

# **Academic Employee Leaves**

MARCH 12, 2024

# Academic Personnel Contacts

- UCPath Help [AP-Path@ucsb.edu](mailto:AP-Path@ucsb.edu)
- Leave Administration, Monique Chaidez [ap-leaves@ucsb.edu](mailto:ap-leaves@ucsb.edu)
- Lia Cabello x 5979 [lia.cabello@ucsb.edu](mailto:lia.cabello@ucsb.edu)
  - Faculty in Humanities and Fine Arts, Social Sciences, Education, CCS
- Mira Lázaro x 5728 [msslaza@ucsb.edu](mailto:msslaza@ucsb.edu)
  - Faculty in MLPS, Bren School, Engineering
- Joanna Kettmann x 5048 [joanna.kettmann@ucsb.edu](mailto:joanna.kettmann@ucsb.edu)
  - Academic Researchers: Professional Research, Project Scientist, and Specialist series
- Billy Ko x 4441 [billy.ko@ucsb.edu](mailto: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 Lecturer SOE (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



## 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  $\geq 10$  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
  - 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
- SOE series: to allow the LSOE 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 – 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 (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– 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: 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

## Unit 18 Faculty (Lecturers, STE)

- Represented by AFT
- <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)
  - 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 to 20 years : 36 weeks maximum
- 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/s  
hort.work.break.matrix.pdf](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 Academic Coordinators
  - Represented academic 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 MOU
  - Sick – RB VI-3 or Article 25 (Sick Leave), Academic Researcher MOU
  - 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 up to 8 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 (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)
  - 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, 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 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
- 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

- ASEs - 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

# 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)

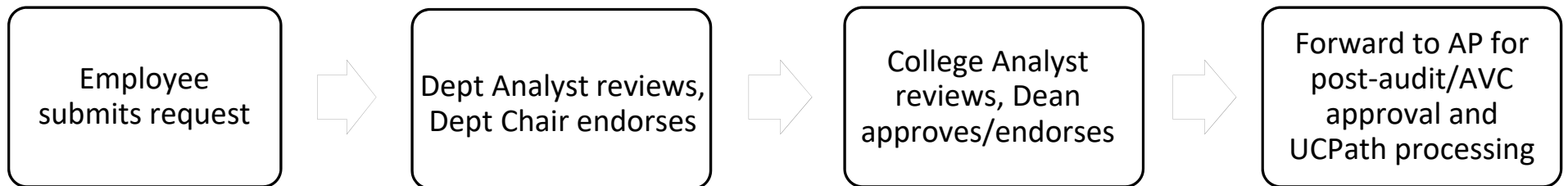
- PFCB is a pay option (not a leave) for eligible employees taking a qualified leave:
  - Available for the purpose of caring for a family member with a serious health condition or bonding with a new child (birth/adoption/placement)
  - Must be eligible for and have the FML designations applied (FMLA/CFRA)
  - Pay at **100%** of eligible earnings for up to 8 weeks
    - Exception – 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)

# Reproductive Loss Leave

- Effective Jan 1, 2024
- 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
- 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
- APM 758

# Requesting the Leave (non-student academics)

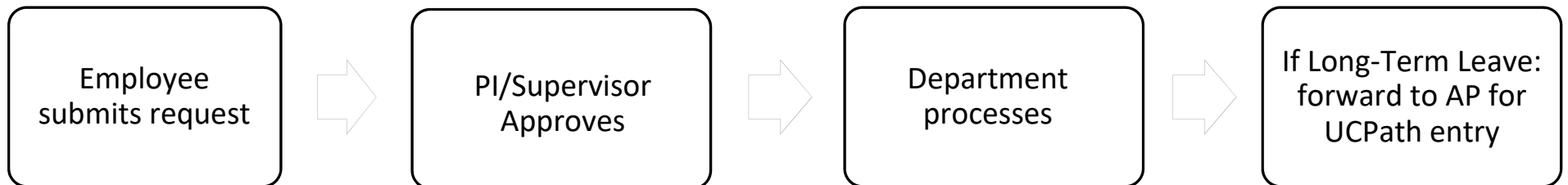
- AP Folio Leave Module
  - Employee submits themselves, or department can submit on their behalf
- Provide appropriate documentation (e.g. thorough description of sabbatical plans)



- <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>



# Modifying/Extending Leaves

- It depends...



# Approval Authority

<b>Employee Type</b>	<b>Approval Authority</b>
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
  - **Thursday, March 21, 2024 @ 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?