



# UC San Diego

## Policy & Procedure Manual

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### PERSONNEL – ACADEMIC

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## FAMILY ACCOMMODATIONS POLICY

### I. INTRODUCTION

UC San Diego's Family Accommodations policy is intended to assist academic appointees in balancing the needs of work and family and is considered fundamental to an equitable and productive academic environment.

For appointees covered by a Collective Bargaining Agreement Memorandum of Understanding (MOU), this policy applies only to the extent provided for in the MOU.

### II. FAMILY ACCOMMODATIONS

#### A. Childbearing Leave

##### 1. Description and Eligibility

Childbearing leave will be granted to an academic appointee who bears a child for the period of time prior to, during, and after childbirth that the appointee is temporarily disabled because of the pregnancy, childbirth, or related medical conditions. Normally this is six weeks; however, up to four months will be granted if necessary for documented medical reasons.

An academic appointee on childbearing leave will be relieved of all duties for the duration of the leave.

Childbearing leave does not need to be taken in one continuous period of time but may be taken on an as-needed basis.

An academic appointee is eligible for childbearing leave regardless of length of service.

##### 2. Pay Status

An appointee's pay status during childbearing leave will be based on the following provisions:

- a. An academic appointee who accrues sick leave may, at her option, use accrued sick or vacation leave credit for childbearing leave. If an academic appointee exhausts sick leave or vacation leave accruals or chooses not to use accruals, childbearing leave will be unpaid.
- b. An academic appointee who does not accrue sick leave (because of her title) will receive at least her approved base salary for up to six weeks during the period of time she is on childbearing leave. Any additional compensation paid under the Health Sciences Compensation Plan will be paid in accordance with the Plan.
- c. Consistent with state law, an academic appointee who is disabled for more than six weeks because of pregnancy, childbirth, or related medical conditions is eligible to take unpaid childbearing leave for up to four months.
- d. An academic appointee may be eligible for University of California Employer-Paid Disability Plan benefits, and, if enrolled, for University of California Employee-Paid Disability Plan benefits if she is unable to work because of her physical condition. Appointees should consult the UC San Diego Benefits Office for further information on Plan benefits, rules, and procedures.

3. Relation to Family and Medical Leave

If an academic appointee on a childbearing leave also is eligible for family and medical leave (see [APM - 715](#)), up to 12 workweeks of the childbearing leave will run concurrently with the family and medical leave. Upon the conclusion of a childbearing leave (up to four months if certified disabled by a health care provider), an eligible appointee is also entitled to up to 12 additional workweeks of unpaid family and medical leave consistent with the California Family Rights Act (CFRA) for reason of the birth of her child, if the child has been born by this date, or for any other covered reason except pregnancy or related medical conditions, provided the appointee has time remaining in her leave entitlement.

Appointees should consult with their departmental benefits contact or the UC San Diego Benefits Office for information on the effect of the Family Medical Leave Act (FMLA) and CFRA on benefits coverage.

4. Relation to Active Service–Modified Duties (ASMD) and Parental Bonding Leave

The total combined period of ASMD, childbearing leave, and parental bonding leave will not exceed the equivalent of two quarters for each qualifying event.

5. Reinstatement

An academic appointee who takes childbearing leave consistent with state law must be reinstated to the same position, provided the appointee returns to work within four months and immediately following the conclusion of the childbearing leave. If an appointee would have been laid off or terminated had she remained on pay status during the leave period, she will be reinstated to a similar position at the same location. If a similar position is not available, the appointee will be afforded the same policy considerations afforded to other appointees in the same series.

6. Application

Childbearing leave is reported on the [Family Accommodations Reporting](#) (FAR) form. The appointee should coordinate any benefits issues, such as disability and insurance coverage, with her departmental benefits contact or through the UC San Diego Benefits Office.

**B. Parental Bonding Leave**

1. Description and Eligibility

Up to twelve weeks of parental bonding leave will be granted to an academic appointee who has responsibility for the care of a newborn child or a child newly placed in the appointee's home. The child may be the appointee's own child or that of a spouse or domestic partner.

An academic appointee on parental bonding leave will be relieved of all duties for the duration of the leave.

