



Charles R. Drew University
of Medicine and Science

2024 Time-Off Benefits

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A Message From Human Resources

A Message from Human Resources

Charles R. Drew University of Medicine and Science ("CDU" or "the University") provides generous time off benefits for faculty and staff. Some of our time off benefits are mandated by Federal and State regulations, however, CDU offers many generous and competitive time off benefits that we continue to review, revise and improve.

Navigating through our various policies can be tedious, so we have compiled all of the University's time off benefits in this one easy to use manual.

Please take the time to review this handbook and refer to it if you have questions about the benefits that you are eligible for. We understand that integrating time off benefits can be complicated and we encourage you to reach out to the human resources department at benefits@cdrewu.edu with your questions. A human resources representative will be happy to assist you.

Charles A. Nagao-Bugarin, PHR
Human Resources Manager
Benefits, Compensation, Compliance, HRIS, and Employee Engagement

Time Off Benefits

Vacation

Eligible employees begin accruing vacation on the first day of employment and may use time off as it is accrued. The amount of vacation accrual is based on the eligible employee’s length of employment. The maximum accrual cap is one and a half times annual accrual as follows:

For Employees Working 40-Hours per Week:

Length of Service	Monthly Accrual	Maximum Accrual Cap
0 months – 5 years	10.00 hours	180 hours
5 years, 1 month – 14 years	13.33 hours	240 hours
14 years, 1 month and above	16.66 hours	300 hours

For Employees Working Less than 40-Hours per Week vacation accrual is Pro-rated as follows:

Work Hours Per Week	Accrual Rate
31 or more hours	Same rate as full-time
20 – 30 hours	60% of full-time
Less than 20 hours	0

In the event an employee has reached the maximum accrual of vacation time, additional vacation time will cease to accrue until some or all of the accrued time has been used and unused vacation time falls below the maximum accrual cap.

Employees must obtain written approval for use of accrued vacation time of more than two consecutive days at least 30 days prior to the requested time off. Typically, vacation time off cannot be taken unless and until written supervisor approval has been given and employees are advised not to make plans or commit funds until such permission is granted. Vacation time off is granted subject to the operational needs of the University. Vacation time off must be recorded by the employee on the applicable time card. Exempt level employees must take vacation in full-day increments. Non-exempt employees may time off in hourly increments.



Sick Leave

California law provides for mandatory paid sick leave under the Healthy Workplaces, Healthy Families Act (the "State Law"). This paid sick leave policy is intended to comply with the requirements of the Act. You cannot be discriminated or retaliated against for requesting or using accrued paid sick time.



Sick leave may be used for:

- Diagnosis, care or treatment of an existing health condition for an employee or covered family member, as defined below.
- Preventive care for an employee or an employee's covered family member. Preventive care may include self-quarantine as a result of potential exposure to COVID-19 if quarantine is recommended by civil authorities, or other situations, such as where there has been exposure to COVID-19 or where an employee has traveled to a high risk area.
- For certain, specified purposes when the employee is a victim of crime or abuse.

For the purposes of CDU sick leave, a covered family member includes:

- Child, defined as a biological, foster or adopted child; a stepchild; or a legal ward, regardless of the age or dependency status of the child. "Child" also includes a child to whom you act as a parent, even if they are not your legal child
- Parent, defined as a biological, foster or adoptive parent; a stepparent; or a legal guardian. "Parent" also includes a person who is a biological, foster or adoptive parent, a stepparent, or a legal guardian of your spouse or registered domestic partner; or a person who acted as your parent when you were a minor, even if they are not your legal parent
- Sibling
- Grandparent
- Grandchild
- Spouse
- Domestic partner
- Individual related by blood or affinity whose close association with you is the equivalent of a family relationship.

All employees (full and part-time, and student workers) will accrue sick leave beginning the first day of employment. Employees will be eligible to use sick time as it is earned. Employees

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accrue sick leave according to the schedule below. Once the maximum accrual is reached additional sick leave will cease to accrue until some or all of the accrued time has been used and unused sick days fall below such amount.

Hours Worked Per Week	Accrual Rate Per Month	Maximum Accrual Cap
1 – 19 hours per week	3 hours	180 hours
20 – 40 hours per week	8 hours	480 hours

Exempt full-time and part-time employees must take sick time full-day increments. Non-Exempt full-time and part-time employees must take sick time off in no less than 30-minute increments. Non-Exempt full-time and part-time employees should record sick time to cover absences (late arrivals, early departures or absences during the day) due to medical appointments, or may take unpaid time off for such appointments if no accrued sick time is available.

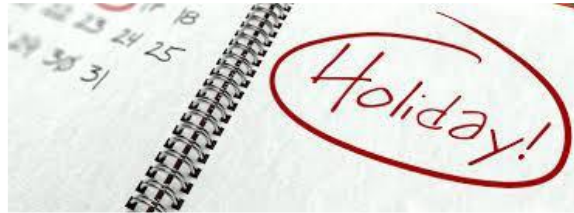
Employees who need extended time off due to illness or injury should notify the human resources department immediately so that the appropriate leave of absence processes can be initiated. Employees who need to use sick time to recover from a work-related injury or illness must notify the risk management department immediately so that workers' compensation forms can be provided. Please contact armandoestrada@cdrewu.edu for information. Most CDU positions require high levels of attendance as part of their job descriptions and poor attendance may be grounds for termination.

Within (1) one year of an employee's employment separation from CDU, accrued and unused sick time will be restored to the employee upon rehire (unless it has been donated to the leave donation program). Additional paid sick time will begin to accrue upon rehire. Employees are not entitled to compensation for accrued and unused sick time upon termination.

