

ARTICLE 16. Leaves of Absence

A. General Provisions

In accordance with the provisions of this Article, an employee may be granted a Leave of Absence, with or without pay.

- Medical Leaves, with or without pay, include: Family Medical Leave, which includes both Family Medical Leave Act of 1993 (FMLA) and the California Family Rights Act of 1995; Supplemental Family and Medical Leave; Pregnancy Disability Leave; Parental Bonding Leave; Military Caregiver Leave; Qualifying Exigency Leave; Military Spouse/Domestic Partner Leave;; and Work-Incurred Injury and Illness Leave.
 - Administrative Leaves, with or without pay, include Personal Leave, Jury and Witness Duty, University Proceedings, Voting Privileges, Emergencies and Other Administrative Leaves.
1. Substitution of Paid Leave. Unless expressly prohibited under the specific applicable leave(s) policy, employees may elect to substitute accrued vacation, sick leave and/or compensatory time off for leave without pay. In certain circumstances, employees may be required to exhaust paid leave before taking unpaid leave. The substitution of paid leave for unpaid leave does not extend the total duration of the leave to which an employee is entitled. For example, using five (5) days of accrued sick leave during a Family and Medical Leave absence does not extend the duration of the leave beyond the maximum entitlement by another five (5) days.
 2. Advance Notice Required. For leaves other than Family and Medical Leave, an employee must inform his/her supervisor as far in advance as possible of the need to take time off from work for any reason, including the expected length of the leave. If the need to take leave is unforeseen an employee must inform his/her supervisor as soon as practicable. The employee may be required to provide evidence of the treatment, circumstance, or event that is the basis for the absence from work, consistent with the provisions applicable to the particular type of leave being taken.
 3. Evidence Supporting the Need for Leave. An employee requesting leave, whether paid or unpaid, should be prepared to provide written documentation supporting the need for leave (e.g., jury summons, subpoena) consistent with the applicable

leave provision. Leaves for medical reasons may require written confirmation from a health care provider.

4. Recertification and Periodic Reports. The University may require an employee who is on a leave of absence due to his/her own or a family member's medical condition to provide recertification of that condition. The University also may request periodic reports during an employee's leave regarding his/her status and intent to return to work.
5. Return to Work. An employee is expected to return to work no later than the next regularly scheduled workday after the expiration of an approved leave. If an extension is desired, the employee should request this in writing from his/her supervisor in advance of the expected date of return.
 - a. An employee who unexpectedly cannot return to work on the next regularly scheduled workday following the expiration of the approved leave of absence must notify his/her supervisor as soon as possible, but preferably no later than an hour before the employee's scheduled start time to explain the reason for the absence.
 - b. Failure to return to work after an approved leave of absence without supervisory approval for the extension of leave is considered an unauthorized absence. An employee who is returning from a leave for his/her own medical condition may be required to provide written verification of his/her ability to return to work, consistent with the applicable leave provision. Such verification must include any applicable work restrictions (and their expected duration), as identified by the employee's health care provider.
 - c. Leaves of absence, whether paid or unpaid, may not extend beyond a predetermined separation date.
6. Benefits Coverage During Leave. Generally, an employee granted a leave with pay will receive all benefits related to employment that are granted when an employee is on pay status. Special limitations or requirements that apply to certain types of leaves are addressed in the provisions specific to those leaves.
 - a. An employee on Family and Medical Leave will continue to have coverage under the University's health plans (medical, dental, and optical) as if on pay status for a period of up to 12 workweeks in a calendar year (or, for Military Caregiver Leaves, for a period of up to 26 workweeks in a single 12-month period). An employee on any other approved unpaid leave will receive health plan and retirement plan coverage in accordance with the group insurance and retirement system regulations.
 - b. To continue health coverage during an approved leave of absence, an employee must continue to make any contributions that he/she made before taking leave. For any paid portion of the leave, employee contributions will continue to be deducted from the employee's paycheck. Failure of the employee to pay his/her share of the health insurance premium may result in loss of coverage. If the employee fails to return to

work other than for reasons beyond his/her control (such as being physically unable to return to work), the University may elect to recover from the employee the portion of premiums it paid on the employee's behalf.

B. Family and Medical Leave – General Provisions

To be eligible for Family and Medical Leave, an employee must have: been employed by the University for at least a total of 12 months; and worked at least 1,250 hours in the 12 months immediately preceding the start of the leave. (For employees granted military leave, all hours that would have been worked had the employee not been ordered to military duty are included for the purpose of calculating the 1,250 hours of actual work.)

