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<b>Effective Date:</b>	
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## **I. POLICY SUMMARY**

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## **II. DEFINITIONS**

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## **III. POLICY TEXT**

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### **A. Vacation**

1. The purpose of vacation is to provide an opportunity for academic appointees to rest and refresh themselves from their official duties. Each appointee should take vacation, when possible, each year.
2. No time limits are imposed on the use of vacation credit. However, vacation credit earned each year shall be used at times that are in keeping with the work being done by the appointee. Each appointee must discuss proposed vacation with his or her immediate supervisor, and must receive approval before taking the vacation. The approval should be in writing.
3. Vacation credit may accrue to a maximum of forty-eight working days. This maximum applies to any appointee who is working half-time or more.
4. Vacation may be used for personal reasons, such as special or religious holidays, personal appointments, illness (if the appointee chooses) family needs, or the catastrophic leave sharing program. (For information concerning use of vacation during family and medical leave, see section III C. below).
5. Academic appointees must submit a written, signed copy of the Monthly Leave Record to their supervisor within ten calendar days of the close of the preceding month. Leave taken is reported in full-day increments for full-time appointees. Supervisors must approve leave records by signing them, and must then forward them to the Regional Office or other appropriate administrative office.
6. Vacation credit for academic appointees accrues at the rate of two working days a month for full-time service. For part-time appointees, it accrues at a proportionate rate; for example, for a half-time appointee, it accrues at the rate of one working day a month. However, no vacation credit is accrued for less than half-time service. An employee who holds a joint appointment between another University unit and CE and who serves at least half-time with the University shall accrue and report leave in amounts proportionate to the time he or she serves in each unit. Vacation credit accrues at these same rates while an appointee is on vacation, sick, or on other leave with pay.
7. New full time appointees who work at least half the working days of their first month receive full vacation credit for that month. New appointees who work fewer

than half the working days of their first month receive no vacation credit for that month.

8. Accrued vacation shall be used at a time or times in keeping with the program of work being conducted by the appointee and approved by the appointee's supervisor
9. Vacation may not be taken before it is accrued.
10. Vacation credit shall not accrue during a leave of absence without pay. However, appointees who are on approved leave without pay at any time during a month shall accrue full vacation credit for that month if they are on pay status at least half the working days of the month.
11. Vacation credit accrues while an appointee is on sabbatical leave, but such credit can be used only during the period of sabbatical leave, and it lapses if it is not used during that period. On a twelvemonth sabbatical leave, all credit accrued while on leave is counted as part of the total twelve months leave. Thus, for example, a twelve-month sabbatical leave would consist of eleven months of study leave plus one month of vacation for a total of twelve months; a six-month sabbatical leave would consist of five and one-half months of study leave plus one-half month of vacation for a total of six months. An appointee who is on a nonsabbatical pay status for at least half the month that begins or ends the sabbatical leave would receive full vacation credit for that month.
12. Saturdays, Sundays, and University administrative holidays shall not be charged against vacation credit. When county working conditions mandate, County Directors, in cooperation with the Regional Director, are empowered to arrange substitute holidays.
13. Terminating appointees accrue proportionate vacation through their last day on pay status, even if they work fewer than half the working days of the final month. Terminating appointees should plan to use all accrued vacation credit before the last working day if possible.

A terminating appointee who has been unable to use accrued vacation shall be paid for vacation in an amount equal to the salary that he or she would have received for the vacation period if University service had continued. This policy is subject to the following restrictions:

- a. Terminal vacation pay may not exceed forty-eight working days' salary.
- b. Terminal vacation pay shall not include payment for, or accrual of, benefits that the appointee would have received if he or she had continued in University service. However, an appointee who is retiring may receive vacation pay up to the effective date of retirement.

