

Dean's Faculty Advisory Committee  
University of Tennessee, College of Medicine

March 6, 2017

### **Call to Order**

The meeting was called to order by the president, Dr. Denis DiAngelo, at 12:03 PM on March 6, 2017, in the Coleman building, Room A101.

### **Attendance**

The following members were present:

Julio F. Cordero-Morales, PhD, Terry Cooper, PhD, Denis DiAngelo, PhD, Rebecca Anne Krukowski, PhD, Haavi Morreim, JD, PhD, Linda Myers, MD, Lawrence Pfeiffer, PhD, Fruz Pourmotabbed, PhD, Reese Scroggs, PhD, Burt Sharp, MD, Laura Sprabery, MD, Ryan Sullivan, DVM, Jerome Thompson, MD, MBA

The following guest(s) was (were) present:

Susan Senogles, PhD, Chandra Alston, MBA, EdD, Associate Vice-Chancellor of Human Resources, Mark Petzinger, Esq., Associate General Counsel for UTHSC, Mary (Kendy) Kallaher Employee Relations Team Leader, Richard Redfearn, PhD, Director of Scientific Writing, and Patti Smith, MPH, Scientific Writer for the Center for Health System Improvement (CHSI).

### **Approval of minutes**

The minutes of the previous meeting were approved as written. Minutes had previously been distributed by electronic means.

### **Business**

The meeting featured two sections. In the first part, Dr. Chandra Alston, MBA, Associate Vice-Chancellor of Human Resources, Mr. Mark Petzinger, Esq., Associate General Counsel for UTHSC, and Ms. Mary (Kendy) Kallaher, Employee Relations Team Leader, responded to DFAC questions about how the federal FMLA/Family Medical Leave Act works, as implemented at UTHSC. Dr. Alston explained that an important part of UTHSC's policy is to make sure that all eligible employees are aware of their rights under this law, including not just faculty and staff, but also residents, post-doctoral fellows and other employees. The law originated out of concern for workers who may have no sick leave benefits, and who thus could face job loss after even a brief illness of themselves or a family member.

As further explained by Dr. Alston and Mr. Petzinger, the FMLA is designed to ensure that any eligible employee can have up to 12 weeks of (unpaid) leave, not just for one's own illness, but also to care for family members due to illness, injury, childbirth, or adoption. Thus, the employee may not be dismissed because of illness during this period. Eligibility, in turn, comes mainly from two factors: [1] the

employee must have worked for at least 12 months for this employer; and [2] the employee must have worked at least 1250 hours during the 12-month period immediately preceding the leave (equivalent to about 156 8-hour days). Every 12 months, a new opportunity for FMLA leave accrues, so long as the employee has worked 1250 hours during that 12-month period.

Unlike some employers, UTHSC does provide paid sick leave, accumulating at the rate of 8 hours per month for full-time employees (pro-rata for part-time). Hence the question arose whether UTHSC employees need to identify their sick leave also as FMLA leave. FMLA requires that the employer designate medical leave as FMLA if an employee presents circumstances and documentation that fall within the regulations.

First, UTHSC must document to the federal government that in every case, the employee was offered the option of taking FMLA. The employee is not required to do so, but the institution must be able to show that the opportunity was offered. Second, if the employee is approved for medical leave, FMLA will run concurrently with whatever leave type (sick, annual or leave without pay) the faculty member is using. Thus if, for instance, the employee has accrued 5 weeks of sick leave, that employee would be able to take unpaid leave for another 7 weeks, for a total of 12 weeks. For faculty who have more than 12 weeks of accrued sick leave, the FMLA does not provide any additional benefit. In other words, that person would not be able to take the FMLA's 12 unpaid weeks and "tack it on" as additional leave after his or her sick leave is exhausted.

To comply with UTHSC policy, a person anticipating the need to be away for more than 3 days should contact the department business manager, or directly contact Human Resources, to request FMLA. Acceptable circumstances include: serious health condition of the employee or a family member, foster care placement, exigencies arising out of a family member's armed service, childbirth, and adoption. For unplanned absences, eg. illness or injury, the employee must notify supervisors as soon as possible. Mr. Petzinger emphasized that each person and situation are unique and application of the FMLA is highly dependent on the facts of the situation.

Dr. Alston emphasized that although the employee may be required to provide appropriate evidence regarding the person's serious health condition, this information is kept strictly confidential and is not shared with the employee's department. She also reminded DFAC of the Sick Leave Bank, which can augment sick leave for up to 90 days. Enrollment runs from April through June, and the program begins on July 1 of each year.

In the second portion of the meeting, Rich Redfearn, Director of the office of Scientific Writing (OSW), and Patti Smith, Scientific Writer for CHSI, described UTHSC's Office of Scientific Writing. The Office's services are available to all four campuses, both for editing grant proposals and for improving manuscripts to be submitted to peer reviewed journals. The services include copy editing to check for such things as typos, missing words, spelling, and grammar, and also a more in-depth editing process. The goal in both cases is to make the grant or manuscript more persuasive, indeed a more enjoyable story to read.

Persons who wish to ask for such help can go to the OSW website, at <https://www.uthsc.edu/research/scientific-writing/index.php>. And if interested in seeking assistance, they can send a Scientific Writing Request form, available for download at <https://www.uthsc.edu/research/scientific-writing/forms.php>. Ideally, the faculty member should submit the request at least two weeks before any deadline, including the GRA deadline of uploading a proposal for routing five business days before the sponsor deadline, although urgent requests can sometimes be accommodated. Dr. Redfearn indicated that their office does not write manuscripts from raw data;

rather, the person requesting assistance should write a draft as well as possible, to gain maximum benefit from the editing and revision process.

Patti Smith will be working with the OSW one day per week, her primary responsibility being with the Center for Health System Improvement. She has experience with writing for T3-T4 projects, so her expertise is a good addition to the writing for more fundamental research projects that Dr. Redfearn has in his background as an academic and industrial investigator.

### **Next Meeting**

The next meeting of the committee will be held on April 3, 2017, at 12:00 Noon in the Coleman building, Room A101.

### **Adjournment**

There being no further business, the meeting was adjourned at 1:00 PM.

Respectfully submitted,

E. Haavi Morreim, JD, PhD  
Secretary