

Academic Employee Leaves

January 15, 2025

Academic Personnel Contacts

- UCPATH Help: AP-Path@ucsb.edu
- Leave Administration: ap-leaves@ucsb.edu
- Lia Cabello x 5979 lia.cabello@ucsb.edu
 - Faculty in Humanities and Fine Arts, Social Sciences, Education, CCS
- Mira Lázaro x 5728 mslaza@ucsb.edu
 - Faculty in MLPS, Bren School, Engineering
- Joanna Kettmann x 5048 joanna.kettmann@ucsb.edu
 - Academic Researchers: Professional Research, Project Scientist, and Specialist series
- Billy Ko x 4441 billy.ko@ucsb.edu
 - Postdoctoral Scholars, Academic Student Employees

Other Contacts

- College/Deans
- HR Service Now: <https://ucsb.service-now.com/hr>
 - Employee Services → Workplace Accommodations
 - Employee & Labor Relations
 - General Benefits questions
- UCPath Center
 - (855) 982-7284

Resources

- Red Binder
 - <https://ap.ucsb.edu/policies.and.procedures/red.binder/>
- AP Resources Department Analysts
 - <https://ap.ucsb.edu/resources.for.department.analysts>
- Academic Personnel Manual
 - <http://www.ucop.edu/academic-personnel-programs/academic-personnel-policy/index.html>
- MOU
 - <https://ap.ucsb.edu/policies.and.procedures/collective.bargaining.agreements/>
- Leave Information for Employees
 - <https://ap.ucsb.edu/leave.of.absence/>

Agenda

- Types of Academic Employees
- Types of Leaves
- Leaves by Employee Population
- Legal Leave Entitlements
- Requesting the Leave
- Questions

Academic Employee Populations

- Academic Year Employees
 - Professors and Teaching Professors (Senate)
 - Unit 18 Lecturers, Academic Coordinators (Non-Senate)
- Fiscal Year Employees
 - Professional Research, Project Scientist, Specialist series (Academic Researchers)
 - Academic Coordinators, Librarians
- Postdoctoral Scholars
- Graduate Student Employees

Leave Types

- Vacation
- Medical
- Childbearing
- ASMD (not a leave)
- Parental
- Reproductive Loss
- Legal Entitlements - FMLA/CFRA/PDL
- Short-Term Absence, including Sick Time
- Sabbatical
- Other
- Short Work Break (not a leave)

Out Sick



Senate Faculty - Vacation

- Does not accrue vacation time (RB VI-6)
- Expected to be here from the beginning of the Fall quarter through the end of the Spring quarter



Senate Faculty - Medical

- Eligible faculty members with < 10 years of service shall be granted a maximum of two quarters of consecutive or intermittent paid medical leave within a ten-year period for own serious health condition
- Eligible faculty members with ≥ 10 year of service shall be granted a maximum of 3 quarters within each subsequent ten-year period for own serious health condition
- Sick Day bank per SB 616– more in later slide
- May be eligible for legal protections under state and federal law
- RB VI-3, APM 710

Senate Faculty – Family Leave

- May request up to one quarter of leave with pay for the care of an ill family member
- Does not count against faculty member's own paid leave entitlement
- May be eligible for legal protections under state and federal law
- May be eligible for Pay for Family Care and Bonding (PFCB)
- RB VI-3, APM 715

Senate Faculty – Childbearing Leave

- Can receive leave with pay for up to 8 weeks for childbearing
 - Applies to birth parent during pregnancy disability dates
- May be combined with ASMD
- RB VI-4, APM 760
- May be eligible for legal protections under state and federal law

Senate Faculty - ASMD

- Active Service Modified Duties = reduction of duties; not technically a “leave”
- Modified Duties are determined between the Chair and appointee
- Eligibility: responsible for $\geq 50\%$ of the care of an infant for the period before and/or immediately following a birth or adoption of a child under the age of 5
- Birth parent will be eligible for up to three quarters of: ASMD OR childbearing leave + ASMD
- An individual other than the birth parent will be eligible for up to one quarter ASMD for each birth or adoption
- Extensions/exceptions require AVC approval
- Can be undertaken 3 months prior and up to 12 months following birth or adoption
- RB VI-4, APM 760-28