## **B. Sick Leave**

1. Sick leave is provided to continue the salary of academic appointees who would otherwise be on pay status but who are unable to work because they are ill or temporarily disabled. Sick leave is also provided for medical appointments, and for the illness or death of an immediate family member (spouse, domestic partner, parent, child, sibling, or any other related person who is residing in the employee's household), with exception noted in Section II-K below.
2. Sick leave with pay for academic appointees accrues at the rate of one working day per month for full-time service, including leaves with pay other than terminal vacation. Part-time appointees who serve at least half-time accrue sick leave at the appropriate proportion of full time. An individual who holds a joint appointment between another University unit and CE and who serves at least half-time with the University shall be subject to the policies governing each portion of the appointment. Sick leave shall be accrued proportionate to the CE appointment, and sick leave taken shall be reported proportionately to CE.
3. Appointees must be on pay status at least half the working days of a month to accrue sick leave credit for that month, with the exception of terminating appointees, who receive proportionate sick leave through their last day on pay status even if they work less than one-half month.
4. New appointees who work fewer than half the working days of their first month shall receive no sick leave credit for that month. New appointees who work at least half the working days of their first month shall receive full sick leave credit.
5. Full-time appointees who are on approved leave without pay at any time during a month accrue full sick leave credit for that month if they are on pay status at least half the working days of the month.
6. Accrual and use of sick leave is reported on the Monthly Leave Record following the procedures set forth in Section I-E above. Sick leave usage is reported in full day increments for full-time appointees.
7. The appointee's supervisor approves the use of sick leave up to the total of that individual's accrued sick leave credit. The appointee's office and supervisor must be notified immediately when illness or disability prevents the individual from performing his or her official duties during the normal working day. Any use of sick leave for a continuous period of over thirty calendar days must be reported in writing to the Regional Director or other next-level supervisor through the employee's immediate supervisor with an accompanying doctor's report. For information concerning use of sick leave during family and medical leave or childbearing/parental leave, see Sections III-C, and VI-B, respectively, below.
8. Sick leave may not be used before it is accrued. In order to use sick leave, an appointee may be required to submit satisfactory proof of illness or disability.
9. Saturdays, Sundays, and University administrative holidays shall not be charged

as sick leave.

10. There is no maximum on the amount of sick leave that may be accrued over a period of time. There is no maximum amount that may be used in any year, subject to other provisions of this section.
11. An appointee who becomes ill while on vacation shall be permitted to use accrued sick leave if he or she is under the care of a physician and submits a physician's statement. An appointee may not use accrued sick leave for the illness of a family member or domestic partner while that individual is on vacation.
12. While receiving compensation related to injury or illness under the Worker's Compensation Act, an absent appointee may also receive sick leave benefits provided the total of those benefits and worker's compensation does not exceed his or her regular salary for the period.
13. An academic appointee shall not be paid for unused sick leave upon termination or resignation.
14. At the time of retirement, unused accrued sick leave is included in the service credit used to calculate the retirement annuity.

### **C. Family And Medical Leave**

#### **1. Purpose**

Family and medical leave provides eligible employees with entitlements to leave for up to a total of 12 workweeks in the leave year, continuance of health plan coverage as if on pay status, and reinstatement rights. In accordance with applicable State and Federal law, eligible academic appointees are entitled to take unpaid leave or to substitute appropriate paid leave for the following reasons:

- a. The appointee's own serious health condition;
- b. To care for the appointee's child, parent, or spouse with a serious health condition;
- c. To care for the appointee's newborn child or a child newly placed with the appointee for adoption or foster care.

#### **2. Eligibility**

An academic appointee is entitled to up to 12 workweeks of family and medical leave during the leave year, provided that:

- a. The appointee has at least 12 cumulative months of University service (all prior University service, including service with UC-managed Department of Energy Laboratories, shall be used to calculate the 12-month service

requirement); and

- b. The appointee has worked at least 1250 hours during the 12 months immediately preceding the commencement date of the leave.

