Academic Employee Leaves

MARCH 12, 2024
Academic Personnel Contacts

- UCPath Help AP-Path@ucsb.edu
- Leave Administration, Monique Chaidez 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/](https://ap.ucsb.edu/policies.and.procedures/red.binder/)
- AP Resources Department Analysts
  - [https://ap.ucsb.edu/resources.for.department.analysts](https://ap.ucsb.edu/resources.for.department.analysts)
- Academic Personnel Manual
- MOU
  - [https://ap.ucsb.edu/policies.and.procedures/collective.bargaining.agreements/](https://ap.ucsb.edu/policies.and.procedures/collective.bargaining.agreements/)
- Leave Information for Employees
  - [https://ap.ucsb.edu/leave.of.absence/](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
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
  • 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 >= 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](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/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](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**

- **ASESs** - Teaching Assistants, Associates, Readers, Tutor: [http://ucnet.universityofcalifornia.edu/labor/bargaining-units/bx/index.html](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](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/adooption/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:

Flowchart:

1. Employee submits request
2. PI/Supervisor Approves
3. Department processes
4. If Long-Term Leave: forward to AP for UCPath entry
Modifying/Extending Leaves

• It depends...
### 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 – all academic researchers</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>
</tr>
<tr>
<td>ASEs and GSRs</td>
<td>Chair/Director</td>
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<tr>
<td>Librarians</td>
<td>University Librarian</td>
</tr>
<tr>
<td>Exceptions to Policy (on any of the above)</td>
<td>AVC</td>
</tr>
</tbody>
</table>
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/](https://ap.ucsb.edu/training.and.workshops/staff.training.registration/)

• AP Office Hours
  • Every Monday from 1-2pm
  • [https://ucsb.zoom.us/j/82238434575](https://ucsb.zoom.us/j/82238434575)
QUESTIONS?