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**FAMILY ACCOMMODATIONS POLICY
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FAMILY ACCOMMODATIONS POLICY

I. INTRODUCTION

UCSD'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.

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 UCSD Benefits Office for further information on Plan benefits, rules, and procedures.

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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 termination 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 UCSD Benefits Office for information on the effect of the Family Medical Leave Act (FMLA) and CFRA on benefits coverage.

4. 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 termination 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.

5. 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 UCSD Benefits Office.

B. 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.

C. Active Service—Modified Duties

1. Description and Eligibility

Active Service—Modified Duties (ASMD) is a period of time in which the appointee is permitted to modify his or her duties in order to prepare and/or care for an eligible child. An academic appointee is eligible for a period of ASMD if he or she has or will have substantial responsibility for the care of a newborn child or a child under age five placed for adoption or foster care. The child may be the appointee's own child or that of a spouse or domestic partner.

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- a. 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, 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.
- b. An academic appointee is considered to have substantial responsibility if he or she has more than half of the day-to-day responsibility for the care of an eligible child.
- c. A period of ASMD may be taken from three months prior to 12 months following the birth or placement of an eligible child for adoption or foster care.
- d. For a birth mother, the total combined period of ASMD and childbearing leave will not exceed the equivalent of two quarters for each birth. For all other academic appointees, the period of ASMD will not exceed the equivalent of one quarter for each birth or placement of an eligible child for adoption or foster care.

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 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. Application

ASMD is reported on the [Family Accommodations Reporting](#) (FAR) form. The appointee must provide a written plan for modification of duties and must certify that he or she has substantial responsibility for the care of an eligible child (unless ASMD is taken in combination with childbearing leave). The proposed modification of duties is subject to approval by the Senior Vice Chancellor–Academic Affairs.

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D. Parental Leave

1. Description and Eligibility

An academic appointee is eligible for up to one year of full-time or part-time parental 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.

2. Pay Status

A parental leave is without pay, although an academic appointee who accrues vacation may substitute vacation leave for unpaid parental leave.

3. Relation to Family and Medical Leave

If an academic appointee on parental 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 parental leave without pay.

4. Benefits While on a Parental Leave Without Pay

An academic appointee on a parental 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 UCSD 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 UCSD Benefits Office for additional information on benefits coverage during a parental leave without pay.

5. Reinstatement

An academic appointee who takes parental leave will be reinstated to the same or equivalent position, provided the appointee returns to work immediately following the termination of the parental 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

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

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E. 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 academic appointee who has substantial responsibility during the probationary period for the care of his or her own newborn child or child under age five placed for adoption, or the child of a spouse or domestic partner, is eligible to receive a one-year extension of the probationary period for each event of birth or adoption, up to a maximum of two extensions.

- a. An academic appointee is considered to have substantial responsibility if he or she has more than half of the day-to-day responsibility for the care of an eligible child during the probationary period.
- b. An academic appointee reporting childbearing leave or parental leave equal to or in excess of one quarter, whether with or without salary, will automatically receive a one-year extension, unless the appointee opts out of the extension on the [Family Accommodations Reporting](#) (FAR) form.
- c. 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.
- d. The probationary period and academic review may be extended even if the appointee with substantial responsibility does not take a formal leave of absence.
- e. An extension of the probationary period cannot be provided if notification of the event of birth or adoption occurs after the beginning of the sixth year of appointment.
- f. 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.
- g. An extension of the probationary period will not prevent an appointee from requesting consideration of promotion sooner than is required.

2. Application

Extension of the probationary period will occur automatically for appointees reporting childbearing leave or a parental leave equal to or in excess of one quarter on the [Family Accommodations Reporting](#) (FAR) form. An appointee may choose to opt out of the one-year extension on the Family Accommodations Reporting (FAR) form. In all other cases, an extension of the probationary period is requested on the Family Accommodations Reporting (FAR) form. The appointee must include certification that he or she has substantial responsibility for the care of an eligible child during the probationary period.

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F. Deferral of Academic Review

1. Description and Eligibility

An academic appointee who has substantial responsibility during the academic review period for the care of his or her own newborn child or child under age five placed for adoption, or that of a spouse or domestic partner, is eligible to receive a one-year deferral per event of the normally scheduled academic review, up to a maximum of two deferrals.

- a. An academic appointee is considered to have substantial responsibility if he or she has more than half of the day-to-day responsibility for the care of an eligible child.
- b. A deferral may be granted even if the appointee with substantial responsibility does not take formal leave.
- c. A deferral cannot be provided after the initiation of the academic review.
- d. 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. The appointee must include certification that he or she has substantial responsibility for the care of an eligible child during the academic review period.

G. Flexible Workload (Assistant Ladder-Rank Faculty)

1. Description and Eligibility

- a. An assistant ladder-rank professor who is engaged in undergraduate teaching and who has substantial responsibility for the care of his or her own child or the child of the appointee's spouse or domestic partner may request a flexible workload for up to two years to accommodate his or her family responsibilities.
- b. An appointee¹ 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. An appointee is considered to have substantial responsibility if he or she has more than half of the day-to-day responsibility for the care of the child.

2. Terms and Conditions

- a. Participation in the flexible workload program will begin on July 1 following approval of the written request. A request must be approved no later than the first day of spring quarter to be effective on the next July 1.

¹ In Section G, "appointee" refers to an assistant ladder-rank professor only

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- b. A flexible workload may be granted for a total of two years, in one-year increments. For academic-year appointees, this is a total of six consecutive quarters.
- 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 during appointment at the assistant rank. 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 in the ladder-rank series.
- g. An appointee may be granted a flexible workload at the assistant rank only; a flexible workload may not be continued after the effective date of promotion to tenure.
- h. 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 tenure. 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.
- i. Participation in the flexible workload program does not delay merit/reappointment, appraisal, or tenure review dates (see Sections E and F above for information on deferral and/or extension of the probationary period).
- j. 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. Appraisal and tenure reviews are career reviews, and therefore will include an assessment of the appointee's achievements since his or her appointment or previous career review.
- k. Participation in the flexible workload program may be denied or revoked by the Senior 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.

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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 ladder-rank 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% ladder-rank 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 to supplement his or her 50% ladder-rank appointment.
 - d. Any non-salaried percentage of appointment (up to 50%) will be reported as parental 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 Senior 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 Senior Vice Chancellor explaining the reasons for revocation. The Senior 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.

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- b. If the Senior 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 full assistant professor status.
- c. An appointee who has requested a flexible workload for two years may request to shorten the flexible workload period to one year, provided the request is received no later than the first day of spring quarter of the first year of the flexible workload.

6. Application

An appointee must submit a written proposal; the department chair and division dean must review the proposal and provide written comment. The Senior 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 child, event of birth, or placement for adoption or foster care.

C. End Dates

An academic appointee is not eligible for a childbearing leave, parental 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.