

March 18, 2020

To: Deans, Department Chairs, Directors, and Academic Department Business Officers (via SBCHR-L, SBDIR-L, and SBADM-L)

From: Cindy Doherty, Academic Personnel Director

Re: Guidance regarding COVID-19 Administrative Leave for Academic Employees

Office of the President has issued the attached guidance regarding COVID-19 related administrative leave use by academic employees. As previously indicated, administrative leave may be requested in the following situations:

1. When an employee is unable to work due to the employee's own COVID-19-related illness or that of a family member;
2. When an employee is unable to work because the employee has been directed not to come to the worksite for COVID-19-related reasons and/or the work site has implemented a COVID-19-related remote-work program or is under a shelter in place order and it is not operationally feasible for the employee to work remotely;
3. When an employee is unable to work because a COVID-19 related school or daycare closure requires the employee to be home with a child or dependent, and it is not operationally feasible for the employee to work remotely or in conjunction with the childcare commitment.

If an employee themselves is ill or is caring for an ill family member, medical and sick leave under applicable APM and collective bargaining agreements is also available.

Administrative leave should only be applied to periods of time when the employee is unable to perform any assigned work. Alternate duties may be assigned and reasonable flexibility should be applied given the ever-changing situation. Employees should consult with their supervisor or department chair regarding appropriate alternate duties.

President Napolitano has stated that the use of paid administrative leave must not adversely affect the delivery of essential university services. *Delivery of instruction is an essential university service and thus every effort must be made to ensure its continuation.* The campus is working diligently to facilitate remote instruction. Additional information is available on the [Instructional Development website](#).

Office of the President has allowed an extension of APM and collective bargaining agreement leave policy to allow leave that is normally available only for one's own illness to also be used to care for an ill family member or in cases where remote work is not operationally feasible and the employee is directed or is under a public order not to come to work. In other words, medical or sick leave may be available for use in circumstances beyond the stated policy. This extension of policy is in effect during the dates outlined in [President Napolitano's March 16, 2020 Executive Order](#).

Requests for administrative leave due to employee's own illness or to care for an ill family member.

Administrative leave under #1 above, **for any academic employee**, must be submitted via the Leave Request module on the [Academic Personnel web site](#). The employee should select "Medical Leave with Pay" as the leave type, and in the comments section indicate that the leave is being requested under the COVID-19 Administrative Leave provisions. Effective dates and other relevant information must also be included. The request will route to the appropriate parties for endorsement and approval. The employee will be contacted by the Academic Personnel Leave administrator to assure FML designations are in place, and to coordinate administrative leave and other applicable medical or personal leave as prescribed by the APM and/or collective bargaining agreement.

Requests for administrative leave under #2 or #3 above

*Non-instructional titles: Researcher, Project Scientist, Specialist, Academic Coordinator, Postdocs, GSRs*

Employees considering applying for administrative leave under #2 or #3 above should consult with their supervisor or department chair. The supervisor has the authority to approve the administrative leave. The departmental Kronos payroll manager or timekeeper will need to enter the pay code "COVID-19 Admin Leave with Pay" for the time taken. If administrative leave is exhausted, the employee may be eligible to use accrued vacation, sick leave, or PTO (postdocs only). The supervisor will retain authority to approve use of vacation, sick leave, or PTO. Because GSRs do not report time in Kronos, departments will need to manually track the use of administrative leave. Please refer to the [Office of Research COVID-19 Guidance and Notices](#) in regard to the use of administrative leave for individuals paid on external funds.

*Instructional titles: Senate Faculty, Lecturers, Visiting or Adjunct Professors, Associates, TAs*

Employees considering applying for administrative leave under #2 or #3 above should consult with their department chair. Because the President has designated the delivery of instruction as an essential university service, the faculty member and department must

make every effort to accommodate the continuation of instructional delivery. Consultation with Instructional Development is strongly encouraged. Leave requests must be submitted via the Leave Request module on the [Academic Personnel web site](#). The employee should select "Personal Leave" as the leave type, and in the comments section indicate that the leave is being requested under the COVID-19 Administrative Leave provisions. Effective dates and other relevant information must also be included. The request will route to the department chair and dean for endorsement. The Associate Vice Chancellor for Academic Personnel has final approval authority.