When an employee is on a leave of absence, benefit accruals (such as vacation and sick time) will continue to accrue during the time the employee is using their accrued benefit time, but will not accrue once that time is exhausted. Employees should call their immediate supervisor as soon as they determine they are unable to attend work and provide a reasonable oral or written notification to the supervisor of an absence from work. Sick leave should be recorded accurately on the employee's timecard.

2024 University Holiday Schedule

For 2023 the University will provide 17 paid holidays. Individuals in certain positions may be required to work on University holidays. Employees scheduled to work on a holiday will be paid for hours worked and, in addition, will receive holiday pay. An employee who is scheduled to work on a holiday may choose to take an alternative day off (ideally in the same pay period).



New Year's Day	Monday, January 1, 2024
Martin Luther King Jr. Birthday	Monday, January 15, 2024
Presidents' Day	Monday, February 19, 2024
César E. Chávez Day (Observed)	Monday, April 1, 2024
Memorial Day	Monday, May 27, 2024
Juneteenth	Wednesday, June 19, 2024
Independence Day	Thursday, July 4, 2024
Day After Independence Day	Friday, July 5, 2024
Labor Day	Monday, September 2, 2024
Veteran's Day	Monday, November 11, 2024
Thanksgiving Day	Thursday, November 28, 2024
Friday after Thanksgiving Day	Friday, November 29, 2024
Day before Christmas Eve	Monday, December 23, 2024
Christmas Eve	Tuesday, December 24, 2024
Christmas Day	Wednesday, December 25, 2024
Winter Holiday Closure	Monday, December 23, 2024 - Wednesday, January 1, 2025

Jury and Witness Leave

Appearance in Court or Witness Duty

Employees who are required to appear in court or serve as a witness on behalf of the University will be paid their regular wages for this time.

For non-exempt employees, time taken off for appearance in court or witness duty not requested by the University will not be paid by the University. Employees are permitted to use accrued vacation in place of unpaid time off for appearance in court or witness duty. Exempt employees will receive regular pay while appearing in court or serving as a witness if they have performed work for any portion of a workweek in which they appeared in court, provided the University expressly permitted the exempt employee to work on behalf of the University during that time. If requested, employees must provide the University with a copy of their court appearance subpoena/summons.

Jury Duty

Employees are eligible to receive ten (10) days paid leave per calendar year to serve on a jury. If exempt employees have performed work for any portion of a workweek in which they serve on a jury, they will receive regular pay for the week. An employee who is summoned to serve on a jury on a holiday observed by the University is eligible for holiday pay and receives no alternate day off. Employees are permitted to use any accrued vacation and/or accrued personal days in place of unpaid time off for jury duty.



Bereavement Leave

Paid bereavement leave is granted to all regular and conditional employees in order to make arrangements for and/or attend the funeral or memorial service of an immediate family member of the Employee's family. Paid bereavement leave is granted for five (5) days, and must be used within 3-months of the date of death.

Bereavement days do not accrue or carry forward. Additional time needed in excess of paid bereavement leave may be taken in conjunction with sick or vacation time or without pay upon approval of the employee's supervisor.

Immediate family includes an employee's spouse, domestic partner, cohabitant, child, stepchild, grandchild, parent, stepparent, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandparent, great grandparent, brother, sister, half-brother, half-sister, stepsibling, brother-in-law, sister-in-law, aunt, uncle, niece, nephew, or first cousin (that is, a child of an aunt or uncle).

Proof of bereavement leave is required to be submitted to human resources. Documentation may be one of the following; a death certificate, published obituary, or written verification of death, burial, or memorial services from a mortuary, funeral home, burial society, crematorium, religious institution, or governmental agency. Submitted supporting documentation is considered confidential and will be handled as such. The documentation must be provided within 30-days of the first day of bereavement leave.

Time Off for Voting



If you do not have sufficient time outside of working hours to vote in an official statewide election, you may take off enough working time to vote, including up to two hours off without loss of pay. This time should be taken at the beginning or the end of the regular working shift, whichever allows for more free time for voting and the least time off work. When possible, an employee requesting time off to vote shall give their supervisor at least two working days' notice.

Volunteer Civil Service Personnel



Employees who perform emergency duty as a volunteer firefighter, reserve peace officer, or emergency rescue personnel may also take up to a total of fourteen days unpaid leave time per calendar year to engage in required fire, law enforcement or emergency rescue training. Employees must alert their supervisor that they may have to take time off for emergency duty or emergency duty training.

School and Child Care Activities Leave

Employees are encouraged to participate in the school or child care activities of their child(ren).



The absence is subject to all of the following conditions:

- Time off for school and child care activities can only be used by parents, guardians, grandparents, stepparents, foster parents or a person who stands in *loco parentis* to one or more children of the age to attend kindergarten through grade 12 or who are with a licensed child care provider;
- The amount of time off for school or child care activities described below cannot exceed a total of 40 hours each year;
- You can use the time off to find, enroll or reenroll a child in a school or with a licensed child care provider or to participate in activities of the child's school or licensed child care provider. The time off for these purposes cannot exceed eight hours in any calendar month. You must provide reasonable advance notice to your supervisor before taking the time off;
- You can also use time off to address a "child care provider or school emergency" if you give notice to the University. A "child care provider or school emergency" means that your child cannot remain in a school or with a child care provider due to one of the following:
 - The school or child care provider has requested that your child be picked up, or has an attendance policy (excluding planned holidays) that prohibits your child from attending or requires your child to be picked up from the school or child care provider;
 - Behavioral or discipline problems;
 - Closure or unexpected unavailability of the school or child care provider, excluding planned holidays; or