1. An eligible employee may take unpaid Family and Medical Leave of up to a total of twelve (12) workweeks in a calendar year (or, for Military Caregiver Leaves, for a period of up to twenty-six (26) workweeks in a single 12-month period) under certain conditions, as described in the applicable sections below. University closures of one week or longer that occur during an employee's Family and Medical Leave are not counted toward the 12-workweek limit (or, for Military Caregiver Leave, the 26-workweek limit).
2. Any leave taken by an eligible employee that qualifies as Family and Medical Leave will be designated as such and will be counted against the employee's leave entitlement whether the leave is paid or unpaid. Such deductions will be made in increments that correspond to the amount of leave time actually taken by the employee (which could be weeks, days, hours, and/or partial hours).
3. An employee who takes less than twelve (12) workweeks of Family and Medical Leave does not need to have worked 1,250 hours in the twelve (12) months immediately preceding any subsequent Family and Medical leave taken for the same qualifying reason in the same calendar year as the initial qualifying leave.
4. An employee may qualify for Family and Medical Leave under the California Family Rights Act (CFRA) for any covered reason (e.g., parental bonding) other than disability caused by pregnancy, childbirth, or related conditions even if the employee's leave entitlement under the Family and Medical Leave Act (FMLA) has been exhausted.
5. Advance Notice. An employee should inform his/her supervisor of the need for a Family and Medical Leave at least thirty (30) days in advance of the anticipated start date of the leave if the need for leave is foreseeable. If the need for leave is not foreseeable, the employee should give notice to his/her supervisor as soon as practicable. Failure to comply with this notice requirement may result in postponement of leave. The employee should also provide notice to his/her

supervisor as soon as practicable if the period(s) for which the employee needs Family and Medical Leave change.

6. Documentation and Certification. The University may require that the employee provide a complete and sufficient certification from a health care provider if the employee is requesting a Family Medical Leave (a) due to the employee's own serious health condition, (b) due to the employee's pregnancy disability, (c) to care for a family member with a serious health condition, or (d) as Military Caregiver Leave. If the employee is taking Qualifying Exigency Leave, the University may require that the employee provide the certification pertaining to that form of Family and Medical Leave. The University will provide the appropriate certification form to the employee based on the type of Family and Medical Leave the employee is requesting. If the employee is seeking to take Family and Medical Leave to care for a family member with a serious health condition or as Parental Bonding Leave, the University may require that the employee provide a Declaration of Family Relationship for Family and Medical Leave.
7. Substitution of Paid Leave Benefits for Unpaid Family and Medical Leave. An employee may elect to substitute accrued vacation and/or sick leave for leave without pay in accordance with the provisions governing each type of Family and Medical Leave. If an employee wishes to take unpaid Family and Medical Leave and the employee's vacation accrual balance is at the maximum, the employee will be required to use at least 10 percent of accrued vacation leave before taking unpaid Family and Medical Leave. The foregoing requirement does not apply if the employee elects to take unpaid Pregnancy Disability Leave instead of using accrued vacation. The substitution of paid leave for Family and Medical Leave does not extend the total duration of the leave to which an employee is entitled.
8. Reinstatement. Reinstatement will be to the same position or, at the Department's discretion, to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment, provided that the employee returns to work immediately following the Family and Medical Leave. If the employee would have been laid off or terminated if the employee had actually been working during the leave period, the employee will be afforded the same considerations afforded to other employees who are laid off or terminated pursuant to the provisions of this collective bargaining agreement.

C. Family and Medical Leave – Due to an Employee's Own Serious Health Condition

Eligible employees are entitled to Family and Medical Leave when they are unable to perform their job due to their own serious health condition.

