

APC/CSU MEMORANDUM OF UNDERSTANDING

Expanded COVID Related Leave

The California State University (“CSU” or “employer”) and the Academic Professional of California (“APC”) agree to the following:

ECRL - Expanded COVID Related Leave

- 1) Each full-time employee shall be allotted 128 hours of ECRL (Expanded COVID Related Leave) for use between January 1, 2021 and December 31, 2021. The total number of ECRL hours shall be pro-rated for employees whose appointment is less than full-time and done in a manner consistent with SB 95. Rehired annuitants are not eligible for ECRL due to limitations under the Government Code. Unused ECRL hours expire on December 31, 2021. ECRL has no value if an employee separates from employment.

It is the intent of the parties that ECRL meets all, and in some instances exceeds, the requirements of SB 95: Supplemental Paid Sick Leave.

- 2) ECRL can be used for reasons permitted under SB 95, which include the following:
 - a) The employee is subject to a quarantine or isolation period related to COVID-19 as defined by an order or guidelines of the State Department of Public Health, the federal Centers for Disease Control and Prevention, or a local health officer who has jurisdiction over the worksite.
 - b) The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.
 - c) The employee is attending an appointment to receive a vaccine for protection against contracting COVID-19.
 - d) The employee is experiencing symptoms related to a COVID-19 vaccine that prevent the employee from being able to work or telework.
 - e) The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.
 - f) The employee is caring for a family member, as defined in subdivision (c) of Labor Code Section 245.5, who is subject to an order or guidelines described in (a) above, or who has been advised by a healthcare provider to self-quarantine.
 - g) The employee is caring for a child, as defined in subdivision (c) of Labor Code Section 245.5, whose school or place of care is closed or otherwise unavailable for reasons related to COVID-19 on the premises.
- 3) Employees should provide as much advance notice as possible of the need to use ECRL to the appropriate administrator. Self-certification will be required and in most cases is all that will be needed. However, in circumstances where the CSU has information indicating that the employee is not requesting ECRL for a valid purpose, the campus may require documentation or medical certification before paying ECRL. The CSU will not deny ECRL solely for lack of a medical certification.
- 4) ECRL can only be used in full day increments (16 workdays) for FLSA exempt employees. Non-Exempt employees may use ECRL in less than full day increments.

- 5) ECRL can be used on consecutive days or intermittently, based on need.
- 6) ECRL will be paid at the employee’s regular rate of pay and will not be subject to the daily pay limit contained in SB 95.
- 7) ECRL shall be considered “employer-provided employee sick leave” for the purposes of Cal OSHA General Industry Safety Orders, Section 3205.
- 8) APC agrees that the CSU has met its obligation to meet and confer over the above subjects, including the implementation of SB 95.
- 9) Disputes alleging a violation, misinterpretation or misapplication of this agreement shall be subject to the grievance procedure in the CBA between APC and the CSU.

For the Academic Professionals of California:

For the California State University:

Edie Brown

[Edie Brown \(Apr 9, 2021 14:36 PDT\)](#)

Edie Brown, President
Academic Professionals of California

Joseph J. Jelincic III

[Joseph Jelincic \(Apr 9, 2021 13:58 PDT\)](#)

Joseph J. Jelincic III
Senior Director, Collective Bargaining

Lee O Norris

[Lee O Norris \(Apr 9, 2021 13:59 PDT\)](#)

Lee O. Norris, Labor Relations Manager
Academic Professionals of California

Steve James

Steve James
Labor Relations Advisor