### 3. Use of Leave

Family and medical leave is normally unpaid leave except that:

- a. Accrued sick leave may be substituted, at the appointee's option, for unpaid family and medical leave granted for the appointee's serious health condition or to care for the appointee's child, parent, or spouse with a serious health condition.
- b. Accrued vacation leave may be substituted, at the appointee's option, for unpaid family and medical leave granted for any covered reason.

For eligible appointees who work less than five full days a week, the number of working days which constitutes 12 workweeks is calculated on a pro rata or proportional basis.

### 4. Planning and Procedures

- a. Responsibility of Appointee. Whenever possible an appointee shall provide at least 30 days advance notice of the need for a family and medical leave. If 30 days notice is not possible because of a medical emergency, for example, notice shall be given as soon as practicable. Failure to comply with these notice requirements may result in postponement of family and medical leave. Certification from the health care provider may be required when leave is requested for the appointee's own serious health condition or to care for the serious health condition of the appointee's child, parent, or spouse. An appointee who is granted leave for the his or her own serious health condition may be required to present medical certification prior to returning to work.
- b. Responsibility of the Regional Director, the Program Leader, or the Assistant Vice President-Programs. It is the responsibility of the Regional Director, the Program Leader, or the Assistant Vice President-Programs, as appropriate, to designate leave, unpaid or paid, as qualifying for family and medical leave, if the leave meets the requirements set forth in section 340 III-A and B. It is also this administrator's responsibility to give written notice of eligibility and designation to the appointee. Family and medical leaves run concurrently with other approved leaves taken for a purpose which meets the criteria for a family and medical leave-qualifying event.

### 5. Terms and Restrictions

For an academic appointee holding an appointment with a definite end date, family and medical leave may not be approved beyond the end date of the appointment. In the event the appointment is renewed or extended or a

subsequent appointment is made, further leave may be granted up to an aggregate of 12 workweeks during the leave year.

When medically necessary, as certified by the appointee's health care provider, an appointee may take family and medical leave on a reduced work schedule or on an intermittent basis, including absences of less than one day. Leave bank deductions shall be made for any hours or partial hours taken by an appointee who elects to substitute accrued sick leave or vacation leave for unpaid family and medical leave taken on an intermittent basis or reduced schedule. An appointee who accrues sick leave or vacation leave and elects to take unpaid family and medical leave shall not be paid for any hours or partial hours taken on an intermittent basis or reduced schedule. An appointee should make a reasonable effort to schedule periods of leave to avoid disruption of workload. The University may temporarily transfer an appointee to an available alternative and equivalent position for which he or she is qualified and which better accommodates the recurring periods of leave.

Leave granted to care for the appointee's newborn child or a child newly placed with the appointee for adoption or foster care shall be concluded within 12 months following the child's birth or placement.

#### 6. Effect on Benefits

An academic appointee on an approved family and medical leave, with or without pay, shall be entitled to continue participation in health coverage (medical, dental, and optical) as if on pay status for a period of up to 12 workweeks during the leave year. Other group insurance coverage and retirement benefits shall be in accordance with the provisions of the applicable group insurance and retirement system regulations.

Sabbatical leave credit is not accrued during a leave of absence with pay for one quarter or semester or more, or for a leave of absence without pay (see APM - 740-11-h(3) and (4)).

#### 7. Reinstatement

Reinstatement shall be to the same or equivalent position provided that the appointee returns to work within the 12 workweeks and immediately following termination of the leave. If the appointee would have been laid off or terminated had the appointee remained on pay status during the leave period, the shall be afforded the same considerations afforded to other non-Senate academic appointees who are laid off or terminated pursuant to the provisions of APM - 145, Layoffs-Non-Senate Academic Appointees; APM 150, Non-Senate Academic Appointees, Corrective Action and Dismissal; or applicable Memorandum of Understanding. Appointees whose appointments have a definite end date are not entitled to leave or continuation of appointment beyond the end

date of that appointment.

#### 8. Records

Regional Directors, Program Leaders, or the Assistant Vice President-Programs, as appropriate, shall assure that records are maintained in the appropriate unit office for those academic appointees under their respective jurisdictions who qualify for family and medical leave pursuant to the requirements set forth in Section 340-A and B.