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- A natural disaster, including, but not limited to, fire, earthquake or flood.
- If more than one parent is employed by CDU, the first employee to request such leave will receive the time off. Another parent will receive the time off only if the leave is approved by their supervisor;
- You must use vacation leave in order to receive compensation for this time off; and
- If you who do not have paid time off available, you will take the time off without pay

Organ and Bone Marrow Donor Leave

Employees have been employed with CDU for 90 days, who are donors for organ or bone marrow may take time off as follows:

- You may take up to 30 business days of paid leave, and up to an additional 30 business days of unpaid leave in any one-year period for the purpose of donating an organ to another person. The one-year period is calculated from the date the employee begins their leave.
- You may take up to 5 business days of leave in any one-year period for the purpose of donating bone marrow to another person. The one-year period is calculated from the date the employee's leave begins.
- During the leave for organ/bone marrow donors, the University will continue to provide and pay for any group health plan benefits the employee was enrolled in prior to the leave of absence.
- Leave taken for the purpose of organ or bone marrow donation is not leave for the purpose of family medical leave under the federal Family and Medical Leave Act or the state California Family Rights Act.



Employees who wish to take a leave of absence to donate bone marrow or an organ will be required to provide written verification of the need for leave, including confirmation that the employee is an organ or bone marrow donor and that there is a medical necessity for the donation of the organ or bone marrow. Contact human resources at benefitshr@cdrewu.edu who will assist you with the application process.

The University requires that employees taking leave for organ donation use two weeks of accrued but unused sick leave, PTO and/or vacation.

The University requires that employees taking leave for bone marrow donation use five days of accrued but unused sick leave, PTO and/or vacation.

Once a Donor has exhausted the required paid sick, PTO and/or vacation leave, the employee will be paid for the remaining leave of absence, if additional leave is needed, up to the maximum allowed by law.

Crime or Abuse Victims' Leave and Accommodation

If you are the victim of crime or abuse, you are eligible for unpaid leave. While the leave is generally unpaid, employees can use their paid sick time for the purposes described below.

You are considered a victim of crime or abuse who is eligible for unpaid leave if you are:

- A victim of stalking, domestic violence, or sexual assault
- A victim of a crime that caused physical injury or that caused mental injury and a threat of physical injury
- A person whose immediate family member is deceased as a result of crime;
 - "immediate family member" includes
 - Regardless of age, your biological, adoptive, or foster child, stepchild, or legal ward, a child of a registered domestic partner, a child to whom you stand in loco parentis, or a person to whom you stood in loco parentis when the person was a minor;
 - Your biological, adoptive, or foster parent, or legal guardian or that of your spouse or registered domestic partner, or a person who stood in loco parentis when you or your spouse or registered domestic partner was a minor child;
 - Your legal spouse or registered domestic partner;
 - Your biological, foster, or adoptive sibling, a stepsibling, or half-sibling, or
 - Any other individual whose close association with you is the equivalent of a family relationship described in any of the bullets above.
- Any person against whom any crime has been committed (only for purposes of taking time off to appear in court to comply with a subpoena or other court order as a witness in any judicial proceeding).

You may request leave if you are involved in a legal action, such as obtaining restraining orders, or appearing in court to obtain relief to ensure your or your child's health, safety, or welfare. Please provide reasonable advance notice of the need for leave, unless advance notice is not feasible.

If you need a reasonable accommodation for your safety at work, contact the human resources department. If you are requesting a reasonable accommodation, you will need to submit a written statement signed by you, or by an individual acting on your behalf, certifying that the accommodation is for the purpose of your safety at work.

For reasonable accommodation requests, the University will also require certification demonstrating that you are the victim of crime and abuse. The University may request recertification every six months. Please notify the University if an approved accommodation is no longer needed.

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The University will engage in an interactive process with you to identify possible accommodations, if any, that are effective and will make reasonable accommodations unless an undue hardship will result. Please notify the human resources department if an approved accommodation is no longer needed.

The University will, to the extent allowed by law, maintain the confidentiality of an employee requesting leave or accommodation under these provisions.



Crime or Abuse Victims' Leave for Treatment

If you are the victim of crime or abuse, you are eligible for unpaid leave. While the leave is generally unpaid employees can use their paid sick leave under California's Healthy Workplaces, Healthy Families Act for the purposes described below.

You are considered a victim of crime or abuse who is eligible for unpaid leave if you are:

- A victim of stalking, domestic violence, or sexual assault;
- A victim of a crime that caused physical injury or that caused mental injury and a threat of physical injury; or
- A person whose immediate family member is deceased as a result of a crime.
 - "Immediate family member" includes:
 - Regardless of age, your biological, adoptive, or foster child, stepchild, or legal ward, a child of a registered domestic partner, a child to whom you stand in loco parentis, or a person to whom you stood in loco parentis when the person was a minor;
 - Your biological, adoptive, or foster parent, stepparent, or legal guardian or that of your spouse or registered domestic partner, or a person who stood in loco parentis when you or your spouse or registered domestic partner was a minor child;
 - Your legal spouse or registered domestic partner;
 - Your biological, foster, or adoptive sibling, a stepsibling, or half-sibling; or
 - Any other individual whose close association with you is the equivalent of a family relationship described in any of the bullets above.

You may request leave for any of the following purposes:

- To seek medical attention for injuries caused by crime or abuse;
- To obtain services from a domestic violence shelter, program, rape crisis center, or victim services organization or agency as a result of the crime or abuse;
- To obtain psychological counseling or mental health services related to experiencing crime or abuse;
- To participate in safety planning and take other actions to increase safety from future crime or abuse, including temporary or permanent relocation.