Senate Faculty – Parental Leave

- Childbearing and/or childrearing responsibilities
- Request up to 3 months in advance
- Without pay for up to one year
- May be eligible for Pay for Family Care and Bonding (PFCB)
- When combined with childbearing leave not to exceed one year from birth or adoption
- May be eligible for legal protections under state and federal law
- RB VI-4

Senate Faculty – Sabbatical

- Professor: To enable recipients to be engaged in intensive programs of research and/or study in order to become more effective teachers and scholars and to enhance their service to the University
- Teaching Professor series: to allow the faculty to engage in intensive programs of study and/or professional development, to become more effective teachers and scholars and to enhance their services to the University.
- Accrual: one credit per quarter of $\geq 50\%$ REG faculty status
- RB VI-2, VI-7

Senate Faculty – Types of Sabbatical

- Regular Sabbatical Leave (Leave from all regular duties)
 - 9 sabbatical leave credits for each quarter at full salary
 - 6 sabbatical leave credits for each quarter at $\frac{2}{3}$ salary
- In Residence Sabbatical Leave
 - in physical residence (in SB) and teaches regularly scheduled class that meets at least 3 hours/week
 - 6 sabbatical leave credits for each quarter at full salary

Senate Faculty – Sabbatical Requirements

- If five or more years have passed since last academic advancement, leave request must include:
 - Updated bio-bib
 - Copies of reports from any sabbatical leaves taken since last advancement
- Required to return to service immediately following leave for a period of time at least equal to the period of the leave; if not, must pay it back
- May lien a credit upon request (by exception)
- Transfer to another UC: unused credits transfer
- Not paid out at separation or retirement

Senate Faculty– Special Leaves

- To accept a fellowship from an external agency
- Considerations:
 - Funding agency pays faculty member directly
 - Funding agency pays faculty member through UCSB
 - Faculty member receives supplement in exchange for sabbatical credits
- Other options may be available
- RB VI-7, F

Senate Faculty – Other Leaves

- Short Term Absence (RB VI-7)
 - 7 days or less: Dept Chair approval authority
 - 8 or more days: Dean/AVC approval; submit request in AP Folio
- Military Leave (APM 751) – if employed for a full year prior to leave, full pay for 30 calendar days, otherwise leave without pay
- Jury Duty, Bereavement Leave, others
 - RB refers to APM 758 or MOU
- Sick Day Bank per SB 616– see later slide

Unit 18 Faculty (Lecturers, STE)

- Represented by AFT
- <http://ucnet.universityofcalifornia.edu/labor/bargaining-units/ix/index.html>
- Childbearing, ASMD, Parental leave, Reproductive Loss Leave, and legal entitlements all the same as Senate Faculty
- May be eligible for Pay for Family Care & Bonding (PFCB)
 - Effective 7/1/22, pay at 100% for up to 4 weeks (differs from other populations)
 - Leave does not need to be FML-eligible to take PFCB

Unit 18 Faculty – Paid Medical Leave

- Eligibility: min 66% appointment for full year of service
 - Based on average of current appointment, OR
 - A two-year lookback
 - Will not extend past the end of the approved appointment
- 0 to 10 years : 22 weeks maximum
- 10+ years : 36 weeks maximum
 - For each subsequent 10-year period
- May be eligible for legal protections under state and federal law
- RB VI-3, Article 12 of MOU

Short Work Break (SWB)

- Not a leave (RB VI-18)
- For specific situations where there is a break in paid service to the University. SWB should only be used when there is an intent for return to paid service within a specified period of time. The return does not necessarily have to be to the same job.
- Research appointments appropriate to put on SWB when there is a break in funding and no work is being performed (PIs/CO-PIs only)
 - If PI/Co-PI is still working, request WOS status rather than SWB
- SWB will trigger benefits billing, if applicable
- If there are 2 jobs in 2 different departments, separate employee records recommended

