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HR/Benefits 2012-13
HR/Leaves 2012-06

To: Human Resources Officers
Benefits Officers

From: Evelyn Nazario
Associate Vice Chancellor
Human Resources Management & CO HR Services

Subject: Benefits and Leave Update – Academic Professionals of California (APC) (Unit 4)

Overview

Audience: Human Resources Officers, Benefits Officers, and/or campus designee(s) responsible for benefits and leave of absence administration

Action Item: Information only

Affected Employees: Academic Professionals of California (APC) (Unit 4) Employees

Summary

This Technical Letter provides information regarding benefit and leave provisions pursuant to the agreement reached between the California State University (CSU) and the Academic Professionals of California (APC) (unit 4), effective November 13, 2012, through June 30, 2014.

Campus designees responsible for administering the above programs/provisions should read the remainder of this Technical Letter in its entirety.

The California State University (CSU) and the Academic Professionals of California (APC) (Unit 4) agreed to a new contract effective November 13, 2012, through June 30, 2014. Benefits and Leave highlights are provided below:

Non-Reimbursable Statewide Officer Union Leave Time (Article 7)
Article 7 of the collective bargaining agreement (CBA) has been modified to state:

- That no more than two-hundred sixty (260) days may be used at any one campus in a contract year. No carry over from one fiscal year to another is permitted.
- Use of this leave shall be designated by APC, and can be partial or full-time. Such leaves must be in six (6) to twelve (12) month increments.
- The CSU must make reasonable efforts to back-fill the positions of employees on union leave for six (6) to twelve (12) months.
- Notice of any absence must be given to the campus by the employee at least thirty (30) calendar days in advance. The leave request citing the leave provision shall be submitted to the Statewide Officer’s campus Human Resources Office with a copy to the Office of the Chancellor.
Employees on a full-time leave will remain on Non-Reimbursable Leave for all non-work days during the designated Non-Reimbursable Leave (i.e., holidays, vacations, meetings of the Trustees, etc.).
If the leave is to be ended early for the purpose of the employee returning to work, APC shall give the campus a minimum of two (2) weeks notice.
If union leave is denied, the campus shall state the reason(s) for denial in writing, at APC’s request.

Reimbursable Statewide Officer Union Leave Time (Article 7)
- Use of this leave shall be designated by APC, and can be partial or full-time.
- Notice of any absence must be given to the Human Resources Office of the employee’s campus, with a copy to the Office of the Chancellor by APC at least five (5) working days in advance of the absence.
- Notice of any absence of more than a month must be given to the Human Resources Office of the employee’s campus at least thirty (30) calendar days in advance, with a copy to the Office of the Chancellor.
- If union leave is denied, the campus shall state the reason(s) for denial in writing, at APC’s request.
- If the leave is to be ended early for the purpose of the employee returning to work, APC shall give the campus a minimum of two (2) weeks notice.
- Employees on a full-time leave of thirty (30) days or more will remain on Reimbursable Leave for all non-work days during the designated Non-Reimbursable Leave (i.e., holidays, vacations, meetings of the Trustees, etc.).

Non-Reimbursable Steward Union Leave Time (Article 7)
- The maximum number of days applicable to non-reimbursable steward union leave has increased to forty-eight (48) days.
- If union leave is denied, the campus shall state the reason(s) for denial in writing, at APC’s request.

Fee Waiver (Article 16)
Please note the following information regarding Fee Waiver as defined in the CBA:

- Eligible employees and/or dependents enrolled in a Doctoral program are eligible for a partial fee waiver equivalent to the part-time Graduate Tuition Fee. Therefore, APC employees (and their eligible dependent(s)) are responsible for paying the difference between the applicable Doctorate fee and the part-time Graduate Tuition fee.
- Individuals currently enrolled in the CSU Doctor of Education program either prior to or on the ratification date of the CBA shall continue to be eligible to receive the full fee waiver benefit for the remainder of the program provided they remain in good academic standing, and are not subject to paying the difference between the applicable Doctorate fee and the part-time Graduate Tuition Fee.
- Dependent fee waiver is applicable to a spouse or registered domestic partner, or dependent child up to age 25.
- Fee Waiver is not applicable to self-supported programs.
- Employees taking courses in addition to courses waived under Fee Waiver shall pay the difference between the full State University fee and the part-time State University fee.