Please provide reasonable advance notice of the need for leave unless advance notice is not feasible.

The University will, to the extent allowed by law, maintain the confidentiality of an employee requesting leave under this provision.

The length of unpaid leave an employee may take is limited to 12 weeks provided for in the federal Family and Medical Leave Act (FMLA) for eligible employees.

Community Service

CDU recognizes our responsibility as a good citizen to help enrich our surrounding communities by supporting volunteerism through community service. We support the commitment of CDU's employees to engage in community service for civic, charitable, or humanitarian reasons. We encourage our employees to become involved in their communities, lending their voluntary support to programs that positively impact the quality of life within their communities.

Community Service time off is provided each calendar year to all benefits-eligible employees working twenty (20) hours or more a week. CDU allows employees to take up to sixteen (16) hours of leave time each calendar year to participate in specific approved volunteer activities or programs. Time off must be taken in whole hours. If an activity lasts less than eight (8) hours, employees are expected to return to work.

All Community Service time off must be requested at least two (2) weeks in advance by completing a Community Service Leave form and must be approved by the employee's manager. Community Service time should not conflict with the work schedules and other work-related responsibilities that may create a need for overtime or cause conflicts with other employees' schedules. Approval for volunteer leave time is contingent upon business needs.



Examples of Community Service:

- Volunteer work for a local school that has been approved by a teacher, school administrator or program administrator
- Volunteer service for local churches
- Volunteer service for a community service organization
- Tutoring or mentoring services
- Disaster service volunteer
- Donating blood
- Voluntary work at a polling station
- Volunteering in a literacy program in a public school
- CDU sponsored community activities

Leave Donation Program

The Leave Donation Program provides salary and benefits continuation for eligible employees who have exhausted all paid leave due to their own serious illness or injury, or due to the need to care for an immediate family member who has experienced a catastrophic illness or injury.

The Program Leave Donation Program is funded through donations from participating employee's vacation, personal and sick leave accruals. Eligible employee donors may contribute vacation, personal or sick time in hourly units, with a minimum donation of eight (8) hours. The annual maximum donation is 50 percent of the donor's annual leave accrual entitlement or 50 percent of the donor's vacation balance at the time of transfer, whichever is less.

- a. Donations cannot be made in advance of accrual.
- b. Donations are not tax deductible.
- c. Vacation time that is donated is irrevocable.
- d. Anonymity of donation is greatly appreciated.

Examples of a qualifying catastrophic illness or injury include, but are not limited to:

- Serious, debilitating illness, impairment, or physical/mental condition that involves treatment in connection with an overnight stay in a hospital, hospice, or residential medical facility.
- High intensity/high frequency of treatment encounters necessary for a chronic or long- term condition that is so serious that, if not treated, would likely result in an extended period of incapacity or death.
- Terminal illness.
- The University retains the right to determine whether the illness is "serious" based on the information it receives from the medical provider.



Exclusions

- Donation Leave benefits are not allowable unless the employee has exhausted his/her and sick, vacation, and personal leave banks.
- Elective surgery does not qualify as a qualifying illness or injury. If complications arise resulting in a serious health condition, the situation may qualify for the leave donation benefit.
- In general most leaves associated with pregnancy will not qualify for the Leave Donation Program. If complications arise resulting in a serious health condition for the mother or child, the situation may qualify for Leave Donation benefits.
- Requests for Leave Donation benefits that are less than three (3) workdays in duration are excluded.
- This Program does not cover time off due to a job-related injury or illness covered by Workers Compensation benefits.
- An employee must not have a written record of disciplinary action for leave abuse or misuse of leave within the past twelve (12) months.

All CDU employees who are eligible to accrue and use vacation, personal and sick time are eligible to participate in the Leave Donation Program. Benefits may not be directly transferred from and to specific individuals. Requests for leave as well as donations will be managed through the human resources departments. The payroll department will manage deposits and withdrawals from the Leave Donation Bank. A CDU employee is eligible to receive donated leave if they:

1. Are a Regular or Conditional employee who has completed the introductory period and is eligible to accrue and use vacation, personal or sick leave
2. Have exhausted all paid leave (vacation, personal or sick leave), or will do so before the return to work date
3. Have submitted all required leave of absence paperwork
4. Are not presently receiving Worker's Compensation payments. An employee who has applied to receive Workers' Compensation benefits is not eligible to apply for Leave Donation Benefits. However, that employee may apply if his/her claim is denied.

In order to receive leave under this policy, the employee's illness, injury must meet the definition of "catastrophic" as outlined above. The employee must have exhausted his or her own sick, personal and vacation leave, and must be facing unpaid time of three (3) or more workdays due to the illness or injury.

Employees are required to provide complete and accurate documentation to support the donation and receipt of leave. Any employee providing documentation that is false or otherwise misrepresents their eligibility for participation in the leave donation program is subject to disciplinary action, including termination.

Definitions

1. **Catastrophic Illness or Injury:** an acute or prolonged non-industrial illness or injury which is physically or mentally debilitating or life threatening and requires the employee's continued absence from work when the employee has exhausted all paid leave
2. **Family Members:** an employee's spouse, domestic partner, children (including children of the employee's domestic partner), parents, siblings, grandparents, and grandchildren, step-relatives, in-laws, and individuals residing in the employee's household. Immediate family includes the employee's spouse or domestic partner, and children (natural, step, adopted, and foster children), or if the employee is the primary custodian and caregiver of grandchildren or siblings. Only one (1) CDU employee from a family may use donated leave at a time to take care of an eligible family member and that employee must be solely responsible for the physical care of the family member
3. **Paid Leave:** includes sick leave, vacation, and personal leave
4. **Recipient:** the employee who is eligible to accrue and use vacation, has exhausted all paid leave accruals, and is in need of temporarily extending his/her salary and benefits
5. **Donor:** the employee who is donating vacation leave to an employee or to the Leave Donation Bank.

