The following information is intended to clarify two provisions of the new faculty Memorandum of Understanding (MOU):

Provision 24.13 of the new Unit 3 MOU continues to indicate that faculty should report the use of sick leave credits for partial day absences due to illness or injury. However, Unit 3 employees are exempt from the Fair Labor Standards Act (FLSA) and in accordance with current CSU policy, exempt employees who have absences of less than a full day should receive a full day’s salary and should not be charged leave credits for a partial day, nor should their pay be docked. Current policy may be amended in the future contingent upon FLSA court decisions and, if so, you will be advised when the language in Article 24.13 becomes operative. In the meantime, please follow the current policy noted above.

In October, provisions 23.4 and 23.5 were amended to liberalize the benefit originally called "Paid Maternity Leave". (See Attachment for new language.) Effective October 1, 1995, the revisions now provide ten days of paid maternity/paternity leave commencing with the arrival of a new child. This new type of paid leave applies to the birth of an employee’s own child or the placement of a child with the employee in connection with adoption or foster care. If the employee has been working or on any other paid or unpaid leave immediately prior to the child’s arrival, he/she should be placed on this new leave effective with the first academic workday concurrent with, or next following, the arrival of the new child. This type of absence is not charged against the employee’s leave credits.

After the ten days paid maternity/paternity leave are exhausted, the faculty member may be eligible to charge sick leave in accordance with Provision 23.5 and (Over)
Article 24 of the MOU. Please also refer to the Family Care/Medical Leave and Maternity/Paternity Leave policies in Article 22 of the MOU, as paid maternity/paternity leave runs concurrently with these leaves.

If your campus uses the State Standard Form 634 for reporting Absence and Additional Time Worked, the absence with pay Section 5 should indicate Other: "R03 Paid Maternity/Paternity Leave". On line 7F, code the absence "MP, and in Section 8, indicate "MP = R03 Paid Maternity/Paternity Leave -- No Charge." Please note that this type of leave will not be reflected in the California Leave Accounting System.

If you have any questions regarding sick leave or maternity/paternity leave for Unit 3 employees, please contact systemwide benefits administration at (310) 985-2669.

CR/pb
Attachment
NEW UNIT 3 MATERNITY/PATERNITY LEAVE LANGUAGE

Paid Maternity/Paternity Leave

23.4 A bargaining unit employee on a maternity/paternity leave pursuant to Article 22 of this Agreement shall be entitled to up to ten (10) days maternity/paternity leave of absence with pay for the period commencing with the arrival of a new child. Such leave shall be charged only for workdays in such a period of time and may be used for reason of the birth of a child of the employee or the placement of a child with an employee in connection with the adoption or foster care of the child by the employee.

23.5 A paid maternity leave granted in accordance with provision 23.4 above runs concurrently with other maternity/paternity, pregnancy disability and/or family care and medical leave provisions of Article 22, Leaves of Absence Without Pay, and may be supplemented in accordance with the provisions of Article 24, Sick Leave, of this Agreement. Normally, ten (10) days of earned sick leave may be charged. A physician's verification of disability shall be required for the use of earned sick leave pursuant to this provision in excess of ten (10) days.