Parental bonding leave may be taken up to 12 months following the birth or placement of an eligible child in the appointee's home.

An academic appointee is eligible for parental bonding leave regardless of length of service.

2. Pay Status

An appointee's pay status during parental bonding leave will be based on the following provisions:

- a. An academic appointee who accrues sick leave may, at his or her option, use accrued sick or vacation leave credit during periods of parental bonding leave. If an academic appointee exhausts sick leave or vacation leave accruals or chooses not to use accruals, parental bonding leave will be unpaid.
- b. An academic appointee who does not accrue sick leave (because of his or her title) will receive at least his or her approved base salary for up to six weeks during the period of parental bonding leave. Any additional compensation paid under the Health Sciences Compensation Plan will be paid in accordance with the Plan.

3. Relation to Family and Medical Leave

Parental bonding leave will run concurrently with available FMLA and CFRA leave.

If an appointee is a birth mother who has taken FMLA concurrently with childbearing leave in accordance with PPM 230-15.II.A.3, above, any remaining available FMLA leave will run concurrently with CFRA leave and parental bonding leave.

4. Benefits While on a Parental Bonding Leave Without Pay

An academic appointee on a parental bonding leave without pay that runs concurrently with a state or federal family and medical leave will be entitled to continue participation in health coverage (medical, dental, and vision) as if on pay status for the period of FMLA or CFRA leave. Appointees should consult with their departmental benefits contact or the UC San Diego Benefits Office for additional information on eligibility and the effect of FMLA and CFRA on benefits coverage.

An academic appointee on a parental leave without pay that does not run concurrently with CFRA or FMLA will be responsible for the continuation of benefits during any unpaid portion of the leave. Appointees should consult with their departmental benefits contact or the UC San Diego Benefits Office for additional information on benefits coverage during a parental bonding leave without pay.

5. Reinstatement

An academic appointee on a parental bonding leave consistent with state law must be reinstated to the same position, provided the appointee returns to work within four months and immediately following the conclusion of the parental bonding leave. If an appointee would have been laid off or terminated had he or she remained on pay status during the leave period, he or she will be reinstated to a similar position at the same location. If a similar position is not available, the appointee will be afforded the same policy considerations afforded to other appointees in the same series.

6. Relation to ASMD and Childbearing Leave

The total combined period of ASMD, childbearing leave, and parental bonding leave will not exceed the equivalent of two quarters for each qualifying event.

7. Application

Parental bonding leave is reported on the [Family Accommodations Reporting \(FAR\)](#) form. The appointee should coordinate any benefits issues, such as disability and insurance coverage, with the departmental benefits contact or through the UC San Diego Benefits Office.

**C. Accommodation of Pregnancy**

As an alternative to or in addition to childbearing leave, the University will provide reasonable accommodations to a pregnant appointee, including transfer to a less strenuous or hazardous position, upon request and if medically necessary. This temporary modification or transfer will not be counted against an eligible academic appointee's entitlement to up to four months of childbearing leave ("pregnancy disability leave" under the California Fair Employment and Housing Act "FEHA") or family and medical leave unless the accommodation has taken the form of intermittent leave or a reduced work schedule.

**D. Active Service–Modified Duties**

1. Description and Eligibility

Active Service–Modified Duties (ASMD) is a period of time in which an appointee is permitted to modify his or her duties in order provide care to a family member as follows:

- a. to prepare and/or care for newborn child or a child newly placed in the appointee's home
- b. to care for a seriously ill family member (as defined in PPM 230-15.II, Section E.1. below), or
- c. to provide substantial care for and elder family member.

For faculty, the modification of duties will include either partial or full relief from teaching without the assignment of additional teaching duties in the previous or subsequent quarter. In the quarter of a childbearing leave or parental bonding leave, there must be full relief from scheduled teaching duties without the assignment of additional teaching duties in the previous or subsequent quarters, unless the faculty member requests a partial teaching assignment. In the case of health sciences faculty, clinical duties may be reduced, as appropriate.

A period of ASMD may be taken from three months prior to 12 months following the birth or placement of a child in the home, or in any quarter in which the care of a seriously ill family member or substantial care of an elder family member occurs.

2. Pay Status

During a period of ASMD, the appointee is considered to be on active status; ASMD is not a leave of absence.

