

ARTICLE 10 IMMIGRATION

- A.** No employee covered by this Agreement shall suffer any loss of seniority or compensation due to any legal changes in the employee's name or social security number.
- B.** The University will request that a federal immigration agent or a Department of Homeland Security (DHS) agent comply with legal requirements before they may be allowed to interrogate, search, or seize the person or property of any employee while the employee is working on the University's premises and under the University's control. In the event that the University is served with a validly executed warrant or subpoena, the University shall arrange for the questioning of employees to occur in as private a setting as possible in the workplace. The University will notice the Union, as soon as practicable and as legally permitted, if the University learns of an immigration investigation regarding an employee or if federal immigration or DHS agents seek to question, search, or detain an employee on University premises.
- C.** For University campuses, UCOP and all other non-hospital or non-clinic locations, the University will notify the Union as soon as possible if it becomes aware of immigration officers at the location. At UC hospital or clinic locations, as soon as practicable and as legally permitted, the University will notify the Union by telephone and/or email once it learns that a federal immigration agent or DHS agent wishes to interrogate, search or seize the person or property of any bargaining unit member on the University's premises.
- D.** The University shall grant employees up to five (5) days of unpaid leave time per calendar year when given one (1) week's prior notice to attend any appointments and/or hearings scheduled by federal immigration officials or the U.S. Department of State with respect to immigration or citizenship status of the employee, spouse, domestic partner, child, or parent. An employee may use accrued sick leave or accrued vacation leave, unless the employee elects to take leave without pay, and the University may require proof of the appointment and/or hearings and proof of the family relationship.
- E.** Unpaid Personal Leave under Article 14 – Leaves of Absence shall also be granted up to ten (10) business days per calendar year if the employee is detained or unable to return to the United States of America for reasons related to immigration status outside the employee's control.
- F.** In the event that an employee is not authorized to work in the United States of America and the employee's employment is terminated for this reason, the University agrees to meet with the Union and the employee to make reasonable efforts to re-employ the employee as soon as is practicable provided the employee can demonstrate that they have re-obtained valid work authorization within fifteen (15) business days after termination.
- G.** Should any change in laws or regulations relevant to these procedures, including, but not limited to, repeal of Consideration of Deferred Action for Childhood Arrivals (DACA), rescission of Temporary Protected Status (TPS), travel bans, or any other change in immigration law or regulations or a court ruling that sets forth any new interpretation pertaining to these procedures occurs, the parties shall meet at the Union's request, in accordance with Section I below, to determine whether any adjustments to these procedures are necessary to comply with the new legal requirements. The University may need to comply with the law irrespective of its obligation to meet with the Union.

- H. The University shall not release an employee's immigration status or related information contained in personnel files without the employee's consent, unless required by federal or state law or pursuant to a judicial warrant or subpoena. The University shall notify the Union of all such requests, unless prohibited by law. In the event the request is specific to an employee, as soon as practicable the University shall notify the employee named in the request and the Union unless prohibited by law.
- I. The University and the Union shall use the labor-management meeting process in accordance with Article 11 – Labor-Management Meetings to discuss issues arising from this Article.