

ARTICLE 14. Work-Incurred Injury or Illness

A. General

This policy defines the application of accrued sick leave and vacation leave for employees who are unable to work due to a work-incurred injury or illness compensable under the California Workers' Compensation Act and provides extended sick leave for such employees when accrued sick leave is exhausted and when employees are still unable to work because of such injury or illness.

B. Use of Accrued Sick Leave and Vacation

In order to continue full salary, accrued sick and vacation leave may be used to supplement temporary disability payments received under the California Workers' Compensation Act.

C. Extended Sick Leave

For any one injury or illness, if the employee has exhausted accrued sick leave, remains disabled, and continues to receive temporary disability payments, the employee shall receive extended sick leave payments in an amount equal to the difference between the temporary disability payments and 80 percent of the employee's basic salary plus any shift differential which the employee would have received. If such an employee returns to part-time University duties, the earnings plus any Workers' Compensation payments, if less than 80 percent of basic salary plus shift differential, shall be supplemented to 80 percent by extended sick leave payments, provided the employee continues to be medically authorized for Workers' Compensation temporary disability. Total extended sick leave payments shall not exceed twenty-six weeks for any one injury or illness.

An eligible employee who does not have sufficient accrued sick leave to cover the three calendar days' waiting period for receiving Workers' Compensation payments shall receive extended sick leave payment to cover any part of the waiting period not covered by sick leave. Payment shall be made only after determination that the injury or illness is compensable under Workers' Compensation.

This extended sick leave benefit shall not apply to safety members who qualify for leave with full salary for a work-incurred disability under State law. Extended sick leave constitutes an advance against permanent disability payments.

After extended sick leave has been exhausted an employee may request a leave without pay.

D. Leave Without Pay

An employee on leave without pay and receiving temporary disability payments accrues sick leave and vacation on the same basis as if regularly employed, but such accrual is credited to the employee only upon return to work. If an employee separates without returning to work, no payment shall be made for such vacation credit.

E. Family and Medical Leave

An employee who is receiving supplemental leave and/or extended sick leave as described in Sections A and B shall have that time counted against the 12-workweek entitlement to family and medical leave, provided that the employee is entitled to leave pursuant to Article 16.C, Family and Medical Leave.