### **D. Sabbatical Leave**

#### 1. Purpose

Sabbatical leaves are granted to enable recipients to engage in intensive programs of research and/or study in order to become more effective teachers and scholars and to enhance their services to the Division and the University.

Academic appointees may exercise the privilege of sabbatical leaves of absence provided their sabbatical leave plans meet the criteria established by APM-740, as supplemented by these instructions. For DANR Sabbatical Leave Guidelines, see Appendix I.

#### 2. Eligibility and Qualifying Service

Sabbatical leaves may be granted to academic appointees who have served continuously in an academic appointment eligible for sabbatical leave privileges for the period of time required by APM-740.

Credit toward eligibility to apply for sabbatical leave is earned only by service under the following conditions:

- a. Service must be continuous. Any separation, other than by approved leave of absence, interrupts continuous service.
- b. Credit toward sabbatical leave accrued prior to an interruption of service is not reinstated upon the appointee's return to qualifying service.
- c. A leave of absence with or without pay does not interrupt continuous service, but no credit accrues during the period of a leave of absence without pay (other than a leave of absence for military service).

#### 3. Restrictions

- a. A sabbatical leave shall be granted only at a time when it will not disrupt the applied research and teaching program, or any other vital operation, of the Division.
- b. A sabbatical leave shall be granted and accepted only with the understanding that the recipient, following his or her leave, will continue service with the University for a period at least equal to the period of the sabbatical leave.

- i. Failure to return to regular duties after sabbatical leave for a period at least equal to the period of leave shall create an obligation to refund the entire salary received for the period of the sabbatical leave.
    - ii. A sabbatical leave shall not be granted to an individual who will not be reappointed. A sabbatical leave may be denied, at the discretion of the supervisor, in cases where reappointment is in doubt.
    - iii. A sabbatical leave shall not be granted to an individual who will retire immediately following the proposed sabbatical period.
  - c. A sabbatical leave of two or more quarters shall not be divided by an intervening quarter of return to duties, unless such return is in the best interests of the Division and is approved by the Regional Director or other appropriate administrator.
4. Planning and Procedures

Planning for a sabbatical leave may begin at any time before the leave is approved. It is recommended that planning begin a year or more before the leave is to begin to allow time for the appropriate reviews to take place.

- a. Advisors should send a sabbatical leave request and plan through the County Director to the appropriate Regional Director, through the SSPP Director to the appropriate Program Leader, or through the Director-Research and Extension Center System to the Assistant Vice President-Programs. This request should describe briefly the proposed sabbatical, including beginning and ending dates. The Advisor should consult with his or her County Director, SSPP Director, or other supervisor before submitting a sabbatical leave request. Specialists in SSPPs should send a sabbatical leave request to the appropriate Program Leader. They should consult with their SSPP Director or other supervisor before they do so. The Regional Director, the Program Leader or the Assistant Vice President-Programs, as appropriate, will approve or disapprove the request.

The request should contain the following information:

- i. A detailed description of the project. This description should explain how the project will increase the applicant's effectiveness in his or her program.
  - ii. The beginning and expected completion dates for the project, and a description of any work that has been done on the project to date.
  - iii. The place where the project will be carried out and the agencies or institutions, if any, with whom it will be conducted.
  - iv. Any assurances of cooperation or authorization to conduct the project received from individuals, institutions, or agencies.

- v. A description of the applicant's preparation to conduct the project and of any significant work that he or she has done in the field with which the project is concerned.
  - vi. A detailed description of all financial support that the applicant expects to receive during the leave. If no financial support is expected, this should be stated.
  - vii. A detailed explanation of how the applicant's program of work will continue while he or she is on sabbatical. Use project designations where applicable. Describe the work that will continue and the work that will remain dormant during the leave. Explain why this work will remain dormant and any consequences. Explain in detail who will be responsible for the work that will continue during the leave, and how that work will be accomplished.
- b. Exceptions to these procedures may be granted by the Associate Vice President for the purpose of expediting a sabbatical leave that is in the best interests of the University.
  - c. Sabbatical leaves shall not be used as a means of augmenting personal income. A recipient shall not accept gainful employment during sabbatical leave.

