

**ARTICLE 42
UNIVERSITY BENEFITS**

A. HEALTH AND WELFARE BENEFITS

1. Eligible employees may participate in a number of benefit programs generally available to other eligible staff employees of the University.
2. The University health and welfare plans provide an annual open enrollment period during which eligible employees may elect to change specific plan or coverage options. Open enrollment provides an opportunity for employees to choose among plans due to changes in circumstances of the employees, changes in the coverage and costs of each plan, and changes in plan availability which may change from year to year.
3. The University may, at its option, alter its health and welfare programs, including the retiree health benefit program. Such alterations include, but are not limited to altering eligibility criteria, establishing new coverage, altering or deleting current coverage, adjusting pay bands, altering rates of contribution, changing the carrier for established plans or programs, or changing the administrator of such plans. In the event the University makes such alterations, the changes will apply to employees eligible for benefits within the unit in the same manner as they apply to other eligible staff employees at the University.
 - a. The sole exception to Section A.3. above shall be any alterations proposed by the University which affect only bargaining unit employees.
 - b. With regard to the changes in Section A.3.a., above, the University agrees to meet and confer with respect to the proposed changes in accordance with the provisions of Article 6, Duration, Section D, Reopener Negotiations.
 - 1) In each calendar year when gross rates increase, the University may increase the monthly employee contribution rates without meeting and conferring.
4. Beginning in calendar year 2018, increases in employee contribution rates for the Kaiser and Health Net Blue and Gold plans for employees in paybands 1 & 2 shall not exceed \$25 per month (up to aggregate increase of \$300/year) over the prior year for each year of the agreement.
5. Employee costs that exceed current University contributions, and employee costs for plans to which the University does not contribute, are to be paid by employees, normally through payroll deduction.

B. RETIREMENT BENEFITS

1. The University maintains several retirement and savings plans for eligible University employees. Currently, such plans include the UC Retirement Plan (UCRP), Tax-Deferred 403(b) Plan, Defined Contribution Plan (DC Plan), and

457(b) Deferred Compensation Plan, which collectively constitute the University of California Retirement System (UCRS). Eligible employees may participate in a number of retirement plans generally available to other eligible staff employees of the University.

2. The University may, at its option, alter the existing UCRS plans and establish new retirement and/or savings plans for the UCRS. Such alterations include, but are not limited to altering the eligibility criteria; altering or deleting current benefits; changing rate of employee contribution subject to b.2 (below); or changing the carrier or administrator for established plans or programs.
 - a. In the event the University makes such alterations, the changes will apply to employees eligible for retirement benefits in the same manner as they apply to other eligible non-represented staff employees at the University.
 - b. The sole exception to Section B.2, above, shall be:
 - 1) Any alterations proposed by the University which affect only bargaining unit employees.
 - 2) Any proposed increases to the rate of employee contribution will be subject to meeting and conferring with the Union. The Union, within 30 days of notice of any proposed increase to employee contribution rates, shall have the option of re-opening Article 45 – wages.
3. The 2016 Retirement Choice Program (Pension Choice and Savings Choice) will apply to all eligible employees in the CX Unit hired, rehired following a break in service, or who become UCRP eligible on or after the June 1, 2017, on the same terms as applied to non-represented staff employees.

C. EFFECT OF ABSENCES FROM WORK ON BENEFITS

1. Temporary Layoff/Temporary Reduction in Time/Furlough

Health plan contributions by the University will be provided for the Clerical & Allied Services unit employees, in accordance with Section A.2., above, when the employee is affected by: temporary layoff; temporary reduction in time below the hours required to be eligible for health benefits; or furlough. For health plans to remain in force, employees on temporary layoff or furlough must comply with the terms of the applicable plan documents, rules and/or regulations.

2. Military Leave

An employee on military leave with pay for emergency National Guard duty or Military Reserve Training Leave shall receive all benefits related to employment which are granted when an employee is on pay status.

3. Leaves of Absence Without Pay

- a. Approved leave without pay shall not be considered a break in service and, except as provided in Section C.3.c., below, shall not determine eligibility for benefits except that the regulations of the retirement systems determine the effects of such leave without pay on retirement benefits.
- b. Except as provided in Section C.3.c, below, an eligible employee on approved leave without pay may, in accordance with the plan documents, rules and regulations, elect to continue University-sponsored benefit plans for the period of the leave.
- c. An employee on an approved Family and Medical Leave (FML) shall be entitled, if eligible, to continue participation in health plan coverage (medical, dental, and optical) as if on pay status as follows:
 - 1) When the employee is on an FML leave that runs concurrently under the Family and Medical Leave Act (FMLA) and the California Family Rights Act (CFRA): Continued coverage for up to twelve (12) workweeks in a calendar year.
 - 2) When the employee is on a Military Caregiver Leave under the FMLA: Continued coverage for up to twenty-six (26) workweeks in a single twelve month period. For purposes of Military Caregiver Leave, the "single twelve month period" is the period beginning on the first day the employee takes the leave and ending twelve (12) months after that date.
 - 3) When the employee is on Qualifying Exigency Leave under the FMLA: Continued coverage for up to twelve (12) workweeks in a calendar year.
 - 4) When the employee is on a Pregnancy Disability Leave under the California Pregnancy Leave Law, regardless of whether any of the leave runs concurrently with the FMLA: Continued coverage for up to four (4) months in a twelve month period. If any of the Pregnancy Disability Leave runs concurrently under the FMLA, the continued coverage provided for that portion of the leave will count towards the employee's FMLA entitlement for up to twelve (12) workweeks of such coverage in a calendar year.
 - 5) When the employee is on an FML leave under the CFRA that does not run concurrently under the FMLA (e.g., Parental Leave after the employee's FMLA entitlement is exhausted): Continued coverage for up to twelve (12) workweeks in a calendar year.
 - 6) To continue health plan coverage during an approved FML leave, an employee must continue to make any contributions that he/she made before taking leave. For any paid portion of the leave, employee contributions will continue to be deducted from the employee's pay check. Failure of the employee to pay his/her share of the health insurance premium may result in loss of coverage.

D. ENUMERATION OF UNIVERSITY BENEFITS

1. For informational purposes only, a brief outline of benefit programs in effect on

the date the Agreement is signed is found online at UC benefits website, and/or Lawrence Berkeley National Lab's benefits site (currently <https://commons.lbl.gov/display/hr/Benefits>). Teamsters Local 2010 understands and agrees that the descriptions contained online do not completely describe the coverage or eligibility requirements for each plan, the details of which have been independently communicated to Teamsters Local 2010.

2. Specific eligibility and benefits under each of the various plans are governed entirely by the terms of the applicable Plan Documents, custodial agreements, University of California Group Insurance Regulations, group insurance contracts, and state and federal laws. Employees in an ineligible classification are excluded from coverage, regardless of appointment percent and average regular paid time. For details on specific eligibility for each program, see the applicable documents, agreements, regulations, or contracts.