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University Only

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Subject: San Francisco State University (SFSU) Head Start Program Employees (Unit 12) Leave Programs

The California State University (CSU) and the Service Employees International Union (SEIU) Local 790, recently completed negotiations to implement the first Collective Bargaining Agreement (CBA) exclusively for SFSU Head Start Program represented employees. The Agreement is effective January 16, 2006, through May 31, 2009.

This technical letter documents the following paid and unpaid leave program benefits for eligible SFSU Head Start employees provided under the terms of the CBA:

Leave Type	Benefit
Absence as a Witness – Serving in the CSU's Interest	<p>Employees serving as court-subpoenaed witnesses or expert witnesses in the interest of the CSU shall seek the payment of witness fees. Whenever possible, employees shall confer with the attorney requesting their appearance to determine whether certified copies of appropriate documents would be suitable and would eliminate the need for a court appearance.</p> <p>An employee who is absent as a court-subpoenaed witness or expert witness in the interest of the CSU shall be paid the normal salary for the corresponding period of absence. No portion of the employee's salary shall be forfeited as the result of such an appearance; however, all court fees (except personal travel and/or subsistence payments) shall be remitted to the CSU. If an exceptional circumstance occurs such that the employee does not remit such fees, an amount equal to the fees shall be deducted from the employee's salary. No vacation or compensatory time off (CTO) shall be used in such cases.</p> <p>An employee who receives court fees in excess of regular earnings may keep the excess and need remit only an amount equal to the compensation paid the employee while on leave. If the employee chooses to retain the entire fee, then the time taken off shall be charged as vacation or CTO, and if no vacation time or CTO is</p>

Distribution:

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Leave Type	Benefit
	<p>available, the employee shall be docked for the period of absence.</p> <p>Any employee serving as a court-subpoenaed witness on a holiday or while on vacation or on compensatory time off (CTO) shall serve on their own time.</p>
Absence as a Witness – Not Serving in the CSU's Interest	Employee shall be charged vacation or CTO for time, or employee shall be docked for period of non-compensable absence.
Bereavement (Funeral)	Two (2) days with pay for each death of an immediate family member or three (3) days with pay if employee travels over five hundred (500) miles for funeral or burial.
Catastrophic Leave Donations	40 hours = maximum number of irrevocable vacation and/or sick leave hours to donate per fiscal year in increments of one (1) hour or more.
Catastrophic Leave – Family Care	40 hours = maximum number of irrevocable vacation hours to donate per fiscal year in increments of one (1) hour or more.
Compensating Time Off (Overtime)	Must be taken within thirty (30) days of being earned, or it will be paid off within two pay periods following the 30 day period.
Family Care/Medical Leave CSU Family Medical Leave (CSU FML)	<ul style="list-style-type: none"> - Must have at least 12 months of service - Eligible employees are entitled to CSU FML without pay for a total of twelve (12) weeks in a twelve (12) month period. - Employees must utilize appropriate leave credits prior to going on any unpaid CSU FML. - In the case of the birth or adoption/foster care of a child by the employee, leave taken shall be initiated within one (1) year of the birth or placement as appropriate.
Holiday, Personal	One (1) day per calendar year, forfeited if not used by 12/31.
Holiday Time Off	The number of hours of the holiday shall be determined by the hours the employee is normally scheduled to work on the day the holiday is observed. An employee on a leave of absence without pay or in other non-pay status on a day a holiday is officially observed shall not be entitled to the holiday.
Jury Duty (SB 1102, Reference HR 2004-22)	Regular salary received for time spent on jury duty if Proof of Service for state, or for federal jury duty if fees are remitted to the CSU. If employee retains jury duty fees, available vacation or CTO credits may be used to cover time off. An hourly employee shall be eligible for time off with pay for jury duty only for those hours he/she was scheduled to work.
Leaves of Absence	Up to one (1) year unpaid leave for a full-time or permanent part-time employee.
Maternity Leave Education Code 89519 Maternity Leave (ECML)	Leave of absence for the purpose of pregnancy, childbirth or the recovery there from of a female employee. Period of leave is determined by the employee and a permanent employee is entitled up to one (1) year of leave without pay. ECML tracks with California Pregnancy Disability Leave (CPDL) and CSU Family Medical Leave (CSU FML) and an employee may utilize leave credits before going on any unpaid portion of ECML.

Maternity/Paternity/Adoption	Up to thirty (30) consecutive days with pay, which shall commence within sixty (60) days of the arrival of a new child. Such leave shall be taken consecutively, unless mutually agreed otherwise by the employee and the appropriate administrator. Leave taken in daily increments.
Pregnancy Disability Leave California Pregnancy Disability Leave (CPDL) (Govt. Code 12945[b][2])	Up to four (4) months of leave for a female employee. Separate and distinct from the twelve (12) week family leave provision.
Professional Development Time	When an employee is required to take work-related training, the employee shall be granted release time if it occurs during working hours. If work-related training is during non-working hours, the employee shall be granted overtime pay or compensating time of, as determined by the appropriate administrator.
Sick Leave – Accrual	Up to eight (8) hours per qualifying pay period. Pro rata accrual for less than full-time. Sick leave may be accumulated without limits.
Sick Leave Usage – Bereavement	Upon written request, the appropriate administrator may authorize the use of accrued sick leave for funeral leave.
Sick Leave Usage – Family Care	Up to five (5) days of accrued sick leave may be used for emergency family care during any one (1) calendar year. An additional five (5) days may be approved by the appropriate administrator.
Sick Leave Usage – Maternity	For the period of time covering the date of childbirth and immediate physical recovery there from, normally fifteen (15) days may be charged, with a physician's verification of disability required for the use of earned sick leave in excess of fifteen (15) days.
Union Business Release Time	Release time provided to up to five (5) represented employees to attend each scheduled meet and confer session. Additional release time shall be provided on an individual basis to meet special needs related to transportation and work schedules.
Union Leave	Without loss of compensation, such a leave may be partial or full-time and may be on an hour-for-hour basis. No leave may be more than one (1) year in duration. An employee on such a leave shall continue to earn service credit and retirement credit, and it shall not constitute a break in continuous service for the purpose of salary adjustments, sick leave, vacation or seniority. The Head Start Program shall be reimbursed by SEIU Local 790 for all compensation paid and for any incidental costs of 30% of the employee's gross salary.
Vacation Accrual Rate	Service Requirement method for eligible employees. Pro rata accrual for less than full-time.
Vacation Maximum	272 hours for ten (10) or less years of qualifying service; 440 hours for more than ten (10) years of such service.
Voting Time Off	Up to two (2) hours of paid time off to vote at a general, direct primary, or presidential election.

Questions regarding this Technical Letter may be directed Human Resources Administration at (562) 951-4411. This Technical Letter is also available on the Human Resources Administration's Web site at: <http://www.calstate.edu/HRAdm/memos.shtml>.

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