Questions may be directed to my attention at [cindy.doherty@ucsb.edu](mailto:cindy.doherty@ucsb.edu)

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**COVID-19-Related Leave for Academic Appointees: Guidance for Supervisors**  
**March 17, 2020 – Original Issuance**

The guidance below addresses special considerations for leaves taken by academic appointees as a result of COVID-19. All academic appointees, policy-covered and represented and including students, are eligible for the COVID-19-related leave described below.

This remains a very fluid situation, and the guidance below may be updated at any time. Please provide as much flexibility as is operationally feasible to academic appointees needing to take leave or work remotely. The following guidance replaces the information that was provided in the March 9, 2020 letter from Vice Provost Carlson and Acting Vice President Lloyd as it related to academic appointees and supports President Napolitano's Executive Order signed on March 16, 2020.

**A. Paid Administrative Leave may be taken *only* when at least one of the following circumstances are met**

1. When an employee is unable to work due to the employee's own COVID-19-related illness or that of a family member; or
2. When an employee is unable to work because the employee has been directed not to come to the worksite for COVID-19-related reasons and/or the worksite has implemented a COVID-19-related remote-work program or is under a shelter in place order and it is not operationally feasible for the employee to work remotely; or
3. When an employee is unable to work because a COVID-19-related school or daycare closure requires the employee to be at home with a child or dependent, and it is not operationally feasible for the employee to work remotely or in conjunction with the childcare commitment.

**B. General provisions for Academic Appointees during the Executive Order**

1. Paid Administrative Leave for COVID-19-related incidents is available for up to 16 working days or 128 hours.
  - a) Paid Administrative Leave is available for all academic appointees, policy-covered and represented, and is available as of March 1, 2020.
  - b) Paid Administrative Leave is not available for academic appointees with non-paid or without salary appointments.
  - c) Use of Paid Administrative Leave is at the request of the appointee in consultation with the supervisor. Approval processes are determined by each campus or location.
  - d) Use of Paid Administrative Leave must not adversely affect the delivery of essential university services. In addition to the clinical services delivered by UC Health, the **delivery of instruction is an essential university service.**
  - e) For exempt academic employees, use of Paid Administrative Leave is in full-day increments; a day is defined as the regular time that an appointee would have worked on that day regardless of the actual number of hours worked per day. For such exempt

employees, there will be up to 16 days on which the Paid Administrative Leave would occur.

- f) For hourly appointees, the total number of hours available is prorated to reflect the appointment percentage.
  - g) Paid Administrative Leave can be taken intermittently, and for exempt academic employees is recorded in whole days.
  - h) Paid Administrative Leave must be used by December 31, 2020 – after that date, Paid Administrative Leave will no longer be available.
  - i) Paid Administrative Leave is available for any new appointees hired during the duration of President Napolitano’s March 16, 2020 Executive Order.
  - j) An appointee who separates from the employment of the University before December 31, 2020 will lose eligibility for Paid Administrative Leave; there is no “cash-in” value connected to the leave.
  - k) An appointee who separates from the employment of the University before December 31, 2020 and then returns prior to the expiration date of the Executive Order will have their Paid Administrative Leave eligibility reinstated.
  - l) Paid Administrative Leave is calculated on regular base pay.
2. Academic personnel leave policies in the Academic Personnel Manual (APM) and respective collective bargaining agreements (Academic Researchers, Postdocs, Academic Student Employees, Non-Senate Instructional Unit, and Librarians) that apply to an appointee’s own illness will extend to cover a family member’s COVID-19 illness. This is also applicable when working remotely is not operationally feasible and the appointee is directed or is under a public order to not to come to work. These extensions of academic policy are in place for the duration of the President Napolitano’s March 16, 2020 Executive Order.
  3. Accrued leave or paid medical leave does not need to be taken prior to or in conjunction with the use of Paid Administrative Leave.
  4. Paid Administrative Leave for COVID-19 can be applied retroactive to March 1, 2020, the effective date of President Napolitano’s March 16, 2020 Executive Order.
  5. Members of the Health Sciences Compensation Plan (HSCP) must follow the same general tenets as are presented in this guidance, with the exception that all clinical services are considered essential university services.
  6. For academic appointees who are currently on leave, have by-agreement appointments, or for other questions, please consult with your local Academic Personnel Office.
  7. Campuses retain the ability to provide leave with pay as outlined in the APM.

Further detailed guidance will be provided to local Academic Personnel Offices from UCOP Academic Personnel and Programs.