Academic Personnel Administration
(Approval of Faculty Leave Requests)

Campus Question or Situation:

May faculty leave requests be approved by another faculty member (e.g., department chair or designated faculty supervisor), who has been authorized to approve such requests?

Applicable Contract Provision, Executive Policy or Administrative Procedure

- Article XXIII, Appointment, Duties, and Compensation for Academic Chairs states: “Academic Chairs are appointed by the appropriate administrative authority, but they are not managerial or supervisory employees. The duties of academic Chairs will be set forth in a revised UH-System Faculty Handbook.”
- Administrative Procedure A9.380, Vacation and Sick Leave system requires that all leave request be submitted to the department or unit supervisor for approval.

Considerations

- It is the University’s position supported by 30+ years of precedent and practice that a department chair or other similarly functioning faculty member may be assigned and perform administrative duties (e.g., course assignments, day/time of course offerings, approval of faculty leave requests, etc).
  - UHM libraries and UHPA legal counsel exchanged correspondence in 2008 in which there was confirmation by UHPA that “Department chairs can and do perform supervisory duties, which they are expected to discharge in a collegial manner with the academic tradition.”
  - UHM libraries noted in its 2008 letter to UHPA that the point had been discussed with UHPA that: “The library should continue to administer and manage its organization as it has been doing, including signing personnel leave forms and evaluations. The removal of the word “supervisor” from forms is not needed. These were Hawai‘i State employee forms that were adopted at the time of establishment of UHPA and have been used for over 30 years.” UHPA responded: “My comments should not be taken to endorse current particular administrative or managerial practice that may be in effect. I am not aware of all that is going on. I intend to say merely that reversion to long-standing traditional norms should not present any problem for retention of librarians within the faculty bargaining unit. Yes, it is not necessary at this point to remove the term “supervisor” from the forms.”
- HLRB Decision 21 (1972) cites among its finding and conclusions that
  - “Although the department chairman is the administrative officer of the department, he is more of a leader, innovator, moderator and executor than an autocrat with large vested authority.” P 238
  - “The department chairman is charged with the supervision of his department and he does have some responsibilities in personnel matters.” P 246
  - “Though they may have some indicia of supervisory authority, the nature of their supervisory duties are not sufficient to exclude them under Section 890-6(c ), supra.” P 247.

Issue(s)

- Must faculty leave requests be approved by someone other than another authorized faculty member (e.g., department chair)?