#### **E. Terms of Sabbatical Leave**

The terms of a sabbatical leave are determined by the appointment status of the applicant (Division staff are fiscal-year employees) and by the amount of credit accrued within continuous qualifying service. The recipient of a sabbatical leave may accept a fellowship or a grant-in-aid designed to help him or her to accomplish the purpose of the leave. The recipient of a sabbatical leave who accepts a fellowship or grant-in-aid cannot obligate the University of California, the Division, or CE to provide reciprocal support of any kind.

#### **F. Report of Results**

CE Advisors and Specialists who have been granted a sabbatical leave shall submit to their Regional Director, to the Assistant Vice President-Programs, or to the appropriate Program Leader, a report of the results of the leave within ninety calendar days of their return from leave. A copy of the report should be given to the appointee's County Director or other supervisor.

The report shall include the following:

1. An account of the individual's activities during the leave, including travel itineraries, institutions visited, and persons consulted.
2. A statement of progress made on the sabbatical leave project as proposed in the application, and an explanation of any significant changes made in the project.

3. An appraisal of the relationship between the results obtained and the results anticipated in the plan.
4. A statement of proposed future activity related to the sabbatical leave project, including plans for completion of the project and publication of results.

This report shall become a part of the supporting materials submitted with any proposal for subsequent promotion or merit increase.

## **G. Other Leaves With Pay**

1. Leave for Summer/Winter School Attendance

Academic appointees are encouraged to improve themselves professionally by attending summer/winter schools. Special leave with pay for up to twenty working days shall be granted for attendance at these schools on approval by the Regional Director for county employees, the appropriate Program Leader for SSPP Advisors and Specialists, and the Assistant Vice President-Programs for Research and Extension Center appointees. If the course lasts four weeks or less, all time shall be granted as special leave with pay. If the course continues for more than four weeks, the first twenty working days shall be special leave with pay, and the remainder may be drawn from the individual's accumulated vacation leave.

Plans for summer (or other) school sessions should be discussed with, and must be endorsed by, the County Director and Regional Director (or the SSPP Director or Director-Research and Extension Center System and the Program Leader or Assistant Vice President-Programs, as appropriate) in advance of the scheduled time. A memorandum outlining the proposed leave should be sent through the County Director to the Regional Director (or through the SSPP Director or Director-Research and Extension Center System to the appropriate next-level supervisor), for approval.

In cases where the appointee is working toward a degree, or for other reasons wishes to attend summer school for consecutive summers, he or she should consider taking a sabbatical leave to finish the course of study during a regular semester.

2. Military Service Leave

A leave with pay may be granted to an academic appointee who is a reservist with one of the armed services and is ordered to training duty lasting thirty days or less, provided that he or she has been employed by the University for at least one full year prior to the start of duty. The Regional Director, the Program Leader or the Assistant Vice President-Programs, as appropriate, shall approve a request for military leave upon receiving a copy of the official orders to report.

3. Leave for Jury Duty

Division appointees may not claim exemption from jury duty based on their status as teachers. Jury commissioners have defined the word teach in such a way that it does not apply routinely to Division academic appointees.

Academic appointees who are empaneled to serve on a jury must notify their supervisor. They will serve on official time and are not required to take vacation leave. If their jury duties run over thirty calendar days, the Regional Director or the appropriate next-level supervisor should be notified.

