Leave (Article 9), provided the illness/injury is for longer than 20 days. If a person is placed on Medical Leave, the following rules apply:
- a) Salary while on Medical Leave will be at regular salary rate.
 - b) If the onset of illness/injury occurs before 50% of the professional leave has been completed, the professional leave will be considered to be cancelled and the ATS Member may take another professional leave in the following professional leave year (at no charge to the Faculty quota and, provided the professional leave program is the same as the aborted one, without formal application). Eligibility for a subsequent professional leave will be determined by the dates of the second or replacement, professional leave, not by the aborted one. Notwithstanding the fact that part of the original professional leave has been cancelled, the professional leave salary rate will not be adjusted for that period.
 - c) If the onset of illness/injury occurs when 50% or more of the professional leave has been completed, the professional leave will be considered to be completed and eligibility for a subsequent professional leave will be based on the regular end date of the aborted professional leave.
5. If ATS Member goes on Maternity/Parental Leave during a sabbatical and, as a result, cannot complete the sabbatical program, the following rules apply:
- a) Salary while on Maternity/Parental Leave will be as per Article 8.
 - b) If the onset of Maternity/Parental Leave occurs before 50% of the sabbatical has been completed, the sabbatical will be considered to be cancelled and the ATS Member may take another sabbatical in the following sabbatical year (at no charge to the Faculty quota and, provided the sabbatical program is the same as the aborted one, without formal application). Eligibility for a subsequent sabbatical will include the period between the original sabbatical start date and the start date of the Maternity/Parental Leave. Notwithstanding the fact that part of the original sabbatical has been cancelled, the sabbatical salary rate will not be adjusted for that period.
 - c) If the onset of Maternity/Parental Leave occurs when 50% or more of the sabbatical has been completed, the sabbatical will be considered to be completed

and service eligibility for a subsequent sabbatical will be based on the end date of the shortened sabbatical.