

Executive Board

(Systemwide Senate Review) Proposed Revisions to the Leave-Related Policies of the 700 Series of the APM

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Mary Gauvain
Telephone: (510) 987-0887
Email: mary.gauvain@ucop.edu

*Chair of the Assembly of the Academic Senate
Faculty Representative to the Regents
University of California
1111 Franklin Street, 12th Floor
Oakland, California 94607-5200*

February 4, 2021

**SUSAN CARLSON, VICE PROVOST
ACADEMIC PERSONNEL**

Re: Systemwide Senate Review of Proposed Revisions to the APM 700 Series

Dear Susan,

As requested, I distributed for systemwide Senate review the proposed revisions to the 700 series of the APM. Nine Academic Senate divisions and three systemwide committees (UCAP, UCPB, and UCFW) submitted comments. These comments were discussed at Academic Council's January 27 meeting and are attached for your reference.

We understand that the goal of the revisions is to improve the clarity of existing policies related to family and medical leave, while substantially strengthening the University's leave benefits. The revisions incorporate elements of a new paid family leave program approved by the Regents for implementation in July 2021 that includes an increase in childbearing leave for academic appointees from six to eight weeks; a new Pay for Family Care and Bonding benefit; new language addressing bereavement and jury duty leaves; and the removal of the age-of-five-years limit on active service-modified duties to accommodate when a child is newly placed in the home for adoption or foster care. The revisions also align with a new state law expanding the California Family Rights Act (CFRA) definition of family members for whom an appointee may take a family and medical leave.

In general, the Senate supports the changes enthusiastically, and believes they will increase equity and inclusivity and better support faculty in balancing the needs of their career and family. The Senate also has suggestions for improving the clarity and substance of the policies. I will summarize a few of those suggestions here, but also encourage you to consider the full set of attached comments as you refine and finalize the policy.

Faculty reviewers appreciate the University's move to increase family leave from six to eight weeks and to implement a new bereavement leave of five days. However, some feel that UC could do even more, and observe that 12 weeks of childrearing and bonding and 7 to 10 days of bereavement leave would bring UC closer to more progressive policies common in the European Union and other countries. Several also reference the UCSF Family Friendly Initiative as a

model to which other campuses and the UC system might aspire and suggest that a single leave benefit might be applied across-the-board to all employees.

The Senate encourages the University to consider opportunities for further expanding the definition of family caregiver to be even more inclusive in ways that reflect the diverse households of the UC labor force. The Senate also notes that the definition of “leave” in APM 700 may benefit from additional clarification to place it in the context of remote work and the use of technology in carrying out faculty responsibilities. Finally, we note that the proposed policy does not address the implications for teaching and research responsibilities for a faculty member who is taking a leave. Inevitably these shifts will carry costs that may be difficult for some campuses to manage without additional resources. We recommend that campuses analyze the potential budget and planning impacts of the expansion in leave prior to implementation, to help units prepare for adjustments to academic and staff workload and duties.

Thank you for the opportunity to opine and for your ongoing commitment to making UC an inclusive and family-friendly employer. Please do not hesitate to contact me if you have additional questions.

Sincerely,

A handwritten signature in cursive script that reads "Mary Gauvain". The ink is dark and the signature is fluid, with a large, stylized 'M' and 'G'.

Mary Gauvain, Chair
Academic Council

Cc: Provost Brown
Academic Council
Senate Directors
Senate Executive Director Baxter

Encl.



320 STEPHENS HALL
UNIVERSITY OF CALIFORNIA

January 19, 2021

MARY GAUVAIN
Chair, Academic Council

Subject: Berkeley Comments on the Proposed Revisions to Leave-Related Policies of the 700 Series of the Academic Personnel Manual

Dear Chair Gauvain;

On November 30, 2020, the Council of the Berkeley Division (DIVCO) discussed the proposed revisions to Leave-Related Policies of the Academic Personnel Manual (APM) 700 Series, informed by comments from our local committees on Diversity, Equity, and Campus Climate (DECC); Faculty Welfare (FWEL); Rules and Elections (R&E). The committee comments are appended in their entirety.

The Berkeley Division generally supports the proposed revisions, especially the standardization of family-friendly policies across campuses. We hope it can be possible to make the policies equivalent between quarter- and semester-systems, although we recognize the challenges in doing so. The Berkeley Divisional Council also supports and appreciates the use of gender-neutral language and pronouns in this context.

We observe that the proposed changes for the eligibility for disability supplementary insurance are based on the federal Family Medical Leave Act (FMLA), which has more stringent eligibility requirements than does California's supplemental disability insurance (SDI). We suggest that the additional costs of widening eligibility to correspond to the California SDI would likely be relatively small, and would be partly offset in reduced administrative complexity. I draw your attention specifically to a point made by our Committee on Faculty Welfare:

We recommend that the APM simply provide X weeks of paid family leave to all employees. Without doing so the University is open to having to be constantly vigilant in updating the APM as laws change; is failing to address the main objective of the California SDI, to be competitive with private California employers; and leaves the University open to administrative and liability headaches. As devised these new provisions are both onerous and costly to the University.

Finally, we suggest that APM 768A may need to be retitled so that it is not misconstrued. There were concerns that it may be interpreted that someone who is pregnant would not qualify for leave unless the pregnancy comes with a disability, not just the pregnancy itself.

Thank you for the opportunity to comment.

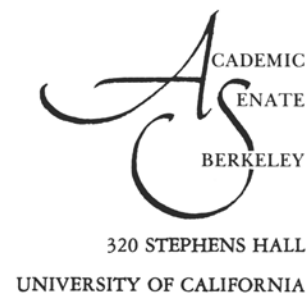
Sincerely,

A handwritten signature in blue ink that reads 'Jennifer Johnson-Hanks'.

Jennifer Johnson-Hanks
Professor of Demography and Sociology
Chair, Berkeley Division of the Academic Senate

Enclosures

cc: Ronald Cohen, Vice Chair, Berkeley Division of the Academic Senate
Lok Siu, Committee on Diversity, Equity, and Campus Climate
David Hollinger, Co-Chair, Committee on Faculty Welfare
Terrance Odean, Co-Chair, Committee on Faculty Welfare
J. Keith Gilless, Chair, Committee on Rules and Elections
Jocelyn Surla Banaria, Executive Director, Berkeley Division of the Academic Senate
Sumei Quiggle, Associate Director staffing Rules and Elections
Linda Corley, Senate Analyst, Committee on Diversity, Equity, and Campus Climate
Sumali Tuchrello, Senate Analyst, Committee on Faculty Welfare



November 30, 2020

PROFESSOR JENNIFER JOHNSON-HANKS
Chair, 2020-2021 Berkeley Division of the Academic Senate

*Re: DECC's Comments on the Proposed Revisions to the Leave-Related Policies of the
700 Series of the Academic Personnel Manual (APM)*

The Committee on Diversity, Equity, Campus Climate (DECC) reviewed the "Proposed Revisions to the Leave-Related Policies of the 700 Series of the Academic Personnel Manual (APM)" and endorsed the changes.

The Committee also took note of the discrepancy between the quarter system and the semester system. While this is a persistent issue, the committee expresses the desire to develop a more equitable version for Berkeley's semester system.

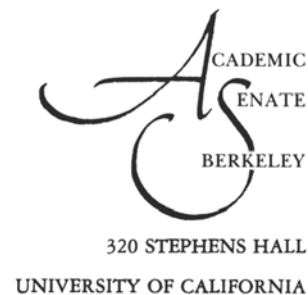
Thank you for the opportunity to provide feedback on these proposed revisions.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Lok Siu'.

Lok Siu
Chair, Committee on Diversity, Equity, and Campus Climate

LS/lc



November 18, 2020

CHAIR JENNIFER JOHNSON-HANKS
Academic Senate

Re: Proposed Revisions to APM – 700 Series

Dear Jenna,

At our meeting on November 16, 2020, the Faculty Welfare Committee reviewed the proposed revisions to the APM-700 series from the UCOP Academic Personnel Office. It is our understanding that while many of the revisions are technical in nature, there were several substantial changes worth deeper review. Across our discussion, we identified four specific sections we wish to highlight concerns about to Divisional Council.

First, in APM-715-20: Pay Status the leave provision was written in such a way to make UC comparable to other private employers that offer California's supplemental disability insurance (SDI), which UC does not offer, but basing is on the eligibility requirements of the federal Family Medical Leave Act (FMLA). The result is that UC employees are subject to more stringent eligibility requirements under FMLA than what is permitted under the California SDI. For example, the SDI program does not have time in service requirements or limits eligibility by hours worked. The end effect is that UC is not positioning itself to be a competitive benefits provider within the state. Further at issue is that these laws around FMLA and SDI benefits are both complex and frequently changing.

We recommend that the APM simply provide X weeks of paid family leave to all employees. Without doing so the University is open to having to be constantly vigilant in updating the APM as laws change; is failing to address the main objective of the California SDI, to be competitive with private California employers; and leaves the University open to administrative and liability headaches. As devised these new provisions are both onerous and costly to the University.

