

ARTICLE 6 CURTAILMENT

A. CURTAILMENT PERIOD

1. Consistent with the University's management rights, including its right to determine the orderly, effective and efficient operation of the University, the University may elect at one or more of its locations including the Laboratory, to curtail or shut down some or all of its activities, on a location by location basis, for periods of specific duration. By way of example and not limitation, such periods may represent opportunities for energy/cost savings and/or adjustments to reduce levels of work activity due to transition periods in the academic calendar and/or "seasonal" or "holiday" influences on scheduled work activities and/or the occurrence at or on University facilities of major public events and/or the occurrence of emergency or "forces of nature" situations adversely affecting normal University operations.
2. In the event of such total or partial closure or curtailment of operations, whether or not the University is able to anticipate such event, employees affected shall select one or a combination of the following options to cover their status during such period of time:
 - a. Employees may use accumulated vacation leave during the period. Newly employed unit members would be allowed to use accrued vacation even if the required six continuous months or quadri-weekly cycles on pay status have not been completed. Employees without sufficient accumulated vacation would be allowed to use up to three days vacation leave prior to actual accrual.
 - b. Employees with accrued compensatory time may elect to use it to cover the scheduled time off or to offset the use of vacation time.
 - c. Employees who do not wish to use vacation or compensatory time off may elect to take a leave without pay during the closure. Notwithstanding the provisions of Article 43, Vacation Leave, Section A.2. and Article 38, Sick Leave, Section A. 1., if an employee is in leave-without-pay status due to a location closure which is three consecutive days or less in duration, such a full-time or part-time employee shall not lose hourly vacation or hourly sick leave accruals.
 - d. Employees who do not select from a., b. or c. above or who do not qualify for a., b. or c. above shall, for the period of time necessary, be placed in a leave-without-pay status. The hourly accrual

provisions in A.2.c. above related to location closure(s) shall also apply to employees who are placed in leave-without-pay status.

B. Lawrence Berkeley Laboratory

Policies, procedures, definitions and qualifications relative to sick leave credit and vacation credit by employees shall remain in effect for employees at the Laboratory and shall supersede all provisions above where in conflict.