1. Definition of Serious Health Condition. For these purposes, a serious health condition means an illness, injury, impairment, or physical or mental condition that involves one of the following:

- a. Inpatient Care—Inpatient care (i.e. an overnight stay) in a hospital, hospice, or residential medical care facility, including any period of incapacity or subsequent treatment in connection with or consequent to such inpatient care.
- b. Incapacity of More Than Three (3) Consecutive Days plus Continuing Treatment by a Health Care Provider—A period of incapacity of more than three (3) consecutive calendar days (including any subsequent treatment or period of incapacity relating to the same condition), that also involves (a) treatment two or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services (e.g. physical therapist) under orders of, or on referral by, a health care provider; or (b) treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider (e.g. a course of prescription medication, or therapy requiring special equipment, to resolve or alleviate the health condition). This does not include taking over-the-counter medications or activities that can be initiated without a visit to a health care provider (e.g. bed rest, exercise, drinking fluids).
- c. Pregnancy (only covered under FMLA)—A period of incapacity due to pregnancy, childbirth, or related medical conditions. This includes severe morning sickness and prenatal care.
- d. Chronic Conditions Requiring Treatment—A chronic condition which: (a) requires periodic visits for treatment by a health care provider, or by a nurse or physician's assistant under direct supervision of a health care provider, (b) continues over an extended period of time (including recurring episodes of a single underlying condition); and (c) may cause episodic rather than a continuing period of incapacity (e.g. asthma, diabetes, epilepsy, etc.).
- e. Permanent/Long-Term Conditions Requiring Supervision—A period of incapacity that is permanent or long term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider. Examples include Alzheimer's, a severe stroke, or the terminal stages of disease.
- f. Multiple Treatment (Non-Chronic Conditions)—Any period of absence to receive multiple treatments (including any period of recovery therapy from) by a health care provider, or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three (3) consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.) severe arthritis (physical therapy), or kidney disease (dialysis).

2. Reduced Schedule or Intermittent Leave. When medically necessary for the employee's own serious health condition, an employee may take Family and Medical Leave intermittently or on a reduced schedule basis. If the employee's need for intermittent or reduced schedule leave is foreseeable based on planned medical treatment, the employee should consult with his/her supervisor and make a reasonable effort to schedule the treatment so as to minimize the disruption to the University's operations. In addition, if the need for intermittent or reduced schedule leave is foreseeable based on planned medical treatment, the University may require the employee to transfer temporarily (during the period when intermittent or reduced schedule leave is required) to an alternative position for which the employee is qualified and that better accommodates recurring periods of leave than the employee's regular position.
3. Substitution of Paid Leave Benefits for FML Due to an Employee's Own Serious Health Condition. An employee may elect to substitute accrued vacation, and/or sick leave for leave without pay. Supplemental and/or extended sick leave may be used if the employee is receiving temporary disability payments under the Workers' Compensation Act, subject to Section K, below.

D. Family and Medical Leave – To Care for a Family Member with a Serious Health Condition

An eligible employee is entitled to Family and Medical Leave when the employee's assistance is required to care for a spouse, domestic partner, child, or parent with a serious health condition as defined in Section F.1, above. The employee may be required to provide written confirmation of a family relationship for leaves requested for the purpose of caring for a seriously ill spouse, domestic partner, child, or parent.

1. Reduced Schedule or Intermittent Leave. When medically necessary to care for a family member with a serious health condition, an employee may take Family and Medical Leave intermittently or on a reduced schedule basis. If the employee's need for intermittent or reduced schedule leave is foreseeable based on planned medical treatment, the employee should consult with his/her supervisor and make a reasonable effort to schedule the treatment so as to minimize the disruption to the University's operations. In addition, if the need for intermittent or reduced schedule leave is foreseeable based on planned medical treatment, the University may require the employee to transfer temporarily (during the period when intermittent or reduced schedule leave is required) to an alternative position for which the employee is qualified and that better accommodates recurring periods of leave than the employee's regular position.
2. Substitution of Paid Leave Benefits for Family Medical Leave to Care for a Family Member with a Serious Health Condition. An employee may elect to substitute accrued vacation and/or up to twelve (12) workweeks of accrued sick leave for unpaid leave to care for a family member with a serious health condition. If an employee wishes to take unpaid leave to care for a family member

with a serious health condition and the employee's vacation accrual balance is at the maximum, the employee will be required to use at least 10 percent of accrued vacation prior to taking unpaid Family and Medical Leave.

E. Supplemental Family and Medical Leave

A regular status employee who has exhausted all Family and Medical Leave is eligible for Supplemental Family and Medical Leave for up to an additional twelve (12) workweeks or until the end of the calendar year, whichever is less, if the need for a Family and Medical Leave that is in progress continues beyond twelve (12) workweeks. However, the aggregate absence from work for Pregnancy Disability Leave, Family and Medical Leave, and Supplemental Family and Medical Leave may not exceed seven (7) months during the calendar year, except as may be required by law.