Second, we recommend that APM-760-8-a be retitled to "Pregnancy Disability and Childbearing Leave with or without pay". As currently titled, the implication is that "childbearing leave" may only be awarded in cases of accommodating a disability associated with the birth of a child. In other words, that the birthing parent is only eligible for such leave when placed on a disability status. Without such a change, in implementation, we could envision a situation where a dean or department chair would

assume a disability status is requisite to utilize the leave.

Third, we recommend that further revisions be made to APM-760-27: Childrearing Leave. We understand that the overarching intent of many of the technical revisions are geared towards being gender neutral, in this case it poses a problem. However, child birthing is a gendered process by its very nature, making these “blindness” problematic. As presented, if a child birthing parent is not disabled by their pregnancy, then it appears that the University will not accommodate this life event any differently from leave afforded the non-birthing parent. As this provision is currently written it obscures the different needs in accommodation for the child birthing parent versus the non-birthing parent in their childrearing obligations.

Finally, we recommend a change to the provision of APM-760-27-c(1): Pay for Family Care and Bonding which currently indicates that academic personnel would not be eligible to the paid family leave program until after they have worked for the UC for at least 12 months. While we understand that this 12-month provision is in alignment with the FMLA, there is no reason why the University could not implement a shorter, or even no, timeline to this internal leave program.

We appreciate the Division Council’s consideration of these recommendations and the opportunity to weigh in on these matters.

Sincerely,



David Hollinger, Co-Chair



Terrance Odean, Co-Chair

DH/TO/st



November 23, 2020

JENNIFER JOHNSON-HANKS
Chair, Berkeley Division

Re: Proposed revisions to leave-related policies of the 700 series of the APM

Dear Chair Johnson-Hanks,

At its meeting on November 12, the Committee on Rules and Elections reviewed proposed revisions to several leave policies in the 700 series of the Academic Personnel Manual. We support the standardization of family-friendly policies across campuses and have no objection to the changes.

Sincerely,

A handwritten signature in blue ink, appearing to read 'J. Keith Gilles'.

J. Keith Gilles
Chair, Committee on Rules and Elections

JKG/scq



DAVIS DIVISION OF THE ACADEMIC SENATE
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DAVIS, CALIFORNIA 95616-8502
(530) 752-2220
academicsenate.ucdavis.edu

January 20, 2021

Mary Gauvain
Chair, Academic Council

RE: Proposed Revisions to the Leave-Related Policies of the APM 700 Series

Dear Mary,

The proposed revisions to the APM 700 series were forwarded to all standing committees of the Davis Division of the Academic Senate. Seven committees responded: Academic Personnel Oversight (CAP), Faculty Welfare (FW), and the Faculty Executive Committees of the College of Agricultural and Environmental Sciences (CAES), the College of Biological Sciences (CBS), the College of Engineering (COE), the School of Education (SOE), and the School of Nursing (SON).

Committees support the proposed revisions. In its enclosed response, SON provides a detailed list of suggested revisions and clarifications. We recommend that the policyholders consider these suggestions.

The Davis Division appreciates the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Tucker", is written over a horizontal line.

Richard P. Tucker, Ph.D.
Chair, Davis Division of the Academic Senate
University of California, Davis

Enclosed: Davis Division Committee Responses

c: Hilary Baxter, Executive Director, Systemwide Academic Senate
Michael LaBriola, Assistant Director, Systemwide Academic Senate
Edwin M. Arevalo, Executive Director, Davis Division of the Academic Senate

January 20, 2021

Richard Tucker

Chair, Davis Division of the Academic Senate

RE: RFC: Proposed Revisions to the Leave-Related Policies of the APM 700 Series

The Committee on Academic Personnel – Oversight (CAP) has reviewed and discussed the Proposed Revisions to the Leave-Related Policies of the APM 700 Series. CAP members support the effort to make academic personnel policies more inclusive and have no further comments regarding the proposed revisions.

CAP appreciates the opportunity to comment.

December 18, 2020

Richard Tucker, Chair
Davis Division of the Academic Senate

RE: Proposed Revisions to the Leave-Related Policies of the APM 700 Series

Dear Professor Tucker,

The Faculty Welfare Committee reviewed and discussed the Proposed Revisions to the Leave-Related Policies of the APM 700 Series. We were glad to see most of the changes are aligning the APM with UC policies and positive societal norms. We did not find any controversial changes and support the proposed revisions.

Regards,

Vladimir Filkov, Chair
Faculty Welfare Committee

December 21, 2020

Dr. Richard Tucker
Academic Senate Chair
University of California, Davis

The CA&ES FEC has no objections to the proposed revisions to the Leave-Related Policies of the Academic Personnel Manual - 700 Series.

Thank you for the opportunity to comment on this document.

Sincerely,

A handwritten signature in black ink, appearing to read "Jorge Rodrigues", written in a cursive style.

Jorge Rodrigues
Chair of the Faculty Executive Committee
College of Agricultural and Environmental Sciences

cc: Brenda Nakamoto

January 6, 2020

Richard Tucker
Chair, Division of the Davis Academic Senate

RE: Proposal to Establish a Minor in Museum Studies

The Faculty Executive Committee (FEC) of the College of Biological Sciences (CBS) has reviewed the Proposed Revisions to the Leave-Related Policies of the 700 Series of the Academic Personnel Manual (APM).

The CBS FEC has no objections to the proposed revisions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Karen Zito', with a long horizontal line extending to the right.

Karen Zito
Chair, Faculty Executive Committee
College of Biological Sciences



COLLEGE OF ENGINEERING
DEPARTMENT COMPUTER SCIENCE

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DAVIS, CALIFORNIA 95616
(530) 752-7004
FAX (530) 752-4767

January 11, 2021

Dear Executive Committee,

The College of Engineering Faculty Executive Committee voted on January 11, 2021, to approve the revisions to leave-related policies of the APM 700 series. Giving 8 weeks of payed leave, and extending the policy to caretaking for grandparents and siblings, seems great.

Two questions. First, we assume there are budget materials explaining the financial impact of these changes? Can these materials be shared with the Academic Senate? And second, given the larger scope of Family and Medical leaves, it seems like the process of approving requests for leave might become more difficult. Is anyone setting policies, and will the Academic Senate have a role in setting policies going forward?

Sincerely, and with thanks,

Nina Amenta
Chair, FEC, College of Engineering
Professor, Computer Science

Proposed Revisions to the Leave-Related Policies of the APM 700 Series

FEC: School of Education Committee Response

January 8, 2021

Richard Tucker, Chair

Davis Division of the Academic Senate

RE: Proposed Revisions to the Leave-Related Policies of the APM 700 Series

Dear Professor Tucker,

The Faculty Executive Committee of the School of Education reviewed and discussed the Proposed Revisions to the Leave-Related Policies of the APM 700 Series. We appreciate the opportunity to review and comment on these proposed changes. We have no objections and are glad to see these leave policy changes. We support the proposed revisions.

Regards,

Heidi Ballard

School of Education Faculty Executive Committee

Proposed Revisions to the Leave-Related Policies of the APM 700 Series

FEC: School of Nursing Committee Response

January 8, 2021

Our FEC reviewed the proposed tracked changes to the leave related policies of the APM 700 series and have no objections. We offer the following points for clarification and recommendations for consideration of additional revisions:

APM 715

- Changes to comply with SB 1383 re: expanded definition of family members for whom an appointee may take a family and medical leave under CRFA to include grandparents, grandchildren, and siblings.
 1. We support this expanded definition and ask if there is potential to further expand the definition of family caregiver (i.e., appointee), for example, to include other relatives (aunts, uncles, nieces, nephews) and non-relatives for whom the employee serves as the primary unpaid caregiver. An expanded definition reflects growing recognition of the diversity in ways individuals define family and provide family caregiving.
 2. To establish consistency with timing for Family and Medical Leave policies (715-16 a.), we suggest extending the proposed 8 weeks (715-20 a.) to 12 weeks.

APM 730

- Please clarify how vacation time is used during a sabbatical leave. For example, is accrued vacation time added to the duration of the sabbatical?

APM 740

- (710-16 a.) Recommend a standard policy regarding the extension of sabbatical credit for the next sabbatical that applies to all rather than decided by the Chancellor. Considering diversity, equity and inclusion, this recommendation is based on our interest in having a transparent and equitable formula.
- While beyond the scope of this policy, we would like future opportunities to explore/consider expansion of scope of faculty eligible for sabbaticals (e.g., Health Science Clinical Professor series).

APM – 760

- (760-27 c(1)) Please reconsider the 12 cumulative months requirement to receive 70 percent of appointee's approved salary; as currently proposed, if a person hired is pregnant or pregnant soon after hiring, they would not be eligible for paid leave prior to serving in their UC job for at least 12 months – this situation potentially contributes to discriminating practices. If we hire a pregnant person, there should be same type of leave for those employed longer.
- (760-28 c) Please clarify what is meant by "effort/time".