Leaves of Absence

Family and Medical Leave

California's California Family Rights Act (CFRA) and the federal Family and Medical Leave Act (FMLA) provide up to 12 workweeks of unpaid family/medical leave within a 12-month period, under the following conditions:

- You have been employed with the University for a total of at least 12 months prior to the commencement of leave. The 12 months of employment must have accumulated within the previous seven years (certain exceptions apply);
- You have worked at least 1,250 hours during the previous 12-month period before the need for leave*; and
- You are employed at a work site where there are 50 or more employees (for FMLA) or 5 employees (for CFRA) within a 75-mile radius.

Leave may be taken for one or more of the following reasons:

- The birth of your child (any age CFRA), or placement of a child with you for adoption or foster care (FMLA/CFRA);
- Incapacity due to pregnancy, prenatal medical care or child birth (FMLA only);
- Your serious health condition that makes you unable to perform your job (FMLA/CFRA);
- To care for your spouse, child or parent who has a serious health condition (FMLA/CFRA);
- To care for your registered domestic partner, grandparents, grandchildren, siblings, parent-in-law (CFRA only).
- CFRA also allows a designated person to be named at the time of the leave request. This is limited to one person per year. Designated person is defined as anyone related by blood or whose association of the employee is the equivalent of a family relationship.

For additional information about eligibility for family/medical leave, contact the human resources department.

Military Family Leave Entitlements

- Eligible employees whose spouse, domestic partner (CFRA), son, daughter or parent is on covered active duty or call to covered active duty status may use their 12-week leave entitlement for certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.
- Eligible employees may also take a special leave entitlement of up to 26 weeks of leave during a single 12-month period to care for a covered servicemember. (FMLA/CFRA for 12 weeks if the care provider is eligible for both, followed by 14 weeks of (FMLA only), or 26 weeks of FMLA only if leave is not CFRA covered leave). A covered servicemember is either:

- A current member of the Armed forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness*; or
- A veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.*

*The FMLA definitions of "serious injury or illness" for current servicemembers and veterans are different from the FMLA definition of "serious health condition."

Calculating the 12-month Period

For purposes of calculating the 12-month period during which 12 weeks of family and medical leave or qualifying exigency leaves may be taken, CDU uses rolling year.

Under most circumstances, leave under federal and state law will run at the same time and an eligible employee will be entitled to a total of 12 weeks of family and medical leave in the designated 12-month period.

For leave to care for a covered service member, the 12-month period begins on the first day of the leave, regardless of how the 12-month period is calculated for other leaves. Leave to care for a covered service member is for a maximum of 26 workweeks during a 12-month period.

Pregnancy, Childbirth or Related Conditions and Baby Bonding

Leave because of a disability for pregnancy, childbirth or related medical condition is not counted as time used under California law (CFRA). However, time off because of pregnancy disability, childbirth or related medical condition does count as family and medical leave under federal law (FMLA). Employees who take time off for pregnancy disability and who are eligible for FMLA will be placed on FMLA that runs at the same time as their pregnancy disability leave (PDL).

Once the pregnant employee is no longer disabled, or once the employee has given birth and exhausted PDL, the employee may apply for leave under the CFRA, for purposes of baby bonding.*

Any leave taken for the birth, adoption, or foster care placement of a child does not have to be taken in one continuous period of time. CFRA leave taken for the birth or placement of a child will be granted in minimum amounts of two weeks. However, the University will grant a request for a CFRA leave (for birth/placement of a child) of less than two weeks' duration on any two occasions. The University may also grant additional requests for leave lasting less than two weeks at its discretion. Any leave taken must be concluded within one year of the birth or placement of the child with the employee.

Leave Procedures

The following procedures shall apply when requesting family/medical leave:

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Please contact the human resources department as soon as you realize the need for family/medical leave. If the leave is based on the expected birth, placement for adoption or foster care, or planned medical treatment for your serious health condition or that of a family member, you must notify the University at least 30 days before leave is to begin. You must consult with your supervisor regarding scheduling of any planned medical treatment or supervision in order to minimize disruption to the operations of the University. Any such scheduling is subject to the approval of your health care provider or the health care provider of your child, parent, or spouse.

- If you cannot provide 30 days' notice, the University must be informed as soon as is practical.
- If the FMLA/CFRA request is made because of your own serious health condition, the University may require, at its expense, a second opinion from a health care provider that the University chooses. The health care provider designated to give a second opinion will not be one who is employed on a regular basis by the University.
- If the second opinion differs from the first opinion, the University may require you, at the University's expense, to obtain the opinion of a third health care provider designated or approved jointly by you and the employer. The opinion of the third health care provider shall be considered final and binding on you and the University.

Certification

CDU requires you to provide certification. You will have 15 calendar days from the University's request for certification to provide it to the University, unless it is not practical to do so. The University may require recertification from the health care provider if you request additional leave upon expiration of the time period in the original certification. *(For example, if you need two weeks of family and medical leave, but following the two weeks you need intermittent leave, a new medical certification will be requested and required.)* If you do not provide medical certification in a timely manner to substantiate the need for family and medical leave, the University may delay approval of the leave, or continuation thereof, until certification is received. If certification is never received, the leave may not be considered family and medical leave.