Pay status during a period of ASMD will be based on the following provisions:

- a. An academic appointee who does not accrue sick leave (because of his or her title) will receive at least his or her approved base salary for the period of ASMD. Any additional compensation paid under the Health Sciences Compensation Plan will be paid in accordance with the Plan.
- b. An academic appointee who accrues sick and/or vacation leave may use the leave in proportion to the reduced workload during a period of ASMD. When sick leave and/or vacation leave credit has been exhausted, or if the appointee elects to take the period of ASMD without pay, the appointment will be reduced in proportion to the reduced workload. A reduction in appointment percentage will reduce pay and may affect an appointee's health and retirement benefits.

3. Relation to Childbearing and Parental Bonding Leave

The total combined period of ASMD, childbearing leave, and parental bonding leave will not exceed the equivalent of two quarters for each qualifying event.

4. Application

ASMD is reported on the [Family Accommodations Reporting](#) (FAR) form. The appointee must provide a written plan for modification of duties. The proposed modification of duties is subject to approval by the Executive Vice Chancellor–Academic Affairs.

**E. Family Leave**

1. Description and Eligibility

An academic appointee is eligible for up to one year of full-time or part-time family leave without pay for the purpose of caring for his or her own child or the child of the appointee's spouse, or domestic partner, for a seriously ill family member, or an elder member of the family in need of substantial assistance. For purposes of this policy, family members include an appointee's child, parent, spouse, domestic partner, sibling, grandparent, or grandchild. In-laws, step relatives, other persons residing in the appointee's household, and relatives of the domestic partner, who would be covered if the domestic partner were the appointee's spouse, are also covered.

2. Pay Status

A family leave is without pay, although an academic appointee who accrues sick and/or vacation may substitute vacation leave for unpaid family leave, or sick leave in accordance with [PPM 230-10.C](#).

3. Relation to Family and Medical Leave

If an academic appointee on family leave is also eligible for leave pursuant to FMLA or CFRA (see [APM - 715](#)), the family and medical leave will run concurrently with up to 12 workweeks of the family leave without pay.

4. Benefits While on a Family Leave Without Pay

An academic appointee on a family leave without pay that runs concurrently with a state or federal family and medical leave will be entitled to continue participation in health coverage (medical, dental, and vision) as if on pay status for a period of up to 12 workweeks during a calendar year. Appointees should consult with their departmental benefits contact or the UC San Diego Benefits Office for additional information on eligibility and the effect of FMLA and CFRA on benefits coverage.

An academic appointee on a family leave without pay that does not run concurrently with CFRA or FMLA will be responsible for the continuation of benefits during any unpaid portion of the leave. Appointees should consult with their departmental benefits contact or the UC San Diego Benefits Office for additional information on benefits coverage during a family leave without pay.

5. Reinstatement

An academic appointee who takes family leave will be reinstated to the same or equivalent position, provided the appointee returns to work immediately following the conclusion of the family leave. If a non-Senate appointee would have been laid off or terminated had the appointee remained on pay status during the leave period, the appointee will be reinstated to a similar position at the same location. If

a similar position is not available, the appointee will be afforded the same policy considerations afforded to other appointees in the same series.

6. Application

Family leave is reported on the [Family Accommodations Reporting](#) (FAR) form. The appointee should consult with the departmental benefits contact or the UC San Diego Benefits Office regarding benefits issues.

**F. Extension of the Probationary Period**

1. Description and Eligibility

An appointee in an assistant level title and subject to the eight-year limit may not be continued in that series after the eighth year unless promoted to the associate or full level. The period of time prior to consideration of a candidate for promotion is referred to as the probationary period. An appointee experiencing a qualifying event as defined below may request an extension of the probationary period. Extensions are granted for a period of up to one year for each event, automatically for some reasons, and upon request and approval for other reasons as detailed in PPM 230-15.II, Section F.4, below. An appointee may be granted no more than two years of extension during the probationary period.

An appointee is eligible to extend the probationary period even if the appointee does not take a formal leave or have a modification of duties. A request to extend the probationary period should be made as soon as the need becomes apparent.