January 19, 2021

Mary Gauvain, Chair
Academic Council

Re: Systemwide Review of Proposed Revisions to the Leave-Related Policies of the 700 Series of the Academic Senate Personnel Manual (APM)

Dear Chair Gauvain,

At its January 19, 2021 meeting, the Irvine Division Senate Cabinet discussed the proposed revisions to the leave-related policies in the APM. The Cabinet agreed with the comments submitted by the Council on Faculty Welfare, Diversity, and Academic Freedom (CFW).

The Irvine Division appreciates the opportunity to comment.

Sincerely,



Jeffrey Barrett, Chair
Academic Senate, Irvine Division

Enclosure: CFW Memo

C: Joanna Ho, Chair Elect, Academic Senate, Irvine Division
Terry Dalton, CFW Chair, Academic Senate, Irvine Division
Hilary Baxter, Executive Director, Academic Senate
Kate Brigman, Executive Director, Academic Senate, Irvine Division
Gina Anzivino, Associate Director, Academic Senate, Irvine Division
Julie Kennedy, CFW Analyst, Academic Senate, Irvine Division
Brandon Haskey-Valerius, Analyst, Academic Senate, Irvine Division



December 11, 2020

**JEFFREY BARRETT, CHAIR
ACADEMIC SENATE – IRVINE DIVISION**

**Re: Systemwide Review of the Proposed Revisions to the Leave-Related
Policies of the 700 Series of the Academic Senate Personnel Manual
(APM)**

At its meeting on November 10, 2020, the Council on Faculty Welfare, Diversity, and Academic Freedom (CFW) discussed the Systemwide Review of the Proposed Revisions to the Leave-Related Policies of the 700 Series of the Academic Senate Personnel Manual (APM).

Members had the following comments:

1. The revisions seem like progress towards UC being a more family-friendly employer.
2. The policy should be competitive with comparable institutions.
3. The definition of “child rearing” was unclear. Members questioned whether the term would apply to children who are engaged in remote learning at home or to grandparents raising grandchildren.
4. These revisions are encouraging and have piqued the interest of members. However, it is suggested that the policy should continue to explore and expand family care and care of dependents, and be more inclusive to reflect the households of the labor force at UCI.

Sincerely,



Terry Dalton, Chair
Council on Faculty Welfare, Diversity, and Academic Freedom



C: Kate Brigman, Executive Director
Academic Senate

Gina Anzivino, Assistant Director
Academic Senate

January 8, 2021

Mary Gauvain
UC Academic Senate Chair

Re: (Systemwide Senate Review) Proposed Revisions to the Leave-Related Policies of the 700 Series of the APM

Dear Chair Gauvain,

The Executive Board and the other UCLA Senate committees and councils that reviewed the proposed revisions to the APM 700 series endorsed the proposal as a move in the right direction. Executive Board members concurred with the minor comments expressed in several committee statements.

Sincerely,

A handwritten signature in black ink, appearing to read "Shane White", enclosed in a rectangular box.

Shane White
Chair, UCLA Academic Senate

Cc: Jody Kreiman, Vice Chair/Chair Elect, UCLA Academic Senate
Michael Meranze, Immediate Past Chair, UCLA Academic Senate
April de Stefano, Executive Director, UCLA Academic Senate
Hilary Baxter, Executive Director, UC Academic Senate
Michael LaBriola, Assistant Director, UC Academic Senate

December 15, 2020

Shane White, Chair
Academic Senate

Re: Systemwide Senate Review: Proposed Revisions to the Leave-Related Policies of the 700 Series of the APM

Dear Chair White,

At its meeting on December 7, 2020, the Council on Planning and Budget (CPB) had an opportunity to review and discuss the Proposed Revisions to the Leave-Related Policies of the 700 Series of the APM.

Members were in support of the proposed changes to the policies, which were viewed as an appropriate effort to help faculty with current demands and challenges. No objections were raised in our discussion.

If you have any questions for us, please do not hesitate to contact me at groeling@comm.ucla.edu or via the Council's analyst, Elizabeth Feller, at efeller@senate.ucla.edu.

Sincerely,



Tim Groeling, Chair
Council on Planning and Budget

cc: Jody Kreiman, Vice Chair/Chair-Elect, Academic Senate
Michael Meranze, Immediate Past Chair, Academic Senate
April de Stefano, Executive Director, Academic Senate
Elizabeth Feller, Principal Policy Analyst, Council on Planning and Budget
Members of the Council on Planning and Budget

December 11, 2020

To: Shane White, Chair
Academic Senate

Re: **Leave Related Policies of the 700 Series of the APM**

Dear Chair White,

At its meeting on November 10, 2020, the Committee on Diversity Equity and Inclusion reviewed and discussed the proposed revisions to the Leave-Related Policies of the 700 Series of the APM.

Committee members were supportive of the revisions to leave related policies, noting the clear need for increased paid childbearing leave and the likely positive impact of the other revisions. Members also offered the following comments:

- The proposed policy states, "Family Accommodations for Childbearing and Childrearing, increases the existing paid childbearing leave from six weeks to either weeks for academic appointees who do not accrue sick leave." Members inquired whether this leave was conditioned on the accumulation of sick leave. If so, then this could be disproportionately harmful to women who are at higher risk of complications and require bed rest before giving birth.
- The proposed policy does not address the transfer of teaching and research responsibilities for a faculty member who is taking a leave. CODEI members inquired whether it would be beneficial to include these details in this policy, or if they existed elsewhere in the APM.

Thank you for the opportunity to review and comment on this proposal. If you have any questions, please do not hesitate to contact me at yarborou@humnet.ucla.edu or the Interim Committee on Diversity, Equity, and Inclusion Analyst, Taylor Lane Daymude at tlanedaymude@senate.ucla.edu.

Sincerely,



Professor Richard Yarborough, Chair
Committee on Diversity, Equity and Inclusion

December 14, 2020

To: Shane White, Chair
Academic Senate

Re: **Systemwide Review of the Proposed Revisions to the Leave Policies of the 700 Series of the APM**

As requested, the Academic Senate Committee on Teaching circulated the Systemwide Review of Proposed Revisions to the Leave Policies of the 700 Series of the APM. Although the proposal is not expressly within COT's purview, we wanted to give the committee the opportunity to comment and provide feedback as faculty members. The little feedback we received was positive, with members noting that more benefits to more people is a laudable aim.

We appreciate the opportunity to comment on the proposed revision. If you have any questions, please do not hesitate to contact me at collett@soc.ucla.edu or Academic Senate Policy Analyst, Renee Rouzan-Kay at rrouzankay@senate.ucla.edu.

Sincerely,



Jessica L. Collett, Chair
Committee on Teaching

cc: Jody Kreiman, Academic Senate, Vice Chair/ Chair- Elect
Michael Meranze, Academic Senate, Immediate Past Chair
April de Stefano, Academic Senate, Executive Director

December 11, 2020

Shane White, Chair
Academic Senate

Re: Systemwide Senate Review: Proposed Revisions to the Leave-Related Policies of the 700 Series of the APM

Dear Chair White,

At its meeting on December 2, 2020, the Council on Research (COR) had an opportunity to review the Proposed Revisions to the Leave-Related Policies of the 700 Series of the APM. Members were in support of the proposed changes to the policy and offered no additional comments.

If you have any questions for us, please do not hesitate to contact me at julianmartinez@mednet.ucla.edu or via the Council's analyst, Elizabeth Feller, at efeller@senate.ucla.edu, or x62470.

Sincerely,

Julian Martinez, Chair
Council on Research

cc: Jody Kreiman, Vice Chair/Chair-Elect,
Michael Meranze, Immediate Past Chair, Academic Senate
April de Stefano, Executive Director, Academic Senate
Elizabeth Feller, Principal Policy Analyst, Council on Research
Members of the Council on Research

December 2, 2020

Shane White, Chair
Academic Senate

Re: Leave-Related Policies of the 700 Series of the APM

Dear Chair White,

At its meeting on November 17, 2020, the Faculty Welfare Committee reviewed and discussed the Leave-Related Policies of the 700 Series of the APM. Committee members offered the following comments.

Members were in unanimous support of the revisions to the leave-related policies. Members commended that there is an incremental improvement on the policies, which benefit the faculty. Members believe that the changes are in a positive direction, which can lead to further improvement on leave-related policies. Additionally, members wish to emphasize that more needs to be done in support of faculty.

Thank you for the opportunity to review and comment. If you have any questions, please contact us via the Faculty Welfare Committee's interim analyst, Elizabeth Feller, at efeller@senate.ucla.edu.