If the leave is needed to care for a sick child, spouse, or parent, you must provide a certification from the health care provider stating:

- Date of commencement of the serious health condition;
- Probable duration of the condition;
- Estimated amount of time for care by the health care provider; and
- Confirmation that the serious health condition warrants your participation.

If your serious health condition is the reason for leave, you must provide a certification from the health care provider stating:

- Date of commencement of the serious health condition;
- Probable duration of the condition; and

- Your inability to work at all or to perform any one or more of the essential functions of your position because of the serious health condition.

If you are absent because of your own serious health condition, the University will also require a medical release to return to work form or certification from your health care provider that you are able to resume work.

Failure to provide a release to return to work certificate from your health care provider may result in denial of reinstatement until the certificate is obtained.

Leave Related to Military Service

A leave taken due to a "qualifying exigency" related to military service must be supported by a certification of its necessity. A leave taken due to the need to care for a service member must be supported by a certification by the service member's health care provider or other certification allowed by law. Special certification requirements apply to leaves related to military service.

Health and Benefit Plans

If you are taking family/medical leave, you will be allowed to continue participating in any health and welfare benefit plans in which you were enrolled in before the first day of the leave (for a maximum of 12 workweeks, or 26 workweeks if the leave is to care for a covered service member) at the level and under the conditions of coverage as if you had continued in employment for the duration of such leave. The University will continue to make the same premium contribution as if you had continued working. The continued participation in health benefits begins on the date leave first begins. In some instances, the University may recover premiums paid to maintain health coverage if you fail to return to work following family/medical leave.

Employees on pregnancy disability leave will be allowed to continue to participate in group health coverage for up to a maximum of four months of pregnancy disability leave (if such insurance was provided before the leave was taken) on the same terms as if you had continued to work. The right to continued group health coverage during pregnancy disability leave is a separate and distinct entitlement from the CFRA entitlement.

Payment is due when it would be made by payroll deduction.

Substitution of Paid Leave

Generally, FMLA/CFRA leave is unpaid. The University may require, or you may choose, to use accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, you must comply with the University's normal paid leave policies. For more information on those specific circumstances requiring or allowing the substitution of paid leave contact the human resources department.

Reinstatement

Under most circumstances, upon return from family/medical leave, you will be reinstated to your original job or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions. However, an employee has no greater right to reinstatement than if the employee had been continuously employed rather than on leave. For example, if an employee on family/medical leave would have been laid off had the employee not gone on leave, or if the employee's job is eliminated during the leave and no

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equivalent or comparable job is available, then the employee would not be entitled to reinstatement. In addition, an employee's use of family/medical leave will not result in the loss of any employment benefit that the employee earned before using family/medical leave.

Time Accrual

Please contact the human resources department with any questions regarding accrual of other Company provided paid leave benefits (such as vacation, PTO or sick leave) during unpaid FMLA/CFRA leave.

Carryover

Leave granted under any of the reasons provided by state and federal law will be counted as family/medical leave and will be considered as part of the 12-workweek entitlement

(26-workweek entitlement if leave is to care for a servicemember) in any 12-month period. No carryover of unused leave from one 12-month period to the next 12-month period is permitted.

Intermittent Leave

You may take Family and Medical Leave Act/California Family Rights Act leave intermittently (in blocks of time, or by reducing your normal weekly or daily work schedule) if the leave is for your serious health condition or that of a qualifying family member and the reduced leave schedule is medically necessary as determined by the health care provider of the person with the serious health condition. The smallest increment of time that can be used for such leave is two hours.

Helpful Resources

Family Medical Leave Act: [FMLA](#)

California Family Rights Act: [CFRA](#)

Paid Family Leave for New Mothers: [PFL Mothers](#) (please note this is a State Disability Benefit not a covered Leave of Absence)

State Disability Insurance and Paid Family Leave: [SDI/PFL](#) CDU Benefits: [CDU 2024 Benefits](#)

Military and Military Spouse Leave

Employees who wish to serve in the military and take military leave should contact the human resources department for information about their rights before and after such leave. You are entitled to reinstatement upon completion of military service, provided you return or apply for reinstatement within the time allowed by law.

Employees who work for more than 20 hours per week and have a spouse or registered domestic partner in the Armed Forces, National Guard or Reserves who have been deployed during a period of military conflict are eligible for up to 10 unpaid days off when their spouse is on leave from (not returning from) military deployment.

You must request time off for Military and/or Military Spouse leave in advance in writing to the Human Resources Department.

Helpful Resources

FMLA Military Guide: [FMLA Military Guide](#)

California Military Guide: [CA Military Leave](#)

Pregnancy Disability Leave

If you are pregnant, have a related medical condition, or are recovering from childbirth, please review this policy. Any employee planning to take pregnancy disability leave (PDL) should advise the human resources department as early as possible. Please make an appointment with the human resources department to discuss the following conditions:

The length of pregnancy disability leave will be determined by the advice of your physician, but employees disabled by pregnancy may take up to four months of leave per pregnancy (the working days you normally would work in one-third of a year or 17 1/3 weeks. Part-time employees are entitled to leave on a pro rata basis. The four months of leave includes any period of time for actual disability caused by the your pregnancy, childbirth, or related medical condition. This includes leave for severe morning sickness and for prenatal care, doctor-ordered bed rest, as well as other reasons. The healthcare provider determines how much time you is needed for your disability;