2. Qualifying Events

- a. Appointee is caring for an existing child, or a child who becomes part of the appointee's family
- b. Appointee has significant eldercare responsibilities
- c. Appointee is caring for a seriously ill family member (as defined in PPM 230-15.II, Section E.1, above),
- d. Appointee's ability to pursue his or her duties is significantly disrupted by the appointee's own serious health condition or disability
- e. Appointee's ability to pursue his or her duties is significantly disrupted by the death of a close family member
- f. Appointee's ability to pursue his or her duties is significantly disrupted due to a significant circumstance or event beyond the appointee's control that disrupts the appointee's ability to pursue his or her duties.

3. General Provisions

- a. Extension of the probationary period will not necessarily delay the timing of an academic review. An appointee may, however, at his or her option, defer the academic review by one year to correspond with the extension of the probationary period. (See PPM 230-15.II, Section G.1, below.)
- b. An extension of the probationary period cannot be provided if notification of the qualifying event occurs after the beginning of the sixth year of appointment.

- c. An extension of the probationary period cannot be provided in cases where there has been a review that has resulted in a decision not to continue the individual's appointment in that series.
- d. An extension of the probationary period will not prevent an appointee from requesting consideration of promotion sooner than is required.

4. Application

An academic appointee reporting childbearing leave, parental bonding leave, or ASMD will automatically receive a one-year extension of the probationary period, unless the appointee opts out of the extension on the [Family Accommodations Reporting](#) (FAR) form.

An appointee who reports family leave equal to or in excess of one quarter (with or without salary), or participation in a Flexible Workload Agreement will automatically receive a one-year extension of the probationary period,

For all other qualifying events, an appointee may request an extension of the probationary period by providing notification of a qualifying event on the Family Accommodations Reporting (FAR) form.

**G. Deferral of Academic Review**

1. Description and Eligibility

An academic appointee experiencing a qualifying event as defined in PPM 230-15.II, Section F.2 above is eligible to receive a one-year deferral per event of the normally scheduled academic review, up to a maximum of two deferrals.

- a. A deferral may be granted even if the appointee with responsibility does not take formal leave.
- b. A deferral cannot be provided after the initiation of the academic review.
- c. For assistant level appointees, a deferral of an academic review may only be requested in conjunction with an extension of the probationary period.

2. Application

A deferral of an academic review as a family accommodation should be requested on the [Family Accommodations Reporting](#) (FAR) form.

**H. Flexible Workload (Faculty)**

1. Description and Eligibility

A faculty member may request a flexible workload to accommodate his or her family responsibilities as follows:

- to prepare and/or care for newborn child or a child newly placed in the appointee's home,
- to care for a seriously ill family member (as defined in PPM 230-15.II, Section E.1. above), or
- to provide substantial care for and elder family member.



- a. An eligible assistant-level appointee may request a flexible workload for one or two years; all other eligible appointees may request a flexible workload for one, two or three years.
- b. An appointee granted a flexible workload will be relieved of structured teaching and most service responsibilities for the specified period; an appointee is not relieved of scholarly responsibility. Participating appointees are expected to continue in other department activities, such as attending and participating in seminars and department meetings and engaging in research student advising.
- c. For appointees supported by non-state funds, participation in a flexible workload program is contingent upon compliance with relevant fund source terms and restrictions.

2. Terms and Conditions

- a. A flexible workload may be granted only when it will not significantly disrupt the teaching program or operation of the University. Faculty seeking a flexible workload should discuss specific arrangements with the department chair and/or dean, in order to manage the potential impact to the department, program or unit.
- b. Participation in the flexible workload program will begin on the first day of any quarter following approval of the written request. A request must be approved no later than the first day of the prior quarter; e.g., approval must be approved no later than the first day of spring quarter to be effective the following fall quarter.
- c. An appointee may be granted a flexible workload only one time during his or her appointment at the assistant rank.
- d. An appointee granted a flexible workload is expected to be in residence during the specified period.
- e. A flexible workload may be requested at any time; however, participation in the program may not commence until at least one academic review has been completed. In most cases this is July 1 of the appointee's third year of appointment.
- f. A flexible workload may not be requested or continued if there has been a review that has resulted in a decision not to continue the appointee's appointment.
- g. In the case of assistant-level appointees, although an appointee granted a flexible workload is relieved of structured teaching and most service responsibilities, the appointee is expected to ensure that he or she has developed or will develop a demonstrated record of teaching and service, which is necessary for consideration for promotion to the associate level. A teaching record is normally achieved by carrying a full undergraduate and graduate teaching load in the years prior to or following a period of flexible workload.
- h. Participation in the flexible workload program does not delay merit/reappointment, appraisal, or promotion review dates, absent a deferral and/or extension of the probationary period, in accordance with PPM 230-15.II, Sections F and G, above.
- i. An appointee will be reviewed for reappointment and advancement on the basis of his or her scholarly productivity and service (as outlined in the