Sincerely,

Huiying Li, Chair
Faculty Welfare Committee

cc: Jody Kreiman, Vice Chair/Chair Elect, Academic Senate
Michael Meranze, Immediate Past Chair, Academic Senate
April de Stefano, Executive Director, Academic Senate
Elizabeth Feller, Interim Analyst, Faculty Welfare Committee
Faculty Welfare Committee Members



OFFICE OF THE ACADEMIC SENATE
ROBIN DELUGAN, CHAIR, ACADEMIC SENATE
senatechair@ucmerced.edu

UNIVERSITY OF CALIFORNIA, MERCED
5200 NORTH LAKE ROAD
MERCED, CA 95343

January 13, 2021

To: Mary Gauvain, Chair, Academic Council

Re: [Proposed Revisions to Leave-Related Policies of the APM 700 Series](#)

The Proposed Revisions to Leave-Related Policies of the APM 700 Series were distributed for comment to the Merced Division Senate Committee on Academic Personnel (CAP), Committee on Research (CoR), the Faculty Welfare and Academic Freedom Committee (FWAF), and the Schools of Engineering, Natural Sciences, and Social Sciences, Humanities and Arts Executive Committees. The following committees offered several comments for consideration. Their comments are appended to this memo.

- Committee on Research
- Faculty Welfare and Academic Freedom Committee
- School of Social Sciences, Humanities and Arts Executive Committee
- School of Natural Sciences Executive Committee

The Committee on Academic Personnel and the School of Engineering Executive Committee appreciated the opportunity to opine but had no comments.

While committees were generally supportive of the proposed revisions, FWAF, the SSHA Executive Committee raised the following concerns and CoR posed some questions:

FWAF is concerned that the details of the University's Pay for Family Care and Bonding program (which will enable compensation at up to 70% of an appointee's salary) are still under development and will be finalized prior to July 1, 2021 (effective date of the new program). Since the change relative to the compensation structure of the paid leaves is pending the approval of the Chancellors and has yet to be finalized, it could get dropped due to the COVID-related budgetary restrictions. We believe this change is important and should not be dropped.

The SSHA Executive Committee is concerned that APM 740-16 (a) removes the minimum number of sabbatical credits that can be accrued and leaves the decision entirely to the Chancellor. The Executive Committee recommends that the earlier structure of APM 740-16 (a) be restored.

CoR raised the following questions related to the 8 years total for tenure clock (including leave and clock stoppage):

- i. How would other leave or clock stoppage due to national/global pandemics (i.e. COVID related leaves) get reconciled with existing or revised APM leave?
- i. Is it possible to temporarily allow extensions past the 8-year maximum on the tenure clock?
- ii. In light of COVID complications, perhaps moving to a 9-year maximum could be considered for current non-tenured faculty.

The Merced Division thanks you for the opportunity to comment on these proposed revisions.

Sincerely,



Robin DeLugan
Chair, Divisional Council
UC Merced

CC: Divisional Council
Hilary Baxter, Executive Director, Systemwide Academic Senate
Michael Labriola, Assistant Director, Systemwide Academic Senate
Senate Office

UNIVERSITY OF CALIFORNIA, MERCED

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SANTA BARBARA • SANTA CRUZ

ACADEMIC SENATE, MERCED DIVISION
COMMITTEE ON RESEARCH
KARA MCCLOSKEY, CHAIR
kmcloskey@ucmerced.edu

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5200 NORTH LAKE ROAD
MERCED, CA 95343

November 23, 2020

To: Robin DeLugan, Chair, Division Council

From: Kara McCloskey, Chair, Committee on Research (COR)

A handwritten signature in black ink, appearing to read "Kara McCloskey".

Re: Proposed Revisions to APM 700

CoR members reviewed the proposed revisions to the Leave-Related Policies of APM 700.

The revisions are intended to comply with law and existing policy, clarify the APM, and incorporate gender neutral language. CoR believes the revisions are necessary and important and we endorse them. We wish to highlight the below comments and pose one question:

APM 700-30 Presumptive Resignation Policy and Procedures

- The main revision to incorporate gender neutral language into this policy is an important move toward inclusivity.

APM 715 Family and medical leave

- 8 years total for tenure clock (including leave and clock stoppage). How would other leave or clock stoppage due to national/global pandemics (i.e. COVID related leaves) get reconciled with existing or revised APM leave? Is it possible to temporarily allow extensions past the 8-year maximum on the tenure clock? In light of COVID complications, perhaps moving to a 9-year maximum could be considered for current non-tenured faculty.

APM 760 Family accommodations for childbearing and childrearing

- The removal of the age requirement for a newly placed child for ASMD eligibility is important

We appreciate the opportunity to opine.

cc: Senate Office



ACADEMIC SENATE, MERCED DIVISION

COMMITTEE ON FACULTY WELFARE AND ACADEMIC FREEDOM
CAROLIN FRANK, CHAIR
cfrank3@ucmerced.edu

UNIVERSITY OF CALIFORNIA, MERCED
5200 NORTH LAKE ROAD
MERCED, CA 95343
(209) 228-4369

December 1, 2020

To: Robin DeLugan, Chair, Divisional Council

From: Carolin Frank, Chair, Committee on Faculty Welfare and Academic Freedom (FWAF)

Re: Proposed Revisions to the Leave-Related Policies of the 700 Series of the APM

FWAF has reviewed the proposed revisions to the leave-related policies in the 700 series of the APM, which aim to improve the policies in the following ways:

- The revisions expand the length of paid leave on the basis of needing to "care for a seriously ill family member, to bond with a new child, for Military Caregiver Leave, or for Qualifying Exigency Leave" from the current six weeks to eight weeks.
- They potentially improve the compensation structure for the above-mentioned types of leaves: faculty may be able to earn 70% of their salary during these leaves.
- Due to a change in state policy (the adoption of the California Family Rights Act), they expand the definition of family members to include grandparents, grandchildren, and siblings.
- They include new language to specifically address bereavement and jury duty leaves.
- They remove an age requirement of child for Active Service-Modified Duties eligibility; the previous eligibility criteria was that a newly placed child must be "under age five."

FWAF believes all of these proposed revisions are for the better. Longer paid leaves which allow academic appointees to meet their family responsibilities seems fair and appropriate: we need to look after one another and raise the next generation. Employers do well to acknowledge and support the familial and civic duties of their employees. FWAF is pleased to give our full support to these proposed changes.

FWAF also expresses its concern that, since the change relative to the compensation structure of the paid leaves is pending the approval of the chancellors, it may be dropped due to COVID-related budgetary restrictions.

FWAF appreciates the opportunity to opine.

cc: Senate office

UNIVERSITY OF CALIFORNIA

BERKELEY • DAVIS • IRVINE • LOS ANGELES • MERCED • RIVERSIDE • SAN DIEGO • SAN FRANCISCO



SANTA BARBARA • SANTA CRUZ

SCHOOL OF SOCIAL SCIENCES, HUMANITIES AND ARTS

UNIVERSITY OF CALIFORNIA, MERCED
5200 N. LAKE ROAD BLDG A
MERCED, CA 95343
(209) 228-7742
FAX (209) 228-4007

November 30, 2020

To: Robin DeLugan, Chair, Merced Division of the Academic Senate

From: Susan Amussen, Chair, SSHA Executive Committee 

Re: Revisions to APM 700

The SSHA Executive Committee has reviewed the revisions to APM 700. Most of the changes are welcome revisions to UC policies that increase both equity and flexibility and we commend those who have worked on these revisions.

Our major concern is with APM 740-16 (a), which removes the minimum number of sabbatical credits that can be accrued, and leaves the decision entirely to the Chancellor. We recommend that the earlier structure of 740-16 (a) be restored, so that while there is discretion for chancellors, all UC faculty are guaranteed some minimum rights of accrual of sabbatical leave.

Thank you for the opportunity to opine.



SCHOOL OF NATURAL SCIENCES

UNIVERSITY OF CALIFORNIA, MERCED
5200 N. LAKE ROAD BLDG A
MERCED, CA 95343

3 December 2020

To: Robin DeLugan, Chair, Merced Division of the Academic Senate

From: Harish S. Bhat, Chair, Natural Sciences Executive Committee

Re: Proposed Revisions to the Leave-Related Policies of the 700 Series of the APM

NSEC discussed the proposed revisions via Zoom in mid-November. NSEC is in favor of these revisions and, as always, appreciates the opportunity to opine.



CHAIR, ACADEMIC SENATE
RIVERSIDE DIVISION
UNIVERSITY OFFICE BUILDING, RM 225

JASON STAJICH
PROFESSOR OF MICROBIOLOGY & PLANT
PATHOLOGY
RIVERSIDE, CA 92521-0217
TEL: (951) 827-6193
EMAIL: JASON.STAJICH@UCR.EDU

January 13, 2021

Mary Gauvain, Chair, Academic Council
1111 Franklin Street, 12th Floor
Oakland, CA 94607-5200

RE: Proposed Revisions to the Leave-Related Policies of the 700 Series of the APM

Dear Mary,

The UCR Senate is pleased to provide the attached package of standing committee feedback on the proposed revisions to the Leave-Related Policies of the 700 Series of the APM.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Jason Stajich".