1. For employees on Supplemental Family and Medical leave, health plan coverage (medical, dental, and optical) will continue in accordance with each plan's requirements.
2. Reinstatement. Reinstatement shall be to the same or, at the department's discretion, a similar position in the same department provided that the employee returns to work immediately following termination of the leave. If the employee would have been laid off or terminated had the employee remained on pay status during the leave prior, the employee shall be afforded the same considerations afforded other employees who are laid off or terminated pursuant to the provisions of Article 19, Layoff and Reduction in Time, Article 18, Discipline & Dismissal, and Article 6, Limited Appointment.

F. Leave Due to Pregnancy, Childbirth or Related Medical Condition (Pregnancy Disability Leave)

An employee who is disabled because of pregnancy, childbirth, or related medical conditions may take an unpaid Pregnancy Disability Leave for the period of actual disability of up to four months. Pregnancy Disability Leave may consist of leave with or without pay and/or paid leave such as accrued sick leave, vacation leave, and compensatory time off. Pregnancy Disability Leave may also be used for prenatal care.

1. If an employee on an approved Pregnancy Disability Leave is eligible for Family and Medical Leave, up to 12 workweeks of Pregnancy Disability Leave will run concurrently with the employee's Family and Medical Leave entitlement under federal law. Upon concluding a Pregnancy Disability Leave, an employee may be eligible for up to 12 workweeks of Family and Medical Leave under the California Family Rights Act (CFRA) for any covered reason except pregnancy, childbirth or related medical conditions.

2. Reduced Schedule or Intermittent Leave. When medically necessary, an employee may take Pregnancy Disability Leave on an intermittent or reduced schedule basis. The University may require an employee who is taking such leave on an intermittent or reduced schedule basis to temporarily transfer to an alternative position if the alternative position better accommodates the required work schedule than the employee's own position. Such a temporary transfer shall not be counted toward an employee's entitlement to up to four (4) months of Pregnancy Disability Leave. At the conclusion of the Pregnancy Disability Leave (or earlier, at the University's option), the employee shall be returned to her original position in accordance with the Reinstatement provisions below.
3. Modification of Job Duties or Temporary Transfer. As an alternative to or in addition to Pregnancy Disability Leave, the University will temporarily modify the job duties of a pregnant employee or transfer the employee to a less strenuous or hazardous position, if requested by the employee and medically advisable according to the employee's health care provider, provided that the temporary transfer or modification of duties can be reasonably accommodated by the University. Such a temporary modification of duties or transfer will not be counted toward an employee's entitlement to up to four (4) months of Pregnancy Disability Leave. At the conclusion of the Pregnancy Disability Leave (or earlier upon the employee's request if that request is consistent with the advice of the employee's health care provider), the employee will be returned to her original position and/or duties in accordance with the Reinstatement provisions below.
4. Reinstatement. Reinstatement will be to the same position the employee had prior to the Pregnancy Disability Leave, provided that the employee returns to work within four (4) months and immediately following the Pregnancy Disability Leave. If the employee would have been laid off or terminated if the employee had actually been working during the leave period, reinstatement will be to a comparable position at the same location. If a comparable position at the same location is not available, the employee will be afforded the same considerations afforded other employees who are laid off or terminated pursuant to the provisions of Article 19, Layoff and Reduction in Time, Article 18, Discipline & Dismissal, and Article 6, Limited Appointment.

G. Parental Bonding Leave

An eligible employee is entitled to Family and Medical Leave to bond with his/her child after the child's birth or placement with the employee for adoption or foster care, and to attend to matters related to the birth, adoption, or placement of the child. Leave granted for such bonding purposes must be concluded within twelve (12) months following the child's birth or placement with the employee.

1. Reduced Schedule or Intermittent Leave. The basic minimum duration of any Parental Bonding Leave is two (2) weeks. However, the University will grant an employee's request for a Parental Bonding Leave of less than two (2) weeks'

duration on any two occasions. Otherwise, the employee may only take Parental Bonding leave for a period of less than two (2) weeks or intermittently or on a reduced schedule at the discretion of the employee's supervisor and then only according to an agreed schedule. Supervisors must assess any such request in conjunction with existing University needs.

2. Substitution of Paid Leave Benefits for Parental Bonding Leave. Employees may elect to substitute accrued vacation and/or up to thirty (30) days of accrued sick leave for any unpaid Parental Bonding Leave. If an employee wishes to take unpaid Parental Bonding Leave and the employee's vacation accrual balance is at the maximum, the employee will be required to use at least 10 percent of accrued vacation before taking unpaid Family and Medical Leave/Parental Bonding Leave.

