

Regulations for Position Retained without Pay for Faculty & Staff of I-Shou University

Adopted on March 12, 2008 at the first meeting of the
University Council in the second semester of the academic
year 2007

Amendments to Articles 12 and 23 ratified by the President
on March 21, 2013

Article 1 The Regulations for Position Retained without Pay for Faculty & Staff of I-Shou University (hereinafter referred to as the “Regulations”) are established to satisfy the needs of faculty and staff members of I-Shou University (hereinafter referred to as the “University”).

Article 2 The term of “position retained without pay“ as used herein shall mean that faculty or staff members who are approved to leave their positions temporarily without pay when they have to nurse their children, take care of their parents, pursue further education or for other compelling reasons. After the term is expired or the reasons for retaining the position without pay no longer exist, the faculty or staff members shall resume their positions with pay again.

Article 3 Full-time faculty and staff members who meet any of the following conditions may apply for retaining their positions without pay:

1. Those who are called up for military service.
2. Those who apply for pursuing further education or doing research in Taiwan or other countries voluntarily.
3. Those who are transferred to other organizations (institutions) or schools temporarily.
4. Those who have to receive long-term medical treatment or convalescence due to illness.
5. Those who are pregnant or have to raise their children under the age of 3.
6. Those who have to take care of their parents who are old or seriously ill or injured.
7. Those who have to take care of their spouses or children who are severely ill or injured.
8. Other compelling reasons approved upon special application.

- Article 4** Faculty or staff members shall state the reasons clearly on the application form (shown as Attachment 1), and hand it over with supporting documents within 60 days before they retain their positions without pay unless there are other emergencies. The procedure for submitting an application is as follows:
1. Faculty members:
 - (1) Faculty members who are qualified as prescribed in Subparagraph 2 or 3 of Article 3: The application shall be approved by the President after being adopted by the competent department-level Teacher Review Committee, and then reported to the college- and university-level Teacher Review Committees by following due administrative procedures.
 - (2) Faculty members who are qualified as prescribed in Article 3 except for Subparagraphs 2 & 3: The application shall be reported to the President for approval after being adopted by the Departmental Affairs Council by following due administrative procedures.
 2. Staff: The application shall be reported to the President for approval after the applicant's superiors have agreed by following due administrative procedures.
- Article 5** Faculty or staff members who are called up for military service may retain their positions without pay according to Article 16 of the Act of Military Service System, Article 7 of the Enforcement Statute for Substitute Services, and Article 16 of the Regulations of Selection and Training for Military Services of Reserved Ranking Officers and Reserved Non-Commissioned Officers.
- Article 6** Faculty or staff members who apply for retaining their positions without pay according to Subparagraph 2 or 3 of Article 3 shall be subject to the Regulations for Encouraging Teachers of I-Shou University to Research or Pursue Further Education, the Regulations for Encouraging Employees of I-Shou University to Research or Pursue Further Education, and the Guidelines on Handling Temporary Transfer of Teachers at I-Shou University.
- Article 7** When faculty or staff members want to apply for retaining their positions without pay due to illness, they shall submit a diagnosis certificate issued by a teaching hospital (including E-Da Hospital) according to the Regulations for Teachers of I-Shou University to Ask for Leave, the Regulations for Employees of I-Shou University to Ask for Leave, and the Rules for Managing Custodians of I-Shou University.
- Article 8** Faculty or staff members who apply for retaining their positions without pay when they want to take care of themselves or their spouses who are pregnant or gave birth to child or of their children under the age of 3 may be approved to retain their

positions without pay for up to two years. However, if there are two children or more being taken care of, the term of retaining position without pay shall be calculated together, but it shall be calculated from the date on which the youngest child is being taken care of.

Faculty or staff members may apply for retaining their positions without pay for once after every childbirth. Anyone who is not qualified as prescribed above but is in need to extend the term for nursing children may apply for extending the term for once only. However, faculty or staff members shall not apply for more than twice while they are working for the University.

If both the husband and the wife are full-time faculty or staff members of the University, they shall not apply at the same time or submit the application alternately when they need to take care of the same child(ren).

Article 9 Faculty or staff members shall apply for retaining position without pay for only one year if they meet the requirements listed below: 1. those whose parents or spouse's parents are too old or suffering from severe illness or injury. 2. those whose spouse or child(ren) suffers from serious illness or injury. If it is still necessary for the faculty or staff member to take care of their family members mentioned above after the one-year term is expired, they may apply for extending the term for another year. Anyone who has not resumed their positions after the term is expired shall be dismissed or requested to retire by law.

Article 10 In principle, the term for faculty or staff members who apply for retaining position without pay due to compelling reasons shall be one year only. If it is necessary for them to extend the term after the term is expired, they may ask the President for approval through special applications. However, the extension shall be only one year as well.

