

## APC/CSU MEMORANDUM OF UNDERSTANDING

### **SB 114 Supplemental Paid Sick Leave**

On February 10, 2022, the CSU provided notice to APC regarding a proposed SB 114 Supplemental Paid Sick Leave Policy.

The California State University (“CSU” or “Employer”), and the Academic Professional of California (“APC” or “Union”), agree to the following for APC-represented employees:

#### SPSL- Supplemental Paid Sick Leave

- 1) Each full-time employee shall be allotted 80 hours of SPSL- Supplemental Paid Sick Leave for use between January 1, 2022 and December 31, 2022. The total number of SPSL hours shall be pro-rated for employees whose appointment is less than full-time and done in a manner consistent with SB 114. Unused SPSL hours expire on December 31, 2022. SPSL has no value if an employee separates from employment.

It is the intent of the parties that SPSL meets all, and in some instances exceeds, the requirements of SB 114: Supplemental Paid Sick Leave.

- 2) SPSL can be used for reasons permitted under SB 114 and will be retroactively to January 1, 2022. The 80 hours will be allocated as prescribed in SB 114.
- 3) Employees should provide as much advance notice as possible of the need to use SPSL 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 SPSL for a valid purpose, or where permitted by SB 114, the campus may require documentation or medical certification before paying SPSL. The CSU will not deny SPSL solely for lack of a medical certification.
- 4) SPSL can only be used in full day increments (10 workdays) for FLSA exempt employees. Non-Exempt employees may use SPSL in less than full day increments.
- 5) SPSL can be used on consecutive days or intermittently, based on need.
- 6) SPSL will be paid at the employee’s regular rate of pay and will not be subject to the daily pay limit contained in SB 114.
- 7) Rehired annuitants are entitled to all rights provided by SB 114, but due to CalPERS rules and restrictions, they cannot receive CSU provided enhancements which include the extension to use hours and the enhancement listed in paragraph 6.
- 8) SPSL shall be considered “employer-provided employee sick leave” for the purposes of Cal OSHA General Industry Safety Orders, Section 3205.

- 9) If, as the result of the meet and confer process with another union that represents CSU employees, the CSU agrees to provide more than 80 hours of SPSL time or other enhanced benefits, then the CSU shall inform APC in writing. APC shall have the option to re-open negotiations on this agreement by providing a written request to the CSU no later than fourteen (14) days after the CSU contacts APC.
- 10) APC agrees that the CSU has met its obligation to meet and confer over the above subjects, including the implementation of SB 114.
- 11) 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 APC:

 Apr 26, 2022  
 Edie Brown (Apr 26, 2022 13:34 PDT)

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Edie Brown,  
 APC President

 Apr 28, 2022  
 dagoberto argueta (Apr 28, 2022 11:14 PDT)

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Dagoberto Argueta,  
 APC Vice President

 Apr 19, 2022  
 Christine McCarthy (Apr 19, 2022 13:19 PDT)

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Christine McCarthy,  
 APC Treasurer

 Apr 19, 2022  
 Rose Duran (Apr 19, 2022 17:15 PDT)

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Rose Duran,  
 APC Secretary

 Apr 19, 2022  
 Mario Baeza (Apr 19, 2022 13:19 PDT)

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Mario Baeza,  
 APC Council Member at Large  
 CSU San Bernardino

 Apr 19, 2022

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Daryl Evans,  
 CSU Dominguez Hills

 Apr 19, 2022  
 Sam Tran (Apr 19, 2022 13:18 PDT)

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Sam Tran,  
 CSU East Bay

 Apr 20, 2022  
 Tammy Worthington (Apr 20, 2022 08:05 PDT)

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Tammy Worthington,  
 CSU Stanislaus

For the California State University:

 Apr 20, 2022  
 Christina Checél (Apr 20, 2022 14:19 PDT)

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Christina Checél,  
 Associate Vice Chancellor

 Apr 19, 2022  
 Joseph J. Jelincic III (Apr 19, 2022 13:46 PDT)

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Joseph J. Jelincic III,  
 Assistant Vice Chancellor

 Apr 20, 2022

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Hector Fernandez,  
 Manager Systemwide Labor Relations