H. Family and Medical Leave – Military Caregiver Leave

An eligible employee may take Military Caregiver Leave to care for a family member or next of kin who is a covered service member undergoing medical treatment, recuperation or therapy for a serious injury or illness.

1. Definition of Terms

- a. Covered service member: A "covered service member" is:
 - i. a current member of the regular Armed Forces (including a member of the Reserves; a member of the National Guard; or a member of the Armed Forces, the National Guard, or the Reserves who is on the temporary disability retired list) who has a serious injury or illness incurred or aggravated in the line of active duty for which he/she is undergoing medical treatment, recuperation, or therapy; is otherwise in outpatient status; or is on the temporary disability retired list; or
 - ii. a veteran of the Armed Forces (including the National Guard or the Reserves), provided that the veteran is undergoing medical treatment, recuperation, or therapy for a serious injury or illness that was incurred or aggravated in the line of active duty, and that the treatment, recuperation or therapy is occurring within five (5) years of the date the veteran left the Armed Forces.
- b. Next of kin: The "next of kin" is either (i) the nearest blood relative of the covered service member (other than the covered service member's spouse, domestic partner, parent, son or daughter) or (ii) the person who the covered service member has designated in writing as his/her nearest blood relative for purposes of Military Caregiver Leave.
- c. Parent of a covered military member: A "parent of a covered military member" is a covered military member's biological, adopted, or foster parent or any other individual who stood in loco parentis to the covered military member when the covered military member was a child. The definition does not include parents "in-law."

- d. Single 12-month leave period: A “single 12-month leave period” means the period beginning on the first day the employee takes leave to care for the covered service member and ending 12 months after that date.
 - e. Son or daughter of a covered service member: A son or daughter of a covered military member is of any age and is a biological, adopted, or foster child, stepchild, or legal ward of a covered service member or someone for whom the covered service member stood in loco parentis when that person was a child.
2. Leave Entitlement. An eligible employee is entitled to up to twenty-six (26) workweeks of Military Caregiver Leave during a single 12-month leave period. For purposes of this type of Family and Medical Leave only, a single 12-month leave period is the period beginning the first day an employee takes leave to care for the covered service member and ends twelve (12) months after that date.
 3. Leave is applied on a per-covered service member, per-injury basis. Eligible employees may take more than one period of twenty-six (26) workweeks of leave if the leave is to care for a different covered service member or to care for the same service member with a subsequent serious injury or illness, except that no more than twenty-six (26) workweeks of leave may be taken within any single 12-month period.
 4. If an eligible employee does not use all of his/her 26 workweeks of leave entitlement to care for a covered service member during this single 12-month leave period, the remaining part of the 26 workweeks entitlement to care for the covered service member for that serious injury or illness is forfeited.
 5. Reduced Schedule or Intermittent Leave. This leave may be taken on an intermittent or reduced schedule basis. If the employee’s need for intermittent or reduced schedule leave is foreseeable based on planned medical treatment, the employee should consult with his/her supervisor and make a reasonable effort to schedule the treatment so as to minimize the disruption to the University’s operations. In addition, if the need for intermittent or reduced schedule leave is foreseeable based on planned medical treatment, the University may require the employee to transfer temporarily (during the period when intermittent or reduced schedule leave is required) to an alternative position for which the employee is qualified and that better accommodates recurring periods of leave than the employee’s regular position.
 6. Documentation and Certification. Employees may be required to provide a certification completed by an authorized health care provider of the covered service member that provides information necessary to establish entitlement to Military Caregiver Leave. In addition, employees may be required to provide certain information (or have the covered service member provide information) establishing that the service member is a covered service member for purposes of Military Caregiver Leave, his/her relationship with the employee, and an estimate of the leave needed to provide the care.

7. Substitution of Paid Leave Benefits for Military Caregiver Leave. An employee may elect to substitute accrued vacation and/or up to twelve (12) workweeks of sick leave for unpaid Military Caregiver Leave. If an employee wishes to take unpaid Military Caregiver Leave and the employee's vacation accrual balance is at the maximum, the employee will be required to use at least 10 percent of accrued vacation prior to taking unpaid Military Caregiver Leave.