The new fee waiver payment schedule for APC employees is as follows:

- The following fees are fully waived for APC employees:
  - Application Fee
  - Health Services Fee
  - Identification Card Fee (if mandatory)
  - Instructionally Related Activity Fee
  - Professional Program Fee
  - State University Tuition Fee (applicable to units of courses taken in Fee Waiver program)
All other Category I and II fees as defined in Executive Order (EO) 1054 shall be waived for employees, except the doctoral program fee and Non-Resident Tuition fee.

- The following fees are reduced to a $1.00 for APC employees:
  - Associated Student Body Fee (formerly Student Body Association Fee)
  - University Union Fee (formerly Student University Union Fee)
  - Health Facilities Fee

- The following fees are fully waived for APC employees' eligible dependents (spouse/domestic partner or dependent child):
  - Application Fee
  - Identification Card Fee (if mandatory)
  - State University Tuition Fee (applicable to units of courses taken in Fee Waiver program, not including the Doctoral Program fee or the Professional Program fee for courses taken in the Fee Waiver program)

All other fees are paid at regular rates.

**Leaves of Absence without Pay (Article 22)**

Article 22 of the CBA has been updated to include the following leave types that can be taken for up to one year:
- Parental Leave (formerly referred to as family care or medical leave)
- Military Leave
- Pregnancy Disability Leave.

Please note the following additional information:

- Employees must receive a written response either denying or granting the leave of absence within thirty (30) days.
- CSU Family Medical Leave (FML) will continue to run concurrently with applicable leaves of absence.
- **APC employees can no longer self-designate CSU Family Medical Leave for his/her own serious illness, as is the case for other CSU employees.** This provision, as expressed in HR/Benefits 2005-24, has been eliminated by the recent ratification of the APC contract and is no longer applicable.
- Language regarding obligatory Military Exigency leave provisions applicable to FML has been added to the CBA.

Consequently, Article 22 has been amended to prohibit campuses from asking an employee if the use of vacation or other paid time off is for an FML qualifying purpose, unless the employee initiates the request as being such. In addition, if the employer denies the employee’s request to use vacation or other paid time off and the employee then provides information that the requested time off is or may be for an FML-qualifying purpose, the employer may inquire further into the reasons for the absence. If the absence is FML-qualifying, employees shall utilize appropriate leave credits in accordance with Article 22.

**Benefits (Eligible Family Members) (Article 24)**

Article 24 of the collective bargaining agreement (CBA) clarifies that the term “eligible family members,” for the purposes of benefits (excluding fee waiver) refers to:
- The eligible employee’s legal spouse;
- Registered domestic partner;
- Children from birth to the end the month in which the dependent children reach age twenty-six (26);
- Disabled child(ren) (based on satisfactory evidence) over the age of twenty-six (26) and enrolled in benefits prior to reaching age 26.
An adopted child, stepchild, natural child recognized by the parent, or a child living with the employee in a parent-child relationship as certified by the employee at the time of enrollment of the child, and annually thereafter up to the age of twenty-six (26) is also eligible for benefits under Article 24.

**Common Management System (CMS)**
This technical letter has no impact on CMS Baseline.

**General Information**
Questions regarding this Technical Letter may be directed to Human Resources Management at (562) 951-4411. This document is also available on the Human Resources Management Web site at: [http://www.calstate.edu/HRAdm/memos.shtml](http://www.calstate.edu/HRAdm/memos.shtml).

EN/mh