#### 4. Leave for Taking Classes

Academic appointees are responsible for upgrading their professional competency. Special leaves for this purpose are encouraged, as described in Sections IV and V-A above. In addition, approval may be granted for taking classes during normal working hours, at a maximum of nine units or three classes per quarter. Academic appointees who wish to take classes must obtain the approval of the Regional Director (or the appropriate next-level supervisor) through the appropriate County Director (or supervisor). This approval must be secured before the class begins. If approval is not granted, vacation leave must be used for class time as well as for any travel time incurred.

It is expected that academic appointees will use this privilege to upgrade their professional competency in the field or program in which they work. The justification for taking the class shall be included in the request for approval. Classes taken shall be at the individual's own expense. The University shall not provide secretarial assistance (such as the typing of reports) for classwork. Appointees shall not be given the use of University vehicles for travel, or reimbursement for travel, to or from class.

#### 5. Leave to Attend Professional Society Meetings

Where academic appointees wish to attend meetings of professional groups for reasons of professional improvement or organizational activity, and where such attendance will enhance service to the University and increase the effectiveness of the individual, the following regulations and procedures shall apply for approval of leave with pay:

- a. Leave with pay for seven calendar days or less may be approved by the appointee's immediate supervisor. Requests for eight or more days, but not more than thirty days of leave with pay, must be recommended by the immediate supervisor for approval by the next level of administration. Approval is for leave with pay; it does not imply an approval for reimbursement, unless so specified. All leave taken must be approved in advance and must be reported on the Monthly Leave Record as "other leave with pay."
- b. Division administration has established the CE Professional Society Travel

Fund to provide academic appointees with assistance in traveling to professional society meetings. This fund is administered by the Program Committee of the Division's Assembly Council. See Section 262 for information on applying for reimbursement from this fund.

#### 6. Other Leaves with Pay

In addition to the leaves with pay listed above, leaves with full pay for other good cause may be granted to academic appointees. A request for a leave of up to thirty days must be forwarded for approval through the County Director to the Regional Director, or through the SSPP Director or the Director-Research and Extension Center System to the Program Leader or Assistant Vice President-Programs, as appropriate. A request for a leave in excess of thirty days must be forwarded to the Associate Vice President for approval.

When a government agency or other institution requests an appointee's services, that agency or institution should provide the travel funds.

### **H. Leaves Without Pay**

#### 1. Foreign Assignments

Leave without pay for a period of up to one year may be granted to appointees in the ranks of Associate or Full Title. Approval is given by the Regional Director for county staff, by the Program Leader for SSPP staff, and by the Assistant Vice President-Programs for Research and Extension Center System staff.

For academic personnel on federal retirement who have federal appointments, leave of absence to serve in a temporary appointment with a foreign government must have prior approval from the USDA. The procedure for obtaining federal clearance is outlined in the USDA Administrative Handbook for Cooperative Extension, pp. 4-24. This handbook is available from the Office of Academic Personnel.

#### 2. Childbearing/Parental Leave

Childbearing leave, parental leave, and active service-modified duties are granted in accordance with APM-710 and APM-760. Before taking childbearing leave, a pregnant academic appointee should contact the UCOP DANR Benefits Office to request information on pregnancy disability benefits and continuation of insurance while on leave. Parental leave shall be granted to an appointee who is the adoptive parent of an infant six months of age or under at the time the child is placed in the adoptive home pursuant to adoption proceedings.

Requests for childbearing or parental leave or active service-modified duties shall be made to, and approved by, the Regional Director or the appropriate next-level supervisor. Academic appointees will initiate their requests through their immediate supervisor.

3. Other Leaves without Pay

In addition to the leaves without pay listed above, leaves without pay for other good cause may be granted to academic appointees. Such leaves shall not exceed one year in length and must be approved by the Regional Director or the appropriate next-level supervisor .

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**IV. COMPLIANCE / RESPONSIBILITIES**

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**V. PROCEDURES**

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**VI. RELATED INFORMATION**

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See APM-700 through APM-760 for additional information on leave requirements.

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**VII. FREQUENTLY ASKED QUESTIONS**

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**VIII. REVISION HISTORY**

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**November 2017:**

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