I. Family and Medical Leave – Qualifying Exigency Leave

An eligible employee who is the spouse, domestic partner, son, daughter or parent of a covered military member may take Qualifying Exigency Leave to attend to any qualifying exigency (as defined below) when the covered military member is on active military duty or has been notified of an impending call or order to active military duty in the Armed Forces.

1. Definition of Terms

- a. Active duty or call to active duty status: “Active duty or call to active duty status” is defined as duty under a call or order to active duty (or notification of an impending call or order to active duty) in the Armed Forces.
 - b. Covered military member: A “covered military member” is on “active duty or call to active duty status” and is either (i) a member of a regular component of the Armed Forces who is deployed to or returning from a foreign country due to service with the Armed Forces, (ii) a member of the reserve components (Army National Guard of the United States, Army Reserve, Navy Reserve, Air National Guard of the United States, Air Force Reserve, or Coast Guard Reserve), or (iii) a retired member of the regular Armed Forces or the Reserves.
 - c. Parent of a covered service member: For purposes of Family Medical Leave – Military Caregiver Leave, a “parent of a covered service member” is a covered service member's biological, adopted, or foster parent or any other individual who stood in loco parentis to the covered service member when the covered military member was a child. The definition does not include parents “in-law.”
 - d. Son or daughter of a covered military member: A son or daughter of a covered military member is of any age and is a biological, adopted, or foster child, stepchild, or legal ward of a covered military member or someone for whom the covered military member stood in loco parentis when that person was a child.
2. Qualifying Exigency. A Qualifying Exigency is defined as any one of the following, provided that the activity relates to the covered military member's active duty or call to active duty status:

- a. Short notice deployment to address issues that arise due to a covered military member being notified of an impending call to active duty seven (7) or fewer calendar days prior to the date of deployment.
 - b. Military events and activities, including official ceremonies.
 - c. Childcare and school activities for a child of the covered military member who is either under the age of 18 or incapable of self-care.
 - d. Financial and legal arrangements to address the covered military member's absence or to act as the covered military member's representative for purposes of obtaining, arranging, or appealing military service benefits while the covered military member is on active duty or call to active duty status and for the ninety (90) days after the termination of the covered military member's active duty status.
 - e. Counseling (provided by someone other than a health care provider) for the employee, for the covered military member, or for a child of the covered military member who is either under age 18 or incapable of self-care.
 - f. Rest and recuperation (up to five (5) days of leave for each instance) to spend time with a covered military member who is on short-term, temporary rest and recuperation leave during deployment.
 - g. Post-deployment activities to attend ceremonies sponsored by the military for a period of ninety (90) days following termination of the covered military member's active duty and to address issues that arise from the death of a covered military member while on active duty status.
 - h. Additional activities related to the covered military member's active duty or call to active duty status when the University and the employee agree that such activity qualifies as an exigency and agree to both the timing and duration of the leave.
3. Reduced Schedule or Intermittent Leave . Qualifying Exigency Leave may be taken on an intermittent or reduced schedule basis.
 4. Documentation and Certification. Employees may be required to provide a copy of the covered military member's active duty orders. Employees may also be required to provide certification of: (1) the reasons for requesting Qualified Exigency Leave, (2) the beginning and end dates of the qualifying exigency, and (3) other relevant information.
 5. Substitution of Paid Leave Benefits for Qualifying Exigency Leave. An employee may elect to substitute accrued vacation for unpaid Qualifying Exigency Leave. If an employee wishes to take unpaid Qualifying Exigency Leave and the employee's vacation accrual balance at the maximum, the employee will be required to use at least 10 percent of accrued vacation prior to taking unpaid Qualifying Exigency Leave.
 6. Notice. The employee shall provide notice of the need for leave as soon as practicable, pursuant to Section A.5., above.

J. Military Spouse/Domestic Partner Leave

An employee who is a spouse or domestic partner of a member of the Armed Forces, National Guard, or Reserves may take this leave during a qualified leave period when the employee's spouse or domestic partner is on leave from a Period of Military Conflict.

