

## ARTICLE 28

### DIFFERENCE IN PAY LEAVES

- 28.1 A difference in pay leave shall be for purposes that provide a benefit to the CSU, such as research, scholarly and creative activity, instructional improvement or faculty retraining.
- 28.2 A difference in pay leave may be approved for one (1) or more quarters, semesters, or months as appropriate to the appointment.
- 28.3 The salary for a difference in pay leave for a faculty unit employee shall be the difference between the faculty employee's salary and the minimum salary of the instructor rank. The salary for a difference in pay leave for a librarian employee shall be the difference between the librarian employee's salary and the minimum salary of the lowest comparable time base librarian rank. The salary for a difference in pay leave for a counselor employee shall be the difference between the counselor employee's salary and the minimum salary of the instructor rank at the comparable time base.
- 28.4 A full-time faculty unit employee shall be eligible for a difference in pay leave if s/he has served full-time for six (6) years at that campus in the preceding seven (7) year period prior to the leave. Credit granted towards the completion of the probationary period for service elsewhere shall also apply towards fulfilling the eligibility requirements for a difference in pay leave. A leave of absence without pay or service in an academic administrative appointment excluded from the bargaining unit shall not constitute a break in service for eligibility requirements, nor shall it fulfill the obligation in 28.16. A faculty unit employee will be eligible for a subsequent difference in pay leave after s/he has served full-time for three years after the last sabbatical leave or difference in pay leave and has satisfied the obligation in 28.16.
- 28.5 The faculty unit employee shall submit a request for a difference in pay leave. The application shall include a statement of the purpose of the leave; a description of the proposed project; the CSU resources, if any, necessary to carry it out; and a statement of the time requested.

- 28.6 When a faculty unit employee is afforded an unexpected opportunity, such as external funding, a scholarship or fellowship, a rapid and expedited review for a difference in pay leave will be provided.
- 28.7 A Departmental Committee composed of tenured faculty unit employees shall review difference in pay leave requests. The Departmental Committee shall be elected by probationary and tenured faculty unit employees. A faculty unit employee applying for a difference in pay leave shall not serve on this Committee. The recommendation ensuing from such a review shall be submitted to the appropriate administrator. This review shall consider questions related to the quality of the proposed difference in pay leave.
- 28.8 The department shall provide a statement to the appropriate administrator regarding the possible effect on the curriculum and the operation of the department should the employee be granted a difference in pay leave.
- 28.9 Prior to making a recommendation to the President regarding the difference in pay leave request, the appropriate administrator shall consider the recommendations pursuant to provisions 28.7 and 28.8, other campus program needs, and campus budget implications.
- 28.10 Prior to making a final determination regarding the difference in pay leave and the conditions of such an approved leave, if any, the President shall consider the recommendations made pursuant to provisions 28.7– 28.9. The President shall respond in writing to the applicant and such a response shall include the reasons for approval or denial. If a difference in pay leave is granted, the response shall include any conditions of such a leave. A copy of this response shall be provided to the affected Department Leave Committee.
- 28.11 Final approval of a difference in pay leave shall not be granted until the applicant has filed with the President a suitable bond or an accepted statement of assets that are at least equal to the amount of salary paid during the period of leave. Such suitable bond or accepted statement of assets shall indemnify the State of California against loss in the event the employee fails to render the required service in the CSU following return of the employee from the difference in pay leave.

- 28.12 A faculty unit employee on a difference in pay leave shall be considered in work status and shall receive health, dental, and appropriate fringe benefits provided by the CSU in the same manner as if s/he were not on a difference in pay leave.
- 28.13 A faculty unit employee on a difference in pay leave shall be entitled to accrue sick leave, vacation, and service credit toward merit salary adjustment eligibility, eligibility toward promotion, if applicable, and seniority credit.
- 28.14 A faculty unit employee granted a difference in pay leave shall not accept additional and/or outside employment without prior approval of the President.
- 28.15 A faculty unit employee granted a difference in pay leave may be required by the President to provide verification that the conditions of the leave were met. The statement of verification shall be provided to the President and the Department Leave Committee.
- 28.16 A faculty unit employee shall render service to the CSU upon return from a difference in pay leave at the rate of one (1) term of service for each term of leave.