Short Work Break (SWB) – cont'd

- Examples:
 - Academic student employee during summer; intent is to return in Fall
 - Lecturer works every Fall, break in Winter & Spring (and Summer)
 - PI of a grant funding their own salary expects new funding after current appointment end date - SWB to bridge the gap
- Limitations (see matrix):
 - 4 months for students and researchers
 - 2 quarters for lecturers (plus summer for spring or fall if needed)
- SWB matrix:
<https://ap.ucsb.edu/resources.for.department.analysts/ucpath/short.work.break.matrix.pdf>

Fiscal Year Employees – Vacation and Sick Leave

- Professional Researchers, Project Scientists, Specialists, FY ACs
 - Represented academic research titles are covered by the CBA
- Vacation/Sick leave accrual based on title and appt % (RB VI-8) and is derived in UCPath
 - Vacation – RB VI-6 or Article 32 (Vacation), Academic Researcher MOU
 - Sick – RB VI-3 or Article 25 (Sick Leave), Academic Researcher MOU
- Transfer from accruing title to non-accruing title (e.g. Researcher -> Professor):
 - Accrued sick leave stays on the books, upon retirement converts to service credit
 - Accrued vacation may be paid out if the intent is to not go back to an accruing title

Fiscal Year Employees – Other Leaves

- Childbearing (APM 760, RB VI-4 or Article 12 of MOU)
 - Eligible for up to 8 weeks of unpaid leave, could use sick leave to be paid.
- Reproductive Loss Leave – see later slide
- Active Service-Modified Duties - ASMD (APM 760, RB VI-5)
 - Reduction of duties, can use sick leave in proportion to reduced work load.
 - Eligible for up to 12 weeks (individual other than childbearing appointee).
Childbearing appointee up to 36 weeks (fiscal year) or 3 quarters (academic year).
- Parental (APM 760, RB VI-4)
 - Without pay, shall not exceed one year. Could use vacation time to be paid.
- May be eligible for pay under Pay for Family Care and Bonding (PFCB)
- May be eligible for legal protections under state and federal law
- Short Term Absence – use vacation time
- Jury Duty, Military Leave, Other

Represented FY Employees (Academic Researchers)

- See Article 12 of the MOU – TA'd article in place at this time
- ASMD – not called this, MOU provision – “Parental Bonding Leave”
 - Article 12, Section B, 8.d – paid parental bonding leave (PBL)
 - Can use sick and/or vacation hours
- Parental Leave
 - Can use sick and/or vacation hours, if eligible
 - May be eligible for Pay for Family Care and Bonding (PFCB)
 - May be eligible for legal protections under state and federal law
- Contact Joanna Kettmann for questions about leaves for these titles

Academic Coordinators – Academic Year

- AY Academic Coordinators do not earn vacation time
- Sick Leave: (RB VI-8)
 - Accrual of 8 hrs/month, pro-rated by appt %
- Childbearing (RB VI-4) – Eligible for 8 weeks of unpaid leave. Can use sick time
- Reproductive Loss Leave – see later slide
- ASMD (RB VI-5)
 - If in a full time position for one year or more: can combine childbearing leave plus unpaid ASMD for three quarters. Can use sick leave.
 - If less than full time or less than one year: eligible for childbearing leave plus unpaid ASMD for one quarter.