Jason Stajich
Professor of Microbiology & Plant Pathology and Chair of the Riverside Division

CC: Michael LaBriola, Assistant Director of the Academic Senate
Hilary Baxter, Executive Director of the Academic Senate
Cherysa Cortez, Executive Director of UCR Academic Senate



Academic Senate

COMMITTEE ON ACADEMIC PERSONNEL

November 2, 2020

To: Jason Stajich, Chair
Riverside Division Academic Senate

From: Yinsheng Wang, Chair 
Committee on Academic Personnel

Re: [Systemwide Review] Proposed Revisions to the Leave-Related Policies
of the 700 Series of the APM

CAP discussed the proposed revisions to the leave-related policies of the 700 Series of the APM and had no substantial comments to add.

COMMITTEE ON DIVERSITY, EQUITY, & INCLUSION

December 15, 2020

To: Jason Stajich, Chair
Riverside Division Academic Senate

From: Xuan Liu, Chair
Committee on Diversity, Equity, & Inclusion

Re: Proposed Revisions to the Leave-Related Policies of the 700 Series of the APM

The Committee on Diversity, Equity, and Inclusion (CoDEI) reviewed the proposed revisions to the leave-related policies of the 700 series of the APM. We appreciate the changes made, including an increase in paid childbearing leave, expanding the definition of family members that an appointee may take a family and medical leave under CFRA (as signed into law), and the removal of an age requirement of child for Active Service-Modified Duties eligibility. We look forward to reviewing the logistics and actual implementation and details of the New Pay for Family Care and Bonding policy when it is complete.



Academic Senate

COMMITTEE ON FACULTY WELFARE

November 20, 2020

To: Jason Stajich
Riverside Division Academic Senate


From: Patricia Morton, Chair
Committee on Faculty Welfare

Re: [Systemwide Review] Proposed Revisions to the Leave-Related Policies of the
700 Series of the Academic Personnel Manual (APM)

The Committee on Faculty Welfare met on November 17, 2020 to consider the proposed revisions to the Leave-Related Policies of the 700 Series of the Academic Personnel Manual (APM). The Committee views the policy revisions to be positive and is in support of the proposal. The CFW notes that there may be inconsistency in how the policies are applied and suggests additional clarification on wording related to academic titles be included.

December 21, 2020

TO: Jason Stajich, Chair
Academic Senate

FROM: Philip Brisk, Chair
BCOE Executive Committee 

RE: Proposed Revisions to the Leave-Related Policies of the 700 Series of the APM

Dear Jason,

The BCOE Executive Committee reviewed the Proposed Revisions to the Leave-Related Policies of the 700 Series of the APM. The Committee supports the Proposed Revisions.

It is worth pointing out that the proposed policy changes are unfunded, and push the expenses associated with the policy changes, such as paying for course releases, to each of the UC Campuses. UCR, in particular, is in a precarious position. The Proposed Revisions could best be implemented if a mechanism existed for UCOP to provide this funding.

TO: Jason Stajich
Chair, Riverside Division of the Senate

FROM: Lucille Chia, Chair *Lucille Chia*
CHASS Executive Committee

RE: Systemwide Review of Proposed Revisions to the Leave-Related Policies of the
700 Series of the Academic Personnel Manual (APM)

The CHASS Executive Committee supports the proposed revisions of the Leave-Related Policies to the 700 Series of the APM.

8 December 2020

To: Jason Stajich, Chair
Riverside Division

From: Theodore Garland, Jr., Chair, Executive Committee
College of Natural and Agricultural Science

Re: Systemwide Review: APM Revision: Proposed Revisions to the
Leave-Related Policies of the 700 Series of the APM

The CNAS Executive Committee reviewed this proposal and has no
comment.

Cheers,





School of Medicine
Division of Biomedical Sciences
Riverside, CA, 92521

January 3rd, 2021

To: Jason Stajich, Ph.D., Chair, Academic Senate, UCR Division

From: Declan McCole, Ph.D., Chair, Faculty Executive Committee, UCR School of Medicine

Subject: SOM FEC Response to the Systemwide Review of Proposed Revisions to the Leave-Related Policies of the 700 Series of the Academic Personnel Manual (APM)

Dear Jason,

The SOM Executive Committee reviewed the Systemwide Review of Proposed Revisions to the Leave-Related Policies of the 700 Series of the Academic Personnel Manual (APM). SOM FEC was enthusiastic about the amendments and has no additional comments.

Yours sincerely,

A handwritten signature in black ink that reads "Declan McCole".

Declan F. McCole, Ph.D.
Chair, Faculty Executive Committee
School of Medicine



January 25, 2021

To: Mary Gauvain, Chair
Academic Senate

From: Susannah Scott, Chair
Santa Barbara Division

A handwritten signature in cursive script that reads "Susannah L. Scott".

Re: **Systemwide Review of Proposed Revisions to the Leave-Related Policies of the 700 Series of the Academic Personnel Manual (APM)**

The Santa Barbara Division distributed the proposed revisions of the APM to the Committee on Academic Personnel (CAP), the Committee on Diversity and Equity (CDE), the Committee on Faculty Welfare, Academic Freedom, and Awards (CFW), and the Council on Planning and Budget (CPB). While several of the details of the revisions have yet to be finalized, CPB, CDE, and CAP each agree with the proposed changes in principle.

With regard to APM-760, CFW recommends increasing the Childbearing and Childrearing leave from 6 weeks to 12 weeks. The Council raises questions about whether having multiples should warrant a further increase in the amount of Childbearing and Childrearing leave time. CFW also makes several specific comments regarding the language in the policies, attached in their individual response.

CDE, CFW, and CPB applaud the University's efforts to make the policies more equitable and inclusive, and the Santa Barbara Division would encourage similar efforts to expand access and inclusivity in other APM policies. CPB also welcomes the changes in wording that reflect the realities of remote teaching and research.

We thank you for the opportunity to opine.

CC: Shasta Delp, Executive Director, Academic Senate

ACADEMIC SENATE
SANTA BARBARA DIVISION

January 21, 2021

TO: Susannah Scott, Divisional Chair
Academic Senate

FROM: Ruth Finklestein, Chair
Committee on Academic Personnel

RE: CAP Response to Proposed Revisions to the Leave-Related Policies

The Committee on Academic Personnel (CAP) has reviewed the Proposed Revisions to the Leave-Related Policies of the 700Series of the Academic Personnel Manual (APM). Although many details of the new benefits are still pending, CAP is supportive in principle of these family-friendly changes in policy.

For the Committee,

A handwritten signature in black ink, appearing to read "Ruth Finklestein", with a stylized flourish at the end.

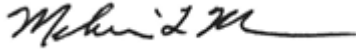
Ruth Finklestein, Chair

**Academic Senate
Santa Barbara Division**

January 6, 2021

To: Susannah Scott, Divisional Chair
Academic Senate

From: Melissa L. Morgan, Chair
Committee on Diversity and Equity



Re: Systemwide Review of Proposed Revisions to the Leave-Related Policies of the 700 Series of the Academic Personnel Manual (APM)

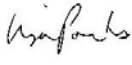
At its meeting of November 30, 2020, the Committee on Diversity and Equity (CDE) reviewed the proposed revisions to the 700 series of the Academic Personnel Manual (APM), covering leave-related policies. CDE agrees with all of these changes. The committee applauds efforts to make policies more inclusive, and would encourage there to be more discussion and revision in the future to expand access and inclusivity in other APM policies.

CC: Shasta Delp, Executive Director, Academic Senate

**Academic Senate
Santa Barbara Division**

January 22, 2021

To: Susannah Scott, Divisional Chair
Academic Senate

From: Lisa Parks, Chair 
Council on Faculty Welfare, Academic Freedom, and Awards

Re: Systemwide Review of Proposed Revisions to the Leave-Related Policies of the 700 Series of the Academic Personnel Manual (APM)

The Council on Faculty Welfare, Academic Freedom, and Awards met on January 20, 2021 to discuss the Proposed Revisions to the Leave-Related Policies of the 700 Series of the Academic Personnel Manual. Council members' comments and recommendations related to the proposed revisions are outlined as follows:

- The Council recognizes and appreciates efforts within the UC to revise language, principles, and policies related to reproductive health and family formation in ways that are more equitable and inclusive.
- Being "absent from academic duty" is defined under APM-700-30, but "leave" is not defined.
- The Council suggests clarifying the definition of "leave" in the context of remote work and technology. Does a leave entail permission not to perform any university work obligations, whether on site or remotely?
- With regard to APM-760, the Council recommends increasing the Childbearing and Childrearing leave from 6 weeks to 12 weeks, with full pay, which is consistent with norms in other countries.
- The Council raised questions about whether having twins, triplets, etc. should warrant an increase in the amount of Childbearing and Childrearing leave time.
- The Council recommends clarifying the distinction between maternity/paternity and bonding leave.

The Council appreciates the opportunity to comment on the proposed revisions.