- The University will also reasonably accommodate medical needs related to pregnancy, childbirth, or related conditions or temporarily transfer you to a less strenuous or hazardous position (where one is available) or duties if medically needed because of your pregnancy;
- If you need to take PDL, you must inform the University when a leave is expected to begin and how long it will likely last. If the need for a leave, reasonable accommodation, or transfer is foreseeable (such as the expected birth of a child or a planned medical treatment for yourself), you must provide at least 30 days advance notice before the PDL or transfer is to begin. Consult with the human resources department regarding the scheduling of any planned medical treatment or supervision in order to minimize disruption to the operations of the University. Any such scheduling is subject to the approval of the your health care provider;



- For emergencies or events that are unforeseeable, we need you to notify the University, at least verbally, as soon as practical after you learn of the need for the leave;
- Failure to comply with these notice requirements may result in delay of PDL, reasonable accommodation, or transfer;
- Pregnancy leave usually begins when ordered by your health care provider. You must

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provide CDU with a written certification from a health care provider for need of PDL, reasonable accommodation or transfer. The certification must be returned no later than 15 calendar days after it is requested by the University. Failure to do so may, in some circumstances, delay PDL, reasonable accommodation or transfer. Please see the human resources department for a medical certification form to give to your health care provider;

- Leave returns will be allowed only when your health care provider sends a release;
- You are required to use accrued sick time (if otherwise eligible to take the time) during PDL. You are allowed to use accrued vacation or personal time (if otherwise eligible to take the time) during PDL; and
- Leave does not need to be taken in one continuous period of time and may be taken intermittently, as needed. Leave may be taken in increments of two hours.

If intermittent leave or leave on a reduced work schedule is medically advisable you may, in some instances, be required to transfer temporarily to an available alternative position that meets your needs. The alternative position does not need to have equivalent job duties, but must have the equivalent rate of pay and benefits, and you must be qualified for the position. The position must better accommodate your leave requirements than your regular job. Transfer to an alternative position can include altering an existing job to better accommodate your need for intermittent leave or a reduced work schedule.

When your health care provider releases you to return to work, from PDL, you will be reinstated to your same position held at the time the leave began or, in certain instances, to a comparable position, if available. There are limited exceptions to this policy. An employee returning from a pregnancy disability leave has no greater right to reinstatement than if the employee had been continuously employed.

If you are on PDL, you will be allowed to continue to participate in group health insurance coverage for up to a maximum of four months of disability leave (if such insurance was provided before the leave was taken) at the level and under the conditions that coverage would have been provided if you had continued in employment continuously for the duration of the leave. In some instances, the University can recover premiums paid to maintain your health coverage if you fail to return from PDL. PDL may impact other benefits or a seniority date.

Please contact the human resources department for more information.

Lactation Accommodation

As a health professions institution, the University has an affirmative commitment to maternal-child wellness which includes accommodating the lactation needs of its employees. The University will provide break time as needed by the employee to express milk in a clean, safe, and private space.

The University has a lactation pod in the rear lobby of the Life Science Research and Nursing Education Building. The pod provides privacy, a comfortable chair, a sink, and a refrigerator. The pod provides privacy, a comfortable chair, a sink, and a refrigerator. Users of the lactation pod must download the Mamava app using Google Play or App Store to gain access to the pod. Access is free and there are further instructions located on the pod itself.

Questions regarding lactation accommodation should be directed to Human Resources. If there are concerns regarding compliance with pregnancy laws and protections, these can be addressed by the Compliance, EEO, Diversity Officer and Title IX Coordinator or submitted by email to compliance@cdrewu.edu.

Helpful Resources

Family Medical Leave Act: [FMLA](#)

California Family Rights Act: [CFRA](#)

Paid Family Leave for New Mothers: [PFL Mothers](#) (please note this is a State Disability Benefit not a covered Leave of Absence)

State Disability Insurance and Paid Family Leave: [SDI/PFL](#)

Pregnancy Disability Leave Brochure: [Pregnancy Leave](#)

Extended Medical Leave

On occasion, an employee may need a medical leave of absence that extends beyond limits under any state or federal mandatory leave law. In addition, there may be circumstances when an employee needs a medical leave allowed under disability laws and in accordance with this policy.

In these situations, an extended medical leave of absence may be granted for medical disabilities (other than pregnancy, childbirth, and related medical conditions) with a doctor's written certificate of disability. Extended disability leaves will also be considered on a case-by-case basis, consistent with the University's obligations under federal and state disability laws.

Employees should request any leave in writing and as far in advance as possible.

A medical leave begins on the first day your doctor certifies that you are unable to work, and ends when your doctor certifies that you are able to return to work. The human resources department will provide you with a form for your doctor to complete, showing the date you were disabled and the estimated date you will be able to return to work. When returning from a medical disability leave, you must present a doctor's certificate declaring fitness to return to work.

Upon return from medical leave, you will be offered the same position you held at the time your leave began, if available. If your former position is not available, a comparable position will be offered. If neither the same nor a comparable position is available, your return to work will depend on job openings existing at the time of your scheduled return. CDU makes no guarantees of reinstatement, and your return will depend on your qualifications for existing openings. CDU will comply with any reinstatement obligations under state or federal law.

California workers' compensation laws govern work-related injuries and illnesses. California pregnancy disability laws govern leaves taken because of pregnancy, childbirth, and related medical conditions.

An employee that needs reasonable accommodations should contact the human resources department and discuss the need for an accommodation.

Should an employee exhaust their sick, vacation and paid time off leave, they may be eligible to receive benefits from the leave donation program.

Workers' Compensation

In accordance with state law, CDU provides insurance coverage for employees in case of work-related injury. The workers' compensation benefits provided to injured employees may include:

- Medical care;
- Cash benefits, tax free, to replace lost wages; and
- Assistance to help qualified injured employees return to suitable employment.

