Section 8. **Advanced Degree or Certification Leave.** Upon application, a faculty member shall receive a leave of up to five (5) days to take written or oral exams for an advanced degree or certification.

Section 9. **Legal Leave.**

   **Subd. 1. Jury Leave.** A faculty member shall be excused from work for jury service. For the duration of such leave the faculty member shall be paid his/her regular pay. The faculty member will retain payments received for jury service.

   **Subd. 2. Court Appearance Leave.** Leave shall be granted for appearance before a court, legislative committee, or other judicial or quasi-judicial bodies in response to a subpoena or other direction of proper authority for job related purposes other than those initiated by the employee or the exclusive representative. Leave shall also be granted for attendance in court in connection with a faculty member’s official duty, which shall include any necessary travel time. Such faculty member shall be paid his/her regular rate of pay but shall remit to his/her college the amount received, exclusive of expenses, for serving as a witness, as required by the court.

Section 10. **Military Leave.** Up to fifteen (15) working days leave per calendar year shall be granted to members of a reserve force of the United States or of the State of Minnesota and who are ordered by the appropriate authorities to attend a training program or perform any other duties under the supervision of the United States or of the State of Minnesota during the period of such activity.

Section 11. **Accounting of Leave Status.** At the end of each fiscal year, an accounting of sick, personal and unpaid leave status will be provided to each unlimited faculty member by the faculty member’s college. Upon request, temporary full-time and temporary part-time faculty members shall also receive an accounting of their accrued leave.

Section 12. **Leave Benefit Accumulations.** Leave benefit accumulations accrued on the basis of service prior to the signing of this Contract shall be retained by the faculty member after such signing.

**ARTICLE 15**

**LEAVES OF ABSENCE WITHOUT PAY**

Section 1. **Benefits.** A faculty member on an unpaid leave of absence that exceeds ten (10) working days duration shall:

   A. Be reinstated to his/her original position or to a position of similar status and pay.

   B. Retain seniority accrual, salary and benefit status and other advantages accrued prior to taking the leave.
Article 15

C. Not accrue or use sick leave or personal leave during the period of the unpaid leave.

D. Not receive service credit toward fulfillment of his/her probationary period.

E. Be eligible to continue benefits provided by this Contract at his/her own expense during the leave of absence.

An unlimited faculty member who is granted an unpaid leave for up to one (1) full academic semester shall, upon return, be placed on the salary schedule as if the faculty member’s service had been continuous in the system. Such faculty member must request use of this provision prior to or immediately upon returning from the leave, and may be granted this provision once only during the faculty member’s career with the Employer. Such one (1) semester shall also be counted as continuous service for purposes of seniority and service to count towards sabbatical leave eligibility.

Section 2. Military Leave. Leave shall be granted to a faculty member who enters into active military service in the armed forces of the United States for the period of military service, not to exceed four (4) years, plus such additional time in each case as such a faculty member may be required to serve pursuant to law.

Section 3. Parenting Leave. Faculty members are entitled to unpaid parenting leave under the following conditions:

Subd. 1. Eligibility. The college administration shall grant parenting leave without pay to any faculty member who requests such leave for the purpose of providing parental care to his or her newborn, newly adopted, or newly foster-care placed child or children. The faculty member must commence this leave within two (2) years of the birth or adoption or placement of the foster child.

Subd. 2. Duration. A faculty member may take a parenting leave of up to one (1) year by notifying the college administration in writing stating the beginning date and length of the requested leave. The request for parenting leave shall be submitted at least six (6) weeks before the effective beginning date, except in the event of an emergency.

Subd. 3. Extension. The faculty member may elect to extend the parenting leave for an additional six (6) months by notifying the college administration of this election in writing. The faculty member’s election to extend the leave shall be submitted at least six (6) weeks before the ending date of the previously scheduled parenting leave.

Subd. 4. Return from Leave. In the event of interruption of pregnancy or cancellation of adoption or foster care placement, the faculty member may cancel parenting leave, if it has not already commenced. If the leave has commenced, the faculty member may return to duty early in the event of interruption of the pregnancy or cancellation of adoption or foster care placement upon giving six (6) weeks written notice to the college administration.
Subd. 5. Leave Synchronization. The initial leave or subsequent extension may be adjusted by the college president to the next natural academic schedule break following the scheduled ending date of the initial leave or subsequent extension of that leave.