1. A qualified leave period for this type of leave means the period during which the qualified member is on leave from deployment during a period of military conflict. An eligible employee will be entitled to up to a maximum of ten (10) days of unpaid leave during a qualified leave period. Qualified member and Period of Military Conflict are terms defined below:
 - a. Qualified Member: For purposes of Military Spouse/Domestic Partner Leave, a "qualified member" is a person who is (1) a member of the Armed Forces of the United States who has been deployed during a period of military conflict to an area designated as a combat theater or combat zone by the President of the United States, (2) a member of the National Guard who has been deployed during a period of military conflict, or (3) a member of the Reserves who has been deployed during a period of military conflict.
 - b. Period of Military Conflict: For purposes of Military Spouse/Domestic Partner Leave, a "period of military conflict" is a period of war declared by the United States Congress, or a period of deployment for which a member of a reserve component is ordered to active duty as defined in Military & Veterans Code Section 395.10.
2. To be eligible for this leave, an employee must satisfy all of the following criteria:
 - a. Be a spouse or domestic partner of a qualified member,
 - b. Perform services for the University for an average of twenty (20) or more hours per week,
 - c. Provide the University with notice of the employee's intention to take the leave within two (2) business days of receiving official notice that the qualified member will be on leave from deployment, and
 - d. Submit written documentation certifying that the qualified member will be on leave from deployment during the time that leave is being requested by the employee.

K. Work Incurred Illness and Injury Leave

An employee who is off pay status and receiving temporary disability payments under the Workers' Compensation Act may be granted, at the discretion of the department head, a leave without pay for all or part of the period during which such temporary disability payments are received, except that an employee who also is eligible for family and medical leave shall be granted leave pursuant to Section B, Family and Medical Leave.

L. Personal Leave

A career employee may be granted a leave without pay for personal reasons at the discretion of management. Reinstatement shall be to the same or, at the department's discretion, a similar position in the same department provided that the employee returns to work immediately following termination of the leave. If the employee would have been laid off or terminated had the employee remained on pay status during the leave prior, the employee shall be afforded the same considerations afforded other employees who are laid off or terminated pursuant to the provisions of Article 19, Layoff and Reduction in Time, Article 18, Discipline & Dismissal, and Article 6, Limited Appointment.

M. Catastrophic Leave Donation Program

1. Employees are eligible to participate in the Catastrophic Leave Donation Program, as recipients and donors, consistent with the local campus guidelines.
2. Employees may submit an application for the Catastrophic Leave Donation Program when they have exhausted all but their last 40 hours of paid leave.

N. Administrative Leaves

Eligible employees may be granted administrative leave to participate in specified University and civic activities, or because of natural or other emergencies.

1. Jury and Witness Duty, Including Grand Jury Duty. A full-time or part-time employee on any shift or work schedule shall be granted administrative leave for actual time spent on jury duty or as a witness when served with a subpoena and in related travel, not exceed the number of hours in the employee's normal work day and the employee's normal work week. Administrative leave granted for jury or witness duty shall be with pay if the employee is appointed to a career position. Otherwise, administrative leave granted for jury or witness duty shall be without pay.
2. University Proceedings. An employee may be granted leave with pay during regularly scheduled hours of work to attend University meetings or functions as designated by the Department Head. When an employee is required to attend administrative or legal proceedings on behalf of the University, attendance is counted as time worked.
3. Voting Privileges. An employee shall be granted leave with pay, up to a maximum of two hours, for voting in a statewide primary or general election if the employee does not have time to vote outside of working hours. Any additional time off shall be without pay.

4. Administrative Leave for Emergencies. The Chancellor may grant administrative leaves with pay for a specified duration due to natural or other emergencies, or an employee may request unpaid leave for that purpose.
 - a. To be eligible, an employee must be scheduled to work and is not on paid or unpaid leave on the day(s) of the emergency, and the employee must coordinate leave requests with his/her supervisor and the coordinator on the campus handling emergency response requests and issues.
 - b. An employee who wishes to participate in emergency response efforts with agencies that have requested assistance (e.g., FEMA, the Red Cross) may be granted administrative leave with pay for a period of time determined in accordance with campus procedures, depending upon the particular circumstances of the emergency. To be eligible for this type of leave under these circumstances, the employee must be scheduled to work and not on paid or unpaid leave on the day(s) when he/she is participating in the emergency response efforts.
5. Curtailment Leave. The campus may curtail operations on a department-by-department basis for specific periods of time. Employees may continue to accrue vacation and sick leave credits during an unpaid curtailment leave for up to three (3) days. Employees may elect to substitute accrued vacation and/or compensatory time off for leave without pay. During a curtailment leave, employees with insufficient vacation accrual balances may use up to three (3) days of vacation credits prior to their actual accrual.
6. Leave for Blood Donation. An employee is eligible for an administrative leave with pay for up to two (2) hours to donate blood. Time taken to donate blood is not considered time worked for purposes of computing overtime pay for employees.