

ARTICLE 18 LEAVES

A. MILITARY LEAVE

ASEs who are called to active military service will be provided leave from their current positions to fulfill their military obligations to the extent required by applicable law. Military leave will be paid to the extent required by applicable law and/or applicable University policy.

B. PREGNANCY DISABILITY LEAVE

Under the California Pregnancy Disability Leave laws, ASEs are entitled to unpaid leave for up to four months per pregnancy and/or reasonable accommodation for pregnancy disability, childbirth, and related medical conditions. Notwithstanding the foregoing, a Pregnancy Disability Leave will not continue beyond the end date of the ASE's appointment. The University will maintain and pay for health insurance coverage (University-sponsored Student Health Insurance Plans, or other insurance for non-student ASEs, as applicable) for the duration of the leave, not to exceed four months in a 12-month period under the same conditions that coverage would otherwise have been provided by the University if the ASE had been in employment continuously for the duration of the leave.

C. SHORT-TERM LEAVE

1. Leave Eligibility
 - a. Salaried ASEs with a 50% appointment who take a leave pursuant to Section C.2 shall be eligible for up to two (2) days of paid leave for quarter campuses and up to three (3) days of paid leave for semester campuses. The amount of paid leave will be prorated for salaried ASEs with appointments other than 50% FTE.
 - b. When hourly ASEs take a leave pursuant to Section C.2, it shall be unpaid.
2. Upon request from an ASE, and subject to the provisions of this article, the University will grant an ASE's reasonable request for leave of absence of appropriate duration due to:
 - a. personal illness and/or disability;
 - b. birth, adoption, or care of a child or family member as defined below in Section H;

- c. family emergencies; or
- d. 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 ASE, spouse, domestic partner, child or parent in accordance with Article 16 - Immigration.

3. Additional Short-Term Leave

Unpaid leave may be granted for periods beyond the terms of leaves in Section C.1, but shall not exceed the end of the appointment period. These leaves may be paid (in whole or in part) for reasons defined in Section C.2 and at the sole discretion of the department or hiring unit.

D. LONG-TERM LEAVE

1. Leave Eligibility

Salaried ASEs who take a leave pursuant to Section D.2 shall be eligible for up to eight (8) weeks of paid leave per academic year.

2. Upon request from an ASE and subject to the provisions of this Article, the University will grant an ASE's reasonable request for long-term leave due to:

- a. The ASE's serious health condition, as defined under the Family and Medical Leave Act (FMLA), or to care for a family member of the ASE, as defined in Section H, who has a serious health condition;
- b. To care for and bond with the newborn child or a child placed with the ASE for adoption or foster care, provided that the leave is taken within twelve months of the birth or placement of the child with the ASE; or
- c. Pregnancy, childbirth or related medical conditions for the period prior to, during, and after childbirth.

3. Whenever possible, leave should be requested at least thirty (30) calendar days in advance of the start date of the leave. The leave will not continue beyond the end date of the ASE's appointment.

4. Any paid leave taken under Section D shall run concurrently with any leave taken under Section B above pursuant to California's Pregnancy Disability Leave laws.

5. The paid leave provisions described in Section D run concurrently. An ASE will have a maximum of eight (8) weeks of paid leave in an academic year, regardless of the number of qualifying events.
6. The University will not retaliate against an ASE who takes a leave under this Section.
7. Additional Long-Term Leave

Unpaid leave may be granted for periods beyond the terms of leaves in Section D.1 at the sole discretion of the University but shall not exceed the end of the appointment period.

E. BEREAVEMENT LEAVE

The University will grant an ASE's reasonable request for bereavement leave due to the death of a family member as defined in Section H. The period of leave for bereavement shall be up to five (5) calendar days per occurrence. Salaried ASEs shall be granted up to five (5) calendar days pay for bereavement on those days the ASE was previously scheduled to work. Nothing in this Section shall preclude departments or hiring units from granting a longer period of paid bereavement leave when they determine the need to do so.

F. JURY DUTY

An ASE shall be eligible for a jury duty leave when summoned for required jury duty service. Jury duty leave is leave with pay. Verification of actual jury duty service shall be provided by the ASE to the University upon request. Jury duty leave will not continue beyond the end date of the ASE's appointment.

G. OTHER LEAVES

Other leaves, including, but not limited to, leave for service to government agencies and leave to attend professional meetings may be granted with or without pay at the University's sole discretion or if required by applicable law.

H. DEFINITION OF FAMILY MEMBER

Family member is defined as an ASE's parent, child, spouse, domestic partner, grandparent, grandchild, or sibling. Child means the ASE's biological child, adopted child, foster child, stepchild, legal ward, or a child for whom the ASE stands in loco parentis, who is under 18 years of age or incapable of self-care because of a mental or physical disability. Parent includes the ASE's biological parent, foster parent, adoptive parent, stepparent, parent-in-law, legal guardian, or an individual who stood in loco parentis to the ASE when the ASE was a child.

I. REQUEST FOR LEAVE AND COVERAGE

In order to ensure proper coverage for leaves other than long-term leaves in Section D, ASEs are expected to contact the supervisor to request leave as soon as the need for the leave becomes known but not less than one (1) working day in advance of the commencement of the leave unless the leave is for an unanticipated personal or family illness or bereavement.

Requests for leave shall be made in writing with information about the nature of the leave and probable duration. Upon request, the ASE will be required to provide appropriate documentation. While it is the University's responsibility to make arrangements for coverage, the ASE will assist as reasonably possible.