Subd. 6. Mutual Agreement. The provisions of this section may be altered by mutual agreement among the college president, the faculty member, and MSCF.

Subd. 7. FMLA. In the event a parenting leave granted under this Section qualifies for a leave under the Family Medical Leave Act of 1993 (FMLA) the leaves shall run concurrently and the faculty member shall be entitled to any benefits under the FMLA for which s/he is eligible.

Section 4. General Leave. A faculty member shall be considered for a general leave that the college administration may grant under the following conditions:

Subd. 1. Duration. A general leave of absence shall be for a maximum of one (1) year. Upon request of the faculty member, up to two (2) one (1) year extensions of the leave may be granted by the college administration. The college administration shall not arbitrarily deny a faculty member’s request for a general leave or an extension thereof. Leave for personal emergencies will be granted.

Subd. 2. Notice. Except in the case of an emergency, a faculty member must give two (2) months notice when applying for a general leave or for an extension of the general leave. A faculty member’s failure to return from the leave shall constitute a voluntary resignation and the faculty member shall be severed from state service.

Subd. 3. Mutual Agreement. The provisions of this section may be altered by mutual agreement among the college president, the faculty member, and MSCF.

Subd. 4. General Leave for Teaching and Related Occupational Activities. A faculty member who is granted an unpaid leave specifically to do full-time teaching elsewhere or engages in other full-time occupational endeavors that are related to the faculty member’s performance, expertise at the college, or credential field (except in cases of extended leaves pursuant to M.S. 136F.43) shall, upon return, be placed on the salary schedule as if the faculty member’s service had been continuous in the system, and the time spent on such leaves shall count for seniority purposes as well. When this type of unpaid leave is less than or equal to one (1) academic year, the time spent on the leave shall count for sabbatical eligibility.

Section 5. Extended Leaves of Absence. Full-time employees who are eligible and apply for extended leave under M.S. 136F.43, Subd. 2. (a full-time faculty member who has been employed by the state college and/or Minnesota State Colleges and Universities Board of Trustees for at leave five (5), years and has at least ten (10) years of allowable service as defined in M.S. 354.05 Subd.13.) may be granted a leave without pay of at least three (3) years, but no more than five (5) years. An extended leave of absence pursuant to this section may be granted only once. Denials of such leaves shall not be arbitrary, unreasonable or discriminatory. Pursuant to M.S. 354.094, the state shall pay Employer contributions into the fund for each year for which a member who is
on extended leave pays employee contributions into the fund. Such contribution shall be based on the schedule salary amount the faculty member received in the year immediately preceding the leave. In accordance with M.S. 136F.43, Subd. 5., the faculty member will be placed back on the salary schedule at the same column and step the faculty member was on at the time the leave was granted.

Section 6. Religious Holidays. Any faculty member who observes a religious holiday on a day that does not fall on a Sunday or a legal holiday shall be entitled to such day off from employment for such observance. Such day off shall be taken without pay, except where the faculty member has unused personal leave, and in that case such day may be charged against the personal leave of the faculty member upon request of the faculty member. The faculty member shall notify the college in writing at least ten (10) days prior to the absence.

ARTICLE 16
SICK LEAVE LIQUIDATION AND FACULTY RETIREMENT PROVISIONS

Section 1. Sick Leave Liquidation. A sick leave liquidation payment shall be granted to all faculty members under the following provisions:

Subd. 1. Eligibility.

A. All faculty members who have completed twenty (20) years of continuous service shall receive a sick leave liquidation payment upon separation from state service.

B. All faculty members who are separated by reason of death shall receive a sick leave liquidation payment. Such payment shall be made to the beneficiary designated by the faculty member under the Minnesota Teacher’s Retirement Association or Individual Retirement Account Plan.

C. All unlimited full-time and unlimited part-time faculty members who are laid off from service in the state colleges shall receive a sick leave liquidation payment.

D. Faculty members who separate from state service after ten (10) years of continuous state service and whose combined years of service and age equal to or greater than sixty-eight (68) shall also receive a sick leave liquidation payment.

Subd. 2. Benefits. The faculty member shall receive a sick leave liquidation payment in an amount equal to forty percent (40%) of the faculty member’s accumulated but unused sick leave balance (not to exceed 112 days) plus twelve and one-half percent (12 ½%) of the faculty member’s accumulated but unused sick leave bank times the faculty member’s regular daily rate of pay at the time of separation. If necessary, accumulated but unused bank days shall be