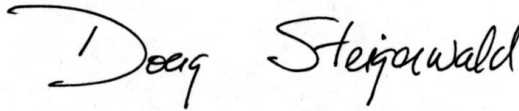
CC: Shasta Delp, Executive Director, Academic Senate

UNIVERSITY OF CALIFORNIA
ACADEMIC SENATE
SANTA BARBARA DIVISION
Council on Planning & Budget

December 4, 2020

To: Susannah Scott
Chair, Academic Senate

From: Douglas Steigerwald, Chair
Council on Planning & Budget



Re: Comments on the Proposed Changes to APM 700

The Council on Planning & Budget (CPB) has read and reviewed the proposed changes to the leave-related policies of the Academic Personnel Manual (APM Section 700). We agree with all of the proposed changes.

We particularly welcome the changes in wording that reflect the realities of remote teaching and research and appreciate the changes that have been made to make the APM manual inclusive of all people.

cc: Shasta Delp, Academic Senate Executive Director



1156 HIGH STREET
SANTA CRUZ, CALIFORNIA 95064

Office of the Academic Senate
SANTA CRUZ DIVISION
125 CLARK KERR HALL
(831) 459 - 2086

January 20, 2021

MARY GAUVAIN, Chair
Academic Council

Re: Systemwide Review of Proposed Revisions to the Leave-Related Policies of the 700 Series of the Academic Personnel Manual (APM)

Dear Mary,

The Santa Cruz Division has reviewed the proposed revisions to the leave-related policies of the 700 series of the Academic Personnel Manual (APM) intended to improve policy clarity and understanding. Our Committees on Affirmative Action and Diversity (CAAD), Faculty Welfare (CFW), Privilege and Tenure (P&T), and Rules, Jurisdiction, and Elections (RJ&E) provided comments on the proposed revisions.

Overall the reviewing committees found the proposed changes to be positive and reasonable and commended the working group's efforts to provide clarity in their revisions. CAAD and RJ&E raised concerns regarding the amended language of APM 700-30 related to the definition of "absent from academic duty." The new definition refers to periods when "working remotely is approved by the Chancellor" which left unclear what "absent from academic duty" would mean when the campus is not in a period of remote learning (RJ&E). CAAD suggested that the revised definition of "absent from academic duty" specify that it applies during remote conditions and non-remote conditions.

Several committees had observations related to the different classification of leave. CAAD was pleased with changes made in APM 760 where paid childbearing leave was expanded from six to eight weeks but believes that it is not sufficient and recommends that the term be 12 weeks, as provided in UCSF's Family Friendly Initiative.¹ On the issue of bereavement leave (APM 758) members suggested that five days may be insufficient for those who may be required to travel abroad and that a maximum of ten days would better accommodate this. Finally, CFW found that the absence of detail related to the 8 weeks paid family and medical leave made a full assessment of the proposed changes difficult. The committee also noted a lacuna in the policy with regard to the effects of leave on service and sabbatical credits.

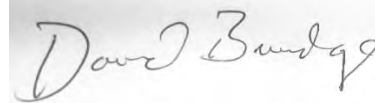
¹ <https://facultyacademicaffairs.ucsf.edu/faculty-life/3FI>

P&T noted the addition of “if appropriate” to the language of 700-30(a) – Written Notice of Intent to Separate the Appointee – and was unclear on how informing P&T within the context of appointee separation would be inappropriate. Further, they observed, there is nothing to explain how this due process requirement is problematic or redundant and suggested that this additional language be stricken from the final version.

Lastly, CAAD suggested that the use of “University-selected health-care provider” (APM 710-14 & 740-17) be reconsidered as appointees with long term illnesses “may rely on other credentialed providers for their care.” CAAD offers that it would be appropriate for these alternative providers to be eligible under University policy.

On behalf of the Santa Cruz Division, I thank you for the opportunity to opine on these policies and hope that they prove useful in the creation of future iterations.

Sincerely,

A handwritten signature in cursive script, appearing to read "David Brundage", is shown within a light gray rectangular box.

David Brundage, Chair
Academic Senate, Santa Cruz Division

cc: Sylvanna Falcón, Chair, Committee on Affirmative Action and Diversity
Nico Orlandi, Chair, Committee on Faculty Welfare
Julie Guthman, Chair, Committee on Privilege and Tenure
Kenneth Pedrotti, Chair, Committee on Rules, Jurisdiction, and Elections

January 14, 2021

David Brundage, Chair
Academic Senate

Re: Systemwide Review of Proposed Revisions to Leave Related Policies - APM 700

Dear David,

During its meeting of January 7, 2021, the Committee on Faculty Welfare (CFW) reviewed the proposed revisions to the leave-related policies of the 700 series of the Academic Personnel Manual (APM). Members agreed that the proposed changes are positive. The committee noticed however, that the document mentions that some of the details concerning the 8 weeks paid family and medical leave are still pending. The committee wondered what these details are and was unable to fully assess the measure without them. CFW additionally noted that the proposal lacks a clear statement of the effects of leave and reduced pay on service and sabbatical credits. These missing elements would ideally be provided before the Academic Senate is requested to opine.

Thank you for the opportunity to provide feedback.

Sincerely,

A handwritten signature in black ink, appearing to read 'Nico Orlandi', with a stylized, cursive script.

Nico Orlandi, Chair
Committee on Faculty Welfare

cc: Sylvanna Falcón, Chair, Committee on Affirmative Action and Diversity
Julie Guthman, Chair, Committee on Privilege and Tenure
Kenneth Pedrotti, Chair, Committee on Rules, Jurisdiction, and Elections

November 24, 2020

David Brundage, Chair
Academic Senate

Re: Revision to Benefits and Privileges: APM - 700 - Leaves of Absence/General

Dear David,

The Committee on Privilege and Tenure reviewed the proposed revisions to Benefits and Privileges: APM - 700 - Leaves of Absence/General at its meeting of November 18, 2020.

The committee's one comment is on page 2, the inclusion of "if appropriate" about informing P&T could do with explication, and may not be acceptable; under what possible circumstances would copying the Chair of P&T not be appropriate?

We are not currently aware of circumstances which would make this due process requirement problematic or redundant, and recommend this edit be removed from the final version.

Sincerely,

/s/

Julie Guthman, Chair
Committee on Privilege and Tenure

cc: Ken Pedrotti, Chair, Rules, Jurisdiction and Elections
Sylvanna Falcón, Committee on Affirmative Action and Diversity
Nico Orlandi, Chair, Committee on Faculty Welfare
Dard Neuman, Chair, Committee on Planning and Budget
Don Smith, Chair, Graduate Council
Tracy Larrabee, Chair, Committee on Educational Policy

December 21, 2020

DAVID BRUNDAGE, Chair
Academic Senate, Santa Cruz Division

Re: Systemwide Review of Proposed Revisions to the Leave-Related Policies of the 700 Series of the Academic Personnel Manual (APM)

Dear David,

During its meeting of December 8, 2020, the Committee on Rules, Jurisdiction, and Elections reviewed the proposed revisions to the Leave-Related Policies of the 700 Series of the Academic Personnel Manual (APM). After a thorough discussion of the proposed revisions the committee agreed that the changes were reasonable, but had one question regarding the language in 700-30. The revised policy defines “absent academic duty” only for periods when “working remotely is approved by the Chancellor.” For this reason, members were left unclear about what “absent academic duty” would mean when we are not in a period of remote working. (See Page 2 Redline 700-30).

Sincerely,

/s/

Kenneth Pedrotti, Chair
Committee on Rules, Jurisdiction, and Elections

cc: Sylvanna Falcon, Chair, Committee on Affirmative Action and Diversity
Nico Orlandi, Chair, Committee on Faculty Welfare
Julie Guthman, Chair, Committee on Privilege and Tenure

January 13, 2021

David Brundage, Chair
Academic Senate, Santa Cruz Division

Re: Systemwide Review of Proposed Revisions to the Leave-Related Policy of the APM 700 Series of the Academic Personnel Manual (APM)

Dear David,

The Committee on Affirmative Action and Diversity (CAAD) has reviewed the Systemwide proposed revisions to the Leave-Related Policy of the APM 700 Series of the Academic Personnel Manual (APM) policy documents and revisions. Overall, it commends the working group's clarifications and revisions. CAAD has two concerns related to the "key policy concerns" identified in Vice Provost Susan Carlson's 10/22/20 letter, as well as two concerns identified in the committee's more general review of the revised APM 700 Series.

The committee is pleased to see an expansion in paid childbearing leave in APM-760 from six to eight weeks; yet, we remain concerned this is not sufficient leave and places a heavy burden on childbearing employees, especially employees with younger children. Studies have shown that women of color would benefit from improved policies, ensuring that UC remain competitive in retaining top faculty.¹ CAAD suggests, at a minimum, that the University of California strive for the [UCSF's Family Friendly Initiative](#) recommendation of 12 weeks childbearing paid leave (awarded to faculty with the Health Sciences Compensation Plan).

An articulation of bereavement leave (APM-758) is an important improvement. CAAD suggests that for some faculty, especially immigrant faculty, who need to travel abroad for funerals, five days may be insufficient.² As such, up to ten days might be the standard for all bereavement leaves.