Academic Coordinators – Academic Year

- Parental Leave (RB VI-4) – Eligible for full or partial unpaid parental leave for up to one year to care for a child.
- May be eligible for Pay for Family Care and Bonding (PFCB)
- May be eligible for legal protections under state and federal law
- Short Term Absence (RB VI-7) if not medically-related, would be leave without pay
 - Military Leave: (APM 751) if employed for a full year prior to leave, full pay for 30 calendar days, otherwise leave without pay
 - Jury Duty, Bereavement – APM 758

Postdoctoral Scholars – PTO

- Represented employee group:
 - <http://ucnet.universityofcalifornia.edu/labor/bargaining-units/px/index.html>
- Paid Time Off (Article 17):
 - Earn 24 work days of PTO during a 12 month appointment period
 - Available on first day of appointment, used in single work day increments
 - Cannot be carried over to a non-post doc appointment
 - Not paid out at separation
 - Pro-rated if appointment is less than one year

Postdoctoral Scholars – Sick Leave

- Earn 12 work days of sick time during 12 month appointment period
- Available for use on first day of appointment. Used in single work day increments
- Can be carried over to non-post doc appointment
- Pro-rated if appointment is less than one year
- Article 23 of MOU

Postdoctoral Scholars – Other Leaves (Article 12)

- Pregnancy Disability: Eligible for up to 4 mo., not to exceed 6 mo. Must use sick leave first, short-term/long-term disability*, may use PTO, before taking leave without pay.
- ASMD: Not eligible
- Reproductive Loss Leave – see later slide
- Postdoctoral Paid Family Leave (PPFL) : up to 8 weeks of paid leave per calendar year for:
 - Care of family member with serious health condition
 - Baby bonding/adoption
 - Military Caregiver leave or Qualifying Exigency Leave
 - PPFL does not need to be FML-qualifying

Academic Student Employees

- ASESs - Teaching Assistants, Associates, Readers, Tutor:
<http://ucnet.universityofcalifornia.edu/labor/bargaining-units/bx/index.html> (See Article 18)
- Graduate Student Researchers – newly unionized:
<https://ucnet.universityofcalifornia.edu/labor/bargaining-units/br/index.html> (See Article 17)
- Academic Leaves – leave from student status should be discussed with Graduate Division
- ASEs and GSRs do not accrue vacation or sick leave
- PFCB, ASMD: not eligible
- May be eligible for legal protections under state and federal law
 - FMLA/CFRA: typically do not meet the hours worked eligibility criteria
 - PDLL: eligible

Academic Student Employees

- Short-Term Leave:
 - Up to 2 days of paid leave per quarter for the following:
 - Employee's own serious health condition
 - Birth , adoption, or care of a child
 - Care for a family member/family emergencies
 - US Immigration Appointments/Hearings (Short Term Leave Only)
- Long-Term Leave:
 - Up to 8 weeks of paid leave per academic year (Fall through Summer) for the following:
 - Same as Short-Term leave but includes pregnancy, childbirth or related medical conditions
 - For salaried ASEs (TAs, Associate Instructors) only
- For Both Leaves:
 - If appointment is less than 50% paid leave will be prorated based on FTE%
 - Unpaid for hourly employees (Readers and Remedial Tutors)
 - Additional unpaid time off may be granted by the hiring department

Academic Student Employees

- Bereavement Leave:
 - Paid leave for up to 5 calendar days
 - Additional paid time off may be granted by the hiring department
- PTO:
 - Only eligible in the GSR title
 - Appointment at 25% or higher for one full month
 - Allotment is pro-rated 1 PTO day/month
 - Total PTO days shall be indicated on the written Notice of Appointment Letter – based on the offered appointment duration
 - All PTO days are available up front for use at the start of appointment
 - Taken as a full work day regardless of FTE%
 - Unused PTO days do not carry over to subsequent appointments
 - Replaces vacation accrual

ASE & GSR Leaves from Employment

- See chart at:
<https://ap.ucsb.edu/resources.for.department.analysts/graduate.student.appointments/ASE.and.GSR.Leaves.from.Employment.Chart.March.2024.pdf>
- Outlines different leave types available based on current contracts
- Student employees with concurrent ASE/GSR appointments in the same quarter must file separate leave requests
- Leave Requests shall be submitted to the Hiring Department who are responsible for review and approval
 - Except for Long-Term Leaves where the approval shall be forwarded to AP for inputting in UCPath via Absence Management module