To ensure that you receive any workers' compensation benefits to which you may be entitled, you need to:

- Immediately report any work-related injury to your supervisor;
- Seek medical treatment and follow-up care if required;
- Complete a written *Employee's Claim for Workers' Compensation Benefits* (DWC Form 1) and return it to the risk management department; and
- Provide the University with a certification from your health care provider regarding the need for workers' compensation disability leave, as well as your eventual ability to return to work from the leave.

Upon submission of a medical certification that an employee is able to return to work after a workers' compensation leave, the employee under most circumstances will be reinstated to their same position held at the time the leave began, or to an equivalent position, if available. An employee returning from a workers' compensation leave has no greater right to reinstatement than if the employee had been continuously employed rather than on leave.

An employee's return depends on their qualifications for any existing openings. If, after returning from a workers' compensation disability leave, an employee is unable to perform the essential functions of their job because of a physical or mental disability, the University's obligations to the employee may include reasonable accommodation, as governed by the Americans with Disabilities Act or the California Fair Employment and Housing Act.

The law requires CDU to notify the workers' compensation insurance company of any concerns of false or fraudulent claims.

Company-Provided Physician

CDU provides medical treatment for work-related injuries through a medical provider network, Bayside Medical Clinic which the company has chosen to provide medical care to injured employees because of their experience in treating work-related injuries.

Workers' Compensation and FMLA/CFRA

Employees who are ill or injured as a result of a work-related incident, and who are eligible for family and medical leave under state and federal law (Family Medical Leave Act (FMLA) and the California Family Rights Act (CFRA)), will be placed on FMLA/CFRA during the time they are disabled and not released to return to work. The leave under these laws runs concurrently, and eligible employees will be on FMLA/CFRA for a maximum of 12 weeks in a 12-month period

starting from the date leave is first taken, measuring back from the date an employee uses leave.

Paid Sick Leave and Workers' Compensation Benefits

Paid sick leave is a benefit that also covers absences for work-related illness or injury. Employees who have a work-related illness or injury are covered by workers' compensation insurance. However, workers' compensation benefits usually do not cover absences for medical treatment. When you report a work-related illness or injury, you will be sent for medical treatment, if treatment is necessary. You will be paid your regular wages for the time you spend seeking initial medical treatment.

Any further medical treatment will be under the direction of the health care provider. Any absences from work for follow-up treatment, physical therapy or other prescribed appointments will not be paid as time worked. If you have accrued and unused sick leave, you may choose to substitute paid sick leave for any time that would otherwise be unpaid.

If you do not have accrued, paid sick leave, or if you have used all of your sick leave, you may choose to substitute vacation/paid time off for further absences from worked, related to your illness or injury.

California Workers' Compensation: [CA Workers' Compensation](#)

State of California Wage Replacement Benefits

State Disability Insurance (SDI)

The SDI program is a state-mandated, partial wage replacement insurance plan for California employees. SDI provides short-term, financial benefits to eligible employees who suffer a loss of wages when unable to work due to a non-work-related illness or injury or when medically disabled due to pregnancy or childbirth. SDI is not a leave of absence.

Paid Family Leave

Paid Family Leave is a state-sponsored insurance program within the SDI program, administered by the Employment Development Department (EDD). PFL covers employees at organizations of any size. PFL provides employees with partial wage replacement for up to 8 weeks in any 12-month period while absent from work

- to care for a parent, parent-in-law, child, spouse, registered domestic partner, grandparent, grandchild, or sibling who is seriously ill;
- to bond with your newborn, foster child or newly adopted child; or
- for a qualifying exigency related to the covered active duty or call to covered active duty of your spouse, registered domestic partner, parent, or child in the Armed Forces of the United States.

The PFL program does not provide employees with a right to a leave of absence, it is limited to a state-mandated wage replacement benefit.

Helpful Resources

State Disability Insurance and Paid Family Leave: [SDI/PFL](#)

CDU Disability Benefits

Short Term Disability

CDU provides Short Term Disability (STD) on your behalf. Our short term disability program provides a source of weekly income should you become disabled and you are unable to work. Benefits are paid for any non-occupational illness or injury that causes disability, including pregnancy and pre-existing conditions. The amount of your benefit equals 60% of your pay, up to a weekly maximum benefit of \$1,750. The benefit waiting period is 60 days for a maximum benefit period of 26 weeks (including the benefit waiting period).

Long Term Disability

Long-Term Disability insurance is an essential part of a complete benefits package offered by CDU. Beginning in 2020, CDU pays 100% of the cost of Long-Term Disability coverage for all eligible employees through Cigna. This program covers disabling injuries or sicknesses that last beyond the 180 day elimination period. The amount of your benefit equals 60% of your pay, up to a monthly maximum benefit of \$12,500. The waiting period is 180 days and the maximum benefit period is generally normal social security retirement age.

New York Life Short-Term and Long-Term Disability Contact Number

Group ID's

STD - #LK752614

LTD - #LK966172

Contact Information

Tel: (800) 362-4462

Email: www.newyorklife.com

Forms: www.nyl.com/customerforms

CDU CONTACT INFORMATION

For more information or questions regarding your CDU provided Time-Off Benefits, please contact your CDU Benefits Team.

Charles A. Nagao-Bugarin, PHR
Human Resources Manager
Benefits, Compensation, Compliance, HRIS, and Employee Engagement
Tel: (323) 563-5834 or Ext. #5834 (on campus only)
Fax: (323) 563-5946
Email: charlesbugarin@cdrewu.edu