The committee also offers two pieces of feedback not identified as "key policy concerns" that the Committee of Rules, Jurisdiction and Elections (RJE) also raised in their December 21, 2020 correspondence. In APM 700-30, the policy has been amended to clarify that during remote learning conditions, "absent from academic duty" means "a lack of regular, consistent communication and engagement in normal university duties coupled with a failure by an academic appointee to meet assigned or contractual responsibilities." This replaces the previous articulation of "absent from academic duty" to mean "physical presence." To properly cover all employees post-pandemic - and particularly those who work-from-home as a disability accommodation - the committee suggests that the revised definition of "absent from academic duty" apply during remote conditions and non-remote conditions.

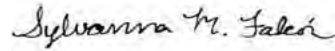
Lastly, the committee suggests reconsidering the use of "University-selected health-care provider" from both APM 710-14 and APM 740-14. Appointees with long-term health

¹ Plotka, R., Busch-Rossnagel, N.A. The role of length of maternity leave in supporting mother-child interactions and attachment security among American mothers and their infants. *ICEP* 12, 2 (2018). <https://doi.org/10.1186/s40723-018-0041-6>.

² Some committee members also expressed concern about the differentiation between "family" and "friends," as such distinctions are often porous.

conditions and illnesses may rely on other credentialed non-university selected health-care providers for their care and therefore, those providers should also be eligible for consideration in university policy.

Sincerely,



Sylvanna Falcón, Chair
Committee on Affirmative Action and Diversity

cc: Nico Orlandi, Chair, Committee on Faculty Welfare
Ken Pedrotti, Chair, Committee on Rules, Jurisdiction and Elections
Julie Guthman, Chair, Committee on Privilege and Tenure



OFFICE OF THE ACADEMIC SENATE

92093-0002

9500 GILMAN DRIVE
LA JOLLA, CALIFORNIA

TELEPHONE: (858) 534-364
FAX: (858) 534-4528

December 18, 2020

Professor Mary Gauvain
Chair, Academic Senate
University of California
VIA EMAIL

Re: Divisional Review of Proposed Revisions to APM 700s Leave-Related Policies

Dear Professor Gauvain,

The proposed revisions to the following Academic Personnel Manual policies were distributed to San Diego Divisional Senate standing committees and discussed at the December 14, 2020 Divisional Senate Council meeting.

- APM 700, Leaves of Absence/General
- APM 710, Leaves of Absence/Sick Leave/Medical Leave
- APM 715, Leaves of Absence/Family and Medical Leave
- APM 720, Leaves of Absence/Holidays
- APM 730, Leaves of Absence/Vacation
- APM 740, Leaves of Absence/Sabbatical Leaves
- APM 750, Leaves of Absence/Leave for Service to Governmental Agencies
- APM 751, Leaves of Absence/Military Leave
- APM 752, Leaves of Absence/Leave to Attend Professional Meeting
- APM 758, Leaves of Absence/Other Leaves with Pay
- APM 759, Leaves of Absence/Other Leaves without Pay
- APM 760, Family Accommodations for Childbearing and Childrearing

Senate Council unanimously endorsed the proposed revisions. Responses from the Divisional Committee on Academic Personnel, the Committee on Diversity and Equity, and the Committee on Faculty Welfare are attached.

Sincerely,

A handwritten signature in black ink that reads "Steven Constable". The signature is written in a cursive, flowing style.

Steven Constable
Chair
San Diego Divisional Academic Senate

Attachments

cc: Tara Javidi, Vice Chair, San Diego Divisional Academic Senate
Ray Rodriguez, Director, San Diego Divisional Academic Senate
Hilary Baxter, Executive Director, UC Systemwide Academic Senate

November 25, 2020

IN CONFIDENCE

STEVEN CONSTABLE

Academic Senate, San Diego Division

SUBJECT: CAP Response to Systemwide Review of Proposed Revisions to APM 700s
Leave-Related Policies

The Committee on Academic Personnel (CAP) appreciates the opportunity to provide comments on the system-wide review of the proposed revisions to APM 700s leave-related policies. The committee reviewed the proposal at its November 18, 2020 meeting. With the exceptions specified below, CAP has no objections and enthusiastically endorses the proposed revisions to the APM 700s leave-related policies.

APM 715- Leaves of Absence/Family and Medical Leave

CAP appreciates the university updating the definition of “family members” for leaves that qualify under the California Family Rights Act (CFRA) in response to SB 1383 and has no objections to the proposed APM 715 revisions. CAP members note that the expansion of the definition is great for biological families, however, the policy is still prohibitive and non-inclusive by not recognizing LGBTQ familial relationships. CAP members felt that an academic appointee should have the option to take a Family Care leave to care for any individual who plays a significant role in the appointee’s life. The committee understands that the policy changes represent the allowable familial relationships established under California law and in relation to CFRA, however, the University has the opportunity to make our policies more inclusive by further expanding the same leave privileges for events that affect individuals beyond one’s biological family.

APM 720- Leaves of Absence/Holidays

CAP members were concerned about the added language that specifies that periods of academic recess and intersession are to be considered service days. The committee feared that this language was added in preparation for future curtailment or furlough periods and was not comfortable with this designation without further explanation as to why these days will be considered service days. Our local policy (PPM 230-10) states that “Academic-year appointees may be absent during the periods between quarters without requesting an official leave...” and “For both academic-year and fiscal-year appointees, periods of academic recess (e.g., periods between quarters) include recess from formal classes, but not recess from research, committee, and other administrative duties, or other university obligations”. UC San Diego does not require academics to be in residence during such periods. With the proposed changes to APM 720, it seems that faculty will have to remain in residence or request an official leave during these periods if they did not wish to remain in residence. Requiring faculty to take a leave during periods between quarters or intersessions would increase the administrative burden in approving and tracking leaves.

APM 758- Leaves of Absence/Other Leaves with Pay

CAP members have no objections to the proposed revisions, and applaud the introduction of bereavement leave. The committee found the proposed bereavement policy to be very generous. CAP members deemed the language for the non-family bereavement leave entitlement as vague. Specifically, the following questions were raised and discussed:

- 1) Is an academic appointee allowed to take up to 5 days of bereavement leave per death of an individual who is not a family member or is it a cumulative 5 days per calendar year for multiple death events?
- 2) Do the leave dates have to be taken consecutively? For example, if an academic appointee requests 5 days of leave spread out over 2 weeks (example: week 1: M, F, week 2: TU, W, TH), is this acceptable?

The committee was pleased to see that the list of relationships eligible for 10-day bereavement leave is more inclusive and expands beyond one's biological family. This policy does a good job at recognizing some LGBTQ familial relationships outside of those that would qualify for a Family Care leave. Here again, the University has the opportunity to expand its definition of familial relationships by including significant others that may not be a spouse or domestic partner, and extending the policy so that the death of in-laws or step-relatives of the appointees significant other are also eligible for a 10-day leave.

CAP appreciates the opportunity to comment on these proposed policy revisions.



Aleck Karis, Chair
Committee on Academic Personnel

December 4, 2020

STEVEN CONSTABLE, CHAIR
Academic Senate, San Diego Division

SUBJECT: APM 700s Leave Related Policies

The Committee on Diversity & Equity (CDE) reviewed the APM 700s leave related policy revisions at its November meeting. The CDE has no objections to the proposed changes. The committee members felt the changes were beneficial and commented that they were pleased that the description of family has been expanded and that elder care has been included.

Sincerely,

Jennifer Burney, Chair
Committee on Diversity & Equity

cc: T. Javidi

November 24, 2020

STEVEN CONSTABLE, CHAIR
Academic Senate, San Diego Division

SUBJECT: APM 700s Leave Related Policies

The Committee on Faculty Welfare (CFW) reviewed the APM 700s revisions at its November meeting. The proposed changes in the APM 700 series contains a number of changes proposed during a review which began in October 2019 and continued through March, 2020. There were many technical changes; however, there were five changes of substance. All of these changes seem to be favorable ones for members of the Academic Senate. These are:

- **Increase in paid childbearing leave:** increases the existing paid childbearing leave from six weeks to eight weeks for academic appointees who do not accrue sick leave. *The CFW did wonder if this benefit might also become available for other, non-senate academic appointees.*
- **New Pay for Family Care and Bonding benefit:** A new section on Pay for Family Care and Bonding has been added to APM – 715
 - Goes into effect on July 1, 2021 (many details are still pending).
 - Over the next several months, a UCOP cross-functional work group has been tasked with developing and finalizing the details of how the new Pay for Family Care and Bonding benefit will be implemented and coordinated with existing leave policies.*The actual impact of this revision will depend in great measure on the degree of funding and the detail of the actual implementation of the benefit.*
- **Changes to comply with SB 1383:** The Governor recently signed SB 1383 expanding the California Family Rights Act (CFRA), effective January 1, 2021 to include grandparents, grandchildren, and siblings.
- **New sections on bereavement leave and jury duty leave:** Language has been added to APM - 758, to specifically address bereavement and jury duty leaves.
- **Removal of age requirement of child for Active Service-Modified Duties eligibility:** In APM - 760, Family Accommodations for Childbearing and Childrearing, the previous eligibility criteria that a newly placed child must be “under age five” has been removed. This change will allow for a child of any age newly placed for adoption or foster care to be covered.