Protections and Legal Entitlements

Legal Leave Entitlements - FMLA/CFRA/PDLL

- State and Federal Laws provide protections to employees, when applicable (<https://ap.ucsb.edu/leave.of.absence/medical.pregnancy.leave.entitlements.protections.and.resources/>)
 - Family and Medical Leave Act (FMLA), federal law
 - California Family Rights Act (CFRA), state law
 - Pregnancy Disability Leave Law (PDLL), state law
- Legal Leave Entitlements run concurrent with medical, childbearing & parental leaves approved under policy, when eligibility criteria are met
 - Not a separate leave option
 - Note: legal entitlement eligibility is identified and managed by the AP Leave Administrator centrally.
- Require documentation to support the entitlement designation
- May be reduced work schedule or intermittent
- RB VI-1, APM 715

Pay for Family Care and Bonding (PFCB)

- PFCB is a pay option (not a leave) for eligible employees taking a qualified leave:
 - Available for the purpose of caring for a family member with a serious health condition or bonding with a new child (birth/adoption/placement)
 - Must be eligible for and have the FML designations applied (FMLA/CFRA)
 - Pay at **100%** of eligible earnings for up to 8 weeks
 - Exception – Unit 18 faculty: 100% pay for up to 4 weeks, FML eligibility not required
 - Pay option “resets” each calendar year, just like FMLA/CFRA allotments
- Exclusions:
 - Not for an employee’s own serious health condition
 - ASE’s, GSR’s, and Postdocs are not eligible for PFCB (have other pay options available)

Reproductive Loss Leave

- Effective Jan 1, 2024
- For: failed adoption, failed surrogacy, miscarriage, stillbirth, or unsuccessful assisted reproduction
- Eligibility: employed at least 30 days prior to leave start
- Up to 5 days for each loss
 - Maximum 20 days/calendar year
- Must be taken within three months of loss or within three months of the end of FMLA, CFRA, Pregnancy Disability Leave
- May use sick, vacation, Comp Time or PTO per CBA/Policy

Reproductive Loss Leave – Important!



- Confidential, protected leave
 - Leave request routes directly to AP from employee
 - Department is notified only that employee will be on confidential, protected leave during dates requested– no further info is provided
 - Follow-up questions directed to AP, not employee
- Request leave through AP Folio (ap.ucsb.edu)
- UCNNet article:
 - <https://ucnet.universityofcalifornia.edu/employee-news/uc-leave-options-expand-to-include-time-off-for-reproductive-loss/>
- Reproductive Loss Leave FAQs:
 - <https://ucofficeofthepresident.sharepoint.com/sites/ReproductiveLossLeave/Shared%20Documents/Forms/AllItems.aspx?id=%2Fsites%2FReproductiveLossLeave%2FShared%20Documents%2FTraining%2DChange%20Management%2F12%2E16%2E2024%5FRLL%2D%20UCPath%20FAQs%2Epdf&viewid=9f4817ed%2Dac46%2D4f9c%2Dada4%2Dd67d72ed6281&parent=%2Fsites%2FReproductiveLossLeave%2FShared%20Documents%2FTraining%2DChange%20Management>
- APM 758

SB 616 – Sick Time Accruals/Banks

- Sick Day **Accruals** expanded to employees in accruing titles if appointment > 0%
 - Accruals are earned at 8 hrs/month, pro-rated by appointment % time
- Sick Day **Bank** is provided to employees in titles that do not normally accrue sick leave
 - 6 days per calendar year. Resets every January 1.
 - Pro-rated based on appointment % time
- Represented Titles: ongoing discussions with unions to update respective MOUs, accordingly

