Academic Employee Leaves

MARCH 9, 2022
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
  • Specialists, Project Scientists, and Professional Researchers
• 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
- 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 Lecturer SOE (Senate)
  - Unit 18 Lecturers, Academic Coordinators (Non-Senate)
- Fiscal Year Employees
  - Researchers, Project Scientists, Specialists
  - Academic Coordinators, Librarians
- Postdoctoral Scholars
- Graduate Student Employees
Leave Types

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

- Does not accrue sick leave
- 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
- 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
• 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 >= 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 mother will be eligible for up to three quarters of: ASMD OR childbearing leave + ASMD
- An individual other than the birth mother 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.
- **LSOE**: to allow the Lecturer 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 >= 50% REG faculty status
- **RB VI-2, VI-7**
Senate Faculty – Regular 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 2/3 salary
- In Residence Sabbatical Leave
  - in physical residence and teaches regularly scheduled class that meets at least 3 hours/week
  - 6 sabbatical leave credits for each quarter at full salary
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 – 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 – Other Leaves

• Short Term Absence (RB VI-7)
  • 7 days or less
• 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
Unit 18 Faculty (Lecturers, STE)

• Represented by AFT
• [http://ucnet.universityofcalifornia.edu/labor/bargaining-units/ix/index.html](http://ucnet.universityofcalifornia.edu/labor/bargaining-units/ix/index.html)
• Childbearing, ASMD, Parental 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)
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 to 20 years : 36 weeks maximum
• 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

• Researchers, Project Scientists, Specialists, Academic Coordinators
  • Represented research titles are covered by the collective bargaining agreement
• Vacation/Sick leave accrual is based on title and appointment (RB VI-8):
  • Vacation – RB VI-6 or Article 32 (Vacation), Academic Researcher Collective Bargaining Agreement
  • Sick – RB VI-3 or Article 25 (Sick Leave), Academic Researcher Collective Bargaining Agreement
  • Derived in UCPath
• 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 leave 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 6 weeks of unpaid leave, could use sick leave to be paid.
- **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 (Research titles)

- See Article 12 of the MOU
- 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 legal protections under state and federal law
- May be eligible for Pay for Family Care and Bonding (PFCB)
- 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)
  • May earn sick leave if appt is at 50% or more time (8 hrs/month)
  • If appt < 100%, accrual is pro-rated
• Childbearing (RB VI-4) – Eligible for 8 weeks of unpaid leave. Can use sick time
• 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, Other – not discussed in Red Binder or APM. Refer to Personnel Policies for Staff Members (PPSM) http://policy.ucop.edu/manuals/personnel-policies-for-staff-members.html
Postdoctoral Scholars – PTO

• Represented employee group:
  • [http://ucnet.universityofcalifornia.edu/labor/bargaining-units/px/index.html](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 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
- Parental: Shall not exceed 12 workweeks within a calendar year. When combined with pregnancy related and/or childbearing leave, shall not exceed 7 months. Must be completed within 1 year of the birth or placement of the child. Can use PTO (not sick leave) 4 weeks of paid parental benefit, followed by PTO, before taking leave without pay
- PFCB: Not eligible – paid parental benefit provides a similar pay option.
- Short Term Absence: Can use PTO
- Jury Duty, Military Leave, other: With or without pay depending on circumstances
- May be eligible for legal protections under state and federal law
Graduate Student Employees (Represented)

- Teaching Assistants, Associates
  - [Link](http://ucnet.universityofcalifornia.edu/labor/bargaining-units/bx/index.html)
- See Article 17
  - Academic Leaves – leave from student status should be discussed with Graduate Division
- Vacation: None (Academic Year Employees)
- Short Term Leave
  - No more than 2 days if appointed at 50% for the quarter.
  - If appointment is less than 50% paid leave will be prorated.
Graduate Student Employees (Represented)

- Long term leave
  - Pregnancy related: Up to 6 weeks of paid leave for pregnancy, childbearing
  - Up to 4 weeks of paid leave due to personal illness, parental leave for non-birth giving parent, or to care for an ill family member
  - Up to 2 additional weeks unpaid leave for baby bonding. Will not extend past appointment date.
  - Long term leave does not impact fee remission eligibility and student health benefits
- PFCB: Not eligible
- 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
- Short Term Absence: Paid or unpaid at the department’s discretion
- Jury Duty, Military Leave, Other: Eligible for leave with pay, with appropriate documentation
Graduate Student Employees (Non-Represented)

• Graduate Student Researchers (RB VI-8)
• Leaves from employment – leave from student status should be discussed with Graduate Division
• Sick (all eligible appointments added together):
  • Up to 4 weeks of paid leave due to serious health condition or to care for a family member with a serious health condition
  • Does not accrue sick leave
• Vacation (all eligible appointments added together):
  • If less than 12 months at any percent, no vacation accrual
  • 12 months or more at less than 50%, no vacation accrual
  • 12 consecutive months or more at 50% or more: 16 hours vacation accrual prorated by percent
Graduate Student Employees (Non-Represented)

- Pregnancy Leave Disability:
  - Appointment at 50% or more: eligible for up to 6 weeks paid leave during quarter. Can receive 2 weeks of unpaid leave for baby bonding.
  - Appointment at less than 50%: paid leave is prorated
- Parental: Up to 4 weeks of paid leave. Can receive additional 2 weeks of unpaid leave
- PFCB: Not eligible
- May be eligible for legal protections under state and federal law
- Short Term Absence: Paid or unpaid, department’s discretion
- Jury Duty, Military Leave, Other: Same as others
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
- Require documentation to support the entitlement designation
- May be reduced work schedule or intermittent
- RB VI-1, APM 715
  - Note: legal entitlement eligibility is identified and managed by the AP Leave Administrator centrally.
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 70% of eligible earnings for up to 8 weeks
    • Exception – Lecturer/STE’s pay at 100% for up to 4 weeks effective 7/1/22
  • 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)
  • Cannot combine with other pay options to receive 100% pay
Requesting the Leave

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

<table>
<thead>
<tr>
<th>Employee Type</th>
<th>Approval Authority</th>
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<tbody>
<tr>
<td>Senate Faculty/Unit 18 Faculty</td>
<td>Dean</td>
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<tr>
<td>Research Titles</td>
<td>AVC</td>
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<tr>
<td>Postdocs</td>
<td>AVC</td>
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<tr>
<td>Academic Coordinators</td>
<td>Dean/AVC</td>
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<tr>
<td>ASEs and GSRs</td>
<td>Chair/Director</td>
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<tr>
<td>Librarians</td>
<td>University Librarian</td>
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<tr>
<td>Exceptions to Policy (on any of the above)</td>
<td>AVC</td>
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Reminders

- Input into UCPath is completed centrally in AP once leave is reviewed and approved
  - Departments can review 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
QUESTIONS?