

May 3, 2024

Below, please find a listing of all new and revised UW System Administrative policies and procedures approved between April 5 and May 3, 2024. There were three (3) Revised UW System Administrative Policies, and one (1) Revised UW System Administrative Guidance Document.

I. Revised UW System Administrative Policies

- <u>SYS 1213, Wisconsin and Federal Family and Medical Leave</u> Acts (Approved May 1, 2024)
 - o Summary of Policy and Policy Revisions
 - This revision is based upon the analysis of the Office of General Counsel, in consultation with the legal offices at UW-Madison and UW-Milwaukee.
 - Our current W/FMLA leave policy includes language that limits the total leave associated with the birth or adoption of a child to 12 months under FMLA, even if the 12-month period following the birth or adoption takes place in two calendar years. This update removes this restriction.
 - In section 6.C.III, removed language that restricted the use of FMLA leave to 12 weeks following the birth or adoption of any one child.
 - FMLA allows up to 12 weeks of leave per year for the birth or adoption of a child, provided this leave occurs within 12 months of the date of birth or adoption. FMLA allows an employer to determine if they want to base their leave period (the 12-month period during which the employee is entitled to 12 weeks of leave) on a calendar year, a fiscal year (or other set period), a rolling 12-month period looking forward or a rolling 12-month period looking backwards. Generally, an employer must choose one method defining a year for purposes of FMLA. Our current policy uses a calendar year, but included language that effectively used a forward looking 12-month period exclusively for leave associated with birth or adoption. Legal counsel believes we must use the same basis for all FMLA leave.
 - This will have the effect of allowing employees to take up to 24 weeks of leave for the birth or adoption of a child, assuming they use their full 12 weeks of leave during the calendar year the child is born/adopted and then use the full 12 weeks from the calendar year following the date of birth/adoption. The total eligibility may be less, as all birth/adoption leave must be completed within 12 months of the date of the birth/adoption. For example, an employee who has a baby on January 1st, could use the full 12 weeks leave for that calendar year. They would not, however, be able to access the following year's leave, since any leave they took in the following January would be more than 12 months after the date of birth/adoption. By contrast, an employee who has a baby on October 1st could use the full 12 weeks on January 1st of the following year, allowing the employee to take a total of 24 weeks of leave (provided that all leave was completed by October 1st of the second year.
 - WFMLA does not function the same way and does have a firm cap on the total leave, even if the eligibility period crosses calendar years. The language for WFMLA in the policy is unchanged.

- o University Comments and Concerns
 - No university comments were received regarding this policy change. Discussion within UWSOHR resulted in the elimination of added draft language explaining the new expanded eligibility in greater detail. The decision was made that it was more appropriate to simply strike the unlawful language and communicate the consequences of the change to CHROs and HR staff through other channels.
- <u>SYS 1277, Compensation</u> (Approved May 1, 2024)
 - Summary of Policy and Policy Revisions
 - The purpose of this policy is to outline parameters for setting and adjusting salaries of UW System employees. These policies support the compensation philosophy described below and apply regardless of the source of funds supporting the salaries.
 - This is a minor revision to the introduction of Section 6 of the policy. We are making a slight change to the order of operations when multiple salary adjustments occur on the same date. The change moves the application of Pay Plan up in the order, ahead of a Raise to the Pay Range minimum and Raise to College or Campus minimum. Previously this step occurred after these two events.
 - University Comments and Concerns
 - No university comments were received for this policy update.
- <u>SYS 1278, UW System Pay Plan Distribution Framework for University Workforce</u> (Approved May 1, 2024)
 - Summary of Policy and Policy Revisions
 - These updates clarify the procedure for determining eligibility for Pay Plan pay increases with respect to the performance requirements. They also clarify a number of other issues associated with Pay Plan, including:
 - The effective date of the pay plan increases.
 - The structure and use of the Chancellor's 15% discretionary reserve
 - Some language is eliminated, particularly language that is covered elsewhere in the administrative policies and procedures.
 - University Comments and Concerns
 - Please see the <u>SYS 1278 University Comments and Concerns</u> page for a list of the comments that were received during the distribution period and a summary of how they were addressed.

II. Revised UW System Administrative Guidance Document

- SYS 1275 Guidance: Guidelines for Utilizing Recruitment Waivers (Approved May 1, 2024)
 - Summary of Guidance and Guidance Revisions
 - This guidance document collects the acceptable reasons for waiving a formal recruitment in filling a vacancy.
 - It includes reasons specifically authorized by other policies, RPDs and state law.
 - It also includes reasons pulled from the best practices of several institutions.
 - A number of the listed reasons require that an institution have adopted a local policy authorizing that waiver reason.
 - University Comments and Concerns
 - Following the policy distribution the following feedback was received.
 - A commenter felt like additional language should be included to address noncompetitive promotions within a job category. The issue of pay movement within

- range is part of a broader ongoing discussion and is outside of the scope of this policy update.
 - No changes made.

III. Policies in the Final Stages of Revision

- <u>SYS 102.A, New Academic Degree Programs, Changes to Academic Degree Programs, and other SYS 102</u>
 <u>Items</u>
- <u>SYS 216, Academic Pay Policy</u>
- SYS 425, Use of Personal Vehicles, Rental Cars and Fleet for Business Transportation
- SYS 12xx, Paid Parental Leave