MOU) during the time the appointee participated in the flexible workload program. In the case of appraisals and other career reviews, an assessment of the appointee's achievements since his or her appointment or previous career review will be considered.

- j. Participation in the flexible workload program may be denied or revoked by the Executive Vice Chancellor if the appointee receives a problematic or unfavorable appraisal, a no-change decision in any review, a review that results in a decision not to continue the individual's appointment in the ladder-rank series, or if the University determines that participation in the flexible workload program is not in the best interest of the University or the appointee.

3. Appointment and Salary Status

- a. The provisions for appointment and salary status apply to base salary only.
- b. For the period of an approved flexible workload, the appointee's appointment will be temporarily reduced to 50%.
- c. An appointee's salary may be managed in one or a combination of three ways:
  - i. An appointee may reduce his or her salaried appointment to 50%
  - ii. An appointee with sufficient extramural grant funding may temporarily supplement his or her 50% appointment using extramural funds. An appointee who elects this option will be temporarily assigned a Research Scientist title for the supplemented portion of his or her appointment (up to 50%). In all cases, the total percentage of salaried appointment must reflect the appointee's actual effort
  - iii. An appointee may use accrued sabbatical leave credits or available leave in lieu of sabbatical to supplement his or her 50% appointment.
- d. Any non-salaried percentage of appointment (up to 50%) will be reported as family leave without pay.

4. Memorandum of Understanding

- a. An appointee must sign a Memorandum of Understanding (MOU) in order to participate in the flexible workload program. The MOU is intended to detail the terms and conditions of the flexible workload, including the services and responsibilities expected of the appointee by the department. A request for a flexible workload is not considered approved until the MOU is signed by the Executive Vice Chancellor and the appointee.
- b. The MOU will be included in the appointee's academic review file for any review in which work completed during the period of flexible workload is considered.

5. Revocation or Reduction

- a. To revoke an appointee's flexible workload status, a department chair or dean may submit a request to the Executive Vice Chancellor explaining the reasons for revocation. The Executive Vice Chancellor will consider the request and will notify the appointee, department chair, and the division or school dean in writing of his or her decision.

- b. If the Executive Vice Chancellor determines that an appointee's flexible workload status should be revoked, the appointee will be notified in writing and will return to regular assistant professor status on the first day of the next academic quarter. Wherever possible, an appointee should be given at least 30 day's notice of return to fulltime status.
- c. An appointee who has requested a flexible workload for more than one year may request to shorten the flexible workload period in one-year increments to a minimum of one year, provided the request is received no later than one quarter in advance.

6. Application

An appointee must submit a written proposal; the department chair and division dean must review the proposal and provide written comment. The Executive Vice Chancellor has final authority to approve a request for a flexible workload.

**III. GENERAL PROVISIONS**

**A. Notice**

Whenever possible, academic appointees should provide at least 30 days notice when they plan to utilize a family accommodation benefit.

**B. Duration**

The aggregate duration of all leaves plus periods of ASMD may not exceed one year for each qualifying event.

**C. End Dates**

An academic appointee is not eligible for a childbearing leave, parental bonding leave, family leave or period of ASMD beyond the end date of their appointment. In the event the appointment is renewed or extended, or a subsequent appointment is made, an appointee may continue a leave or period of ASMD, provided the maximum time allowed for such accommodations has not been exhausted.

**D. Sabbatical**

Family accommodation leaves and periods of ASMD may affect the accrual of sabbatical leave credits. Appointees should refer to [APM 740-11](#) for information on leaves and sabbatical leave credit accrual.