SB 616 – Sick Time Protections

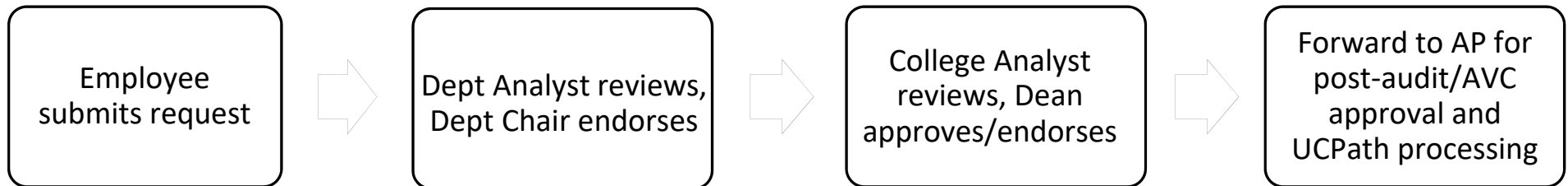
- Up to 6 days per year of sick time taken may be designated as “protected”
 - Accruing titles: may apply protections to up to 6 days of sick time out of their entire accruals/PTO balance
 - Non-accruing titles: may apply protections to up to 6 days of annual bank
- Can apply to absences due to:
 - Diagnosis, care/treatment of health condition of employee or family
 - Preventive care for employee or family members
 - Employee or family member who is a victim of domestic violence, sexual assault, stalking, or other violence
- No medical documentation is required
- Retaliation or discrimination is prohibited (same as with “nonprotected” sick leave)

Leave Processing

Technical Details

Requesting the Leave (non-student academics)

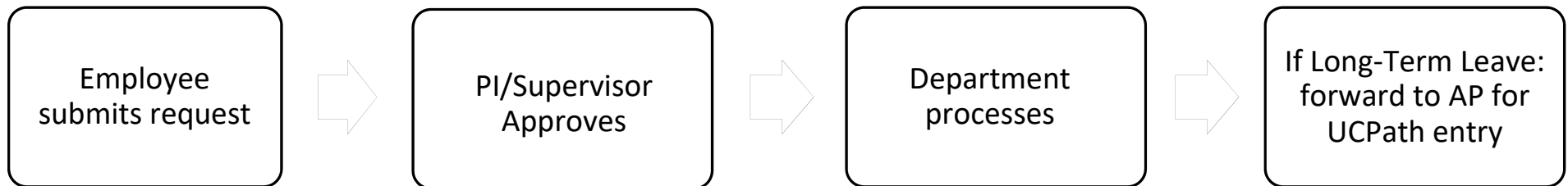
- AP Folio Leave Module
 - Employee submits themselves, or department can submit on their behalf
- Provide appropriate documentation as needed (e.g. thorough description of sabbatical plans)



- <https://ap.ucsb.edu/resources.for.academic.employees/leaves.user.guide.pdf>
- Modifications/extensions? Exact processing depends...

Requesting the Leave (ASEs and GSRs)

- NOT done via AP Folio. Managed at department level:
- <https://ap.ucsb.edu/resources.for.department.analysts/graduate.student.appointments/ASE.and.GSR.Leave.from.Employment.Request.For.m-March.2024.pdf>



Approval Authority

Employee Type	Approval Authority
Senate Faculty/Unit 18 Faculty	Dean
Research Titles – all academic researchers	AVC
Postdocs	AVC
Academic Coordinators	Dean/AVC
ASEs and GSRs	Chair/Director
Librarians	University Librarian
Exceptions to Policy (on any of the above)	AVC

Reminders

- Input into UCPATH for non-student academics is completed centrally in AP once leave is reviewed and approved
 - Departments are responsible for reviewing and confirming leave information in Job Data or DW reports
 - See Data Warehouse report guides on our website:
<https://ap.ucsb.edu/resources.for.department.analysts/>
- If joint appointment, must have input/approval from both departments
 - Initiated in one department and copies sent to both (all) departments for review/approval, and to dean(s)
- See RB VI-1 for approval authority by population and leave type

Coming Up

- Academic Leaves Workshop
 - For all staff who handle academic leaves in their department
 - **Tuesday, January 28, 2025 @ 1:30pm**
 - Register online at:
<https://ap.ucsb.edu/training.and.workshops/staff.training.registration/>
- AP Office Hours
 - Every Monday from 1-2pm
 - <https://ucsb.zoom.us/j/82238434575>

QUESTIONS?