Faculty or staff members shall resume their positions as soon as the extended term is expired, and must not apply for retaining their positions without pay again within 3 years after the reinstatement. Faculty and staff members shall apply for retaining their positions without pay for only twice while they are working for the University.

Article 11 Faculty or staff members who intend to apply for an extension of retaining the position without pay after the term is expired shall apply at least 60 days before the original term is expired.

Article 12 Faculty or staff members shall resume their positions on the next day after the term of retaining the positions without pay is expired unless otherwise stipulated. Faculty and staff members shall apply for reinstatement as soon as the reasons for retaining the position without pay no longer exist before the term is expired.

The Office of Human Resources shall notify faculty/staff members and their units at least 90 days before the term of retaining position without pay is expired. Faculty or staff members who retain their positions without pay shall apply for reinstatement at least 60 days before the term is expired. Anyone who has not resumed his/her position after the term is expired shall be regarded as resigning unless there are other reasons where the faculty or staff member shall not be to blame for.

Article 13 Faculty or staff members shall apply for approval in advance if they want to be reinstated within 20 days after the reasons for retaining position without pay no longer exist. After the applications are approved, faculty members shall resume teaching in the next semester, and staff members shall resume working on the first day of the next month.

Article 14 Anyone who wants reinstatement shall submit an application form in advance (please refer to Table 2). After the application is approved, the department/unit the applicant belongs to shall arrange courses or administrative jobs for the applicant. After the faculty member confirms the class schedule arranged by the University based on the regulations of giving lessons, he/she can apply for reinstatement before a new semester.

Article 15 Administrative heads who are approved to retain their positions without pay for more than six months may be transferred to take another position except for that as an administrative head depending on practical needs of the University. The University may assign other qualified staff to handle the administrative head's work.

Article 16 The University reserves the right to request faculty or staff members to retain their positions without pay if they are suspected to violate the Civil Law or the Criminal Law (this rule is applicable even though the faculty or staff member has not committed a crime so seriously that he/she has to leave their jobs according to the Criminal Law). Faculty or staff members shall not apply for reinstatement unless the lawsuit case is closed.

Article 17 If the number of applicants in the same unit who are qualified to apply for retaining position without pay according to Subparagraph 5 of Article 3 is more than one, the administrative heads may adjust these applicants' term of retaining positions without pay based on the applicants' needs and the unit's working conditions.

Article 18 The term of retaining positions without pay shall not be included in the total number of service years unless they retain the positions without pay according to Subparagraph 2 or 3 of Article 3.

- Article 19** Faculty members who are retaining their positions without pay shall assign other faculty members or require the University to hire other part-time faculty members to teach the courses on their behalf. Any departments (institutes, centers) shall not hire more full-time faculty members for this reason.
- Units may hire temporary contract employees or ask current staffers to act for the staff who are retaining their positions without pay. Any units shall not hire more full-time staffers for this reason as well.
- Article 20** The salaries for faculty or staff members who resume their positions shall be assessed according to the salary grades before their reinstatement unless they retain their positions without pay for pursuing further education or due to temporary transfer.
- Article 21** As to the Government Employee and School Staff Insurance, the Labor Insurance, and the National Health Insurance during the term of retaining the positions without pay, faculty and staff members may choose to withdraw or pay in a lump sum by their own. However, the decision is irreversible as soon as it is made.
- Article 22** Faculty and staff members who resume their positions shall not request any subsidies or benefits offered during the term of retaining their positions without pay (please refer to the Welfare & Benefits Table of I-Shou University).
- Article 23** Faculty or staff members who are retaining their positions without pay shall contact their units for at least once every three months to fully realize how their units carry on their work. Meanwhile, the Office of Human Resources shall also provide related information for faculty or staff members to prepare for future reinstatement.
- Article 24** The rights and obligations of faculty and staff members during the term of retaining their positions without pay shall be subject to the University's regulations and rules.
- Article 25** During the term of retaining the positions without pay, faculty and staff members shall not be engaged in any full-time jobs which have nothing to do with the reasons for retaining their positions without pay. Anyone who violates the rule shall be suspended from retaining his/her position without pay and be punished by law.
- Article 26** Faculty and staff members retaining their positions without pay are still the faculty or staff members of the University. In this case, anyone who violates the law or the University's regulations and rules shall be punished by law.
- Article 27** Faculty or staff members who apply for reinstatement shall agree to take the positions assigned by the University with no objection. Anyone who violates the rule shall be regarded as giving up the right of reinstatement.
- Article 28** The Regulations become effective on the third day of promulgation after being adopted by the University Council and ratified by the President.

Note: In the event of any disputes or misunderstanding as to the interpretation of the language or terms of these Regulations, the Chinese language version shall prevail.