The CFW endorses the adoption of these and the other related revisions with the two points of note.

Sincerely,

Shantanu Sinha, Chair
Committee on Faculty Welfare

cc: T. Javidi



UNIVERSITY COMMITTEE ON PLANNING AND BUDGET (UCPB)
Sean Malloy, Chair
smalloy@ucmerced.edu

Assembly of the Academic Senate
1111 Franklin Street, 12th Floor
Oakland, CA 94607-5200
Phone: (510) 987-9466
Fax: (510) 763-0309

January 11, 2021

**MARY GAUVAIN, CHAIR
ACADEMIC COUNCIL**

RE: Proposed Revisions to Leave-Related Policies of the 700 Series of the Academic Personnel Manual (APM)

Dear Mary,

UCPB appreciates the opportunity to review the changes to the APM-700 series of leave policies. The committee fully supports the efforts to expand these policies to be more inclusive. We note that there was no systemwide study of the potential budgetary and planning impacts of the expansion in leave associated with these changes. This is understandable given the complexities involved on a campus-by-campus level but we suggest that when these changes are approved and communicated to campuses that the Provost suggest that such studies be undertaken at the local level so that units can be prepared to factor them into their academic planning and staff planning.

Cheers,

A handwritten signature in black ink, appearing to be 'Sean Malloy'.

Sean Malloy, Chair
UCPB

Encl.

cc: UCPB



UNIVERSITY COMMITTEE ON ACADEMIC PERSONNEL (UCAP)
Susan Tapert, Chair
stapert@health.ucsd.edu

Assembly of the Academic Senate
1111 Franklin Street, 12th Floor
Oakland, CA 94607-5200
Phone: (510) 987-9466

January 7, 2021

MARY GAUVAIN, CHAIR
ACADEMIC COUNCIL

RE: PROPOSED REVISIONS TO THE LEAVE-RELATED POLICIES OF THE 700 SERIES OF THE APM

Dear Mary,

UCAP has reviewed the proposed revisions to the leave-related policies of the 700 series of the APM. The committee agrees that the revisions are positive and appropriate.

Thank you for the opportunity to comment on this matter. Please don't hesitate to contact me if you have any questions.

Sincerely,

A handwritten signature in dark ink, appearing to read "Susan Tapert", with a long horizontal flourish extending to the right.

Susan Tapert, Chair
UCAP



UNIVERSITY COMMITTEE ON FACULTY WELFARE (UCFW)
Shelley Halpain, Chair
Shalpain@ucsd.edu

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1111 Franklin Street, 12th
Oakland, CA 94607-5200
Phone: (510) 987-9466
Fax: (510) 763-0309

January 20, 2021

**MARY GAUVAIN, CHAIR
ACADEMIC COUNCIL**

RE: Proposed Revisions to Leave-Related Policies of the 700 Series of the Academic Personnel Manual (APM)

Dear Mary,

The University Committee on Faculty Welfare (UCFW) has reviewed the proposed revisions to leave-related policies of the 700 series of the Academic Personnel Manual (APM). These revisions are conforming changes to align with new state requirements. Overall, we find these revisions to be a welcome step forward in inclusivity and family friendliness. We note the improvements to child rearing and bonding, dependent care, and bereavement and jury duty accommodations, but we also recognize that more needs to be done in these areas, such as increasing to 12 weeks child rearing and bonding and to 7 days bereavement, among other improvements. We look forward to those and similar changes, as well.

Thank you for helping to advance our shared interests.

Sincerely,

Shelley Halpain, UCFW Chair

Copy: UCFW
Hilary Baxter, Executive Director, Academic Senate
Robert Horwitz, Academic Council Vice Chair

January 8, 2021

Mary Gauvain
UC Academic Senate Chair

Re: (Systemwide Senate Review) Proposed Revisions to the Leave-Related Policies of the 700 Series of the APM

Dear Chair Gauvain,

The Executive Board and the other UCLA Senate committees and councils that reviewed the proposed revisions to the APM 700 series endorsed the proposal as a move in the right direction. Executive Board members concurred with the minor comments expressed in several committee statements.

Sincerely,

A handwritten signature in black ink, appearing to read "Shane White", with a stylized flourish at the end.

Shane White
Chair, UCLA Academic Senate

Cc: Jody Kreiman, Vice Chair/Chair Elect, UCLA Academic Senate
Michael Meranze, Immediate Past Chair, UCLA Academic Senate
April de Stefano, Executive Director, UCLA Academic Senate
Hilary Baxter, Executive Director, UC Academic Senate
Michael LaBriola, Assistant Director, UC Academic Senate



OFFICE OF THE VICE PROVOST --
ACADEMIC PERSONNEL

OFFICE OF THE PRESIDENT
1111 Franklin Street, 11th Floor
Oakland, California 94607-5200

October 22, 2020

CHANCELLORS
ACADEMIC COUNCIL CHAIR MARY GAUVAIN
LABORATORY DIRECTOR MICHAEL WITHERELL
ANR VICE PRESIDENT GLENDA HUMISTON

Re: Systemwide Review of Proposed Revisions to the Leave-Related Policies of the 700 Series of the Academic Personnel Manual (APM)

Dear Colleagues:

Enclosed for systemwide review are proposed revisions to the following leave-related policies of the 700 series of the Academic Personnel Manual (APM):

- APM - 700, Leaves of Absence/General;
- APM - 710, Leaves of Absence/Sick Leave/Medical Leave;
- APM - 715, Leaves of Absence/Family and Medical Leave;
- APM - 720, Leaves of Absence/Holidays;
- APM - 730, Leaves of Absence/Vacation;
- APM - 740, Leaves of Absence/Sabbatical Leaves;
- APM - 750, Leaves of Absence/Leave for Service to Governmental Agencies;
- APM - 751, Leaves of Absence/Military Leave;
- APM - 752, Leaves of Absence/Leave to Attend Professional Meeting;
- APM - 758, Leaves of Absence/Other Leaves with Pay;
- APM - 759, Leaves of Absence/Other Leaves without Pay; and
- APM - 760, Family Accommodations for Childbearing and Childrearing.

The proposed revisions are intended to address substantive matters discussed in more detail below.

Background

In fall 2019, Academic Personnel and Programs initiated a full review of the leave-related policies in the APM - 700 series and convened a work group with representatives from campus academic personnel offices. The goal of the work group was to identify areas in need of revision and to recommend substantive and structural changes to improve policy clarity and understanding. The work group conducted its review from October 2019 through January 2020 and submitted its final recommendation report to me in March 2020. Based on the work group's

recommendations, my office distributed the initial revisions to the leave-related policies for management consultation from May 26, 2020 to July 10, 2020.

On a parallel track and timeline, Systemwide Human Resources convened a systemwide cross-functional work group charged with reviewing possible options for offering a paid family leave benefit to employees. The work group conducted its review from February 2020 to April 2020 and included subject matter experts from Systemwide Human Resources, Academic Personnel, Labor Relations, UC Legal, as well as campus stakeholders from across the UC system. In July 2020, a recommendation on paid family leave was presented to the Council of Chancellors for consideration. The Council of Chancellors approved a new paid family leave benefit for eligible University employees, effective July 1, 2021, which will provide eight weeks of paid family and medical leave at 70 percent wages for University employees who need time off to care for a seriously ill family member, to bond with a new child, for Military Caregiver Leave, or for Qualifying Exigency Leave.

After reviewing and analyzing the comments received during management consultation, my office is now distributing the leave-related policies of the APM - 700 series for systemwide review to gather input on the proposed revisions, including preliminary language incorporating the new paid family leave benefit. Summarized below are the proposed key policy revisions that are being distributed for systemwide review.

Key Policy Revisions

- **Increase in paid childbearing leave.** Proposed language in APM - 760, Family Accommodations for Childbearing and Childrearing, increases the existing paid childbearing leave from six weeks to eight weeks for academic appointees who do not accrue sick leave.
- **New Pay for Family Care and Bonding benefit.** To incorporate the paid family leave benefit as described above, a new section on Pay for Family Care and Bonding has been added to APM - 715, Leaves of Absence/Family and Medical Leave, and APM - 760, Family Accommodations for Childbearing and Childrearing. The benefit approved by the chancellors does not go into effect until July 1, 2021 and many of the details surrounding the new benefit are still pending. Over the next several months, a UCOP cross-functional work group has been tasked with developing and finalizing the details of how the new Pay for Family Care and Bonding benefit will be implemented and coordinated with existing leave policies, including those policies in the APM. It is important to note that the new Pay for Family Care and Bonding benefit is not intended to take away any existing paid leave benefits under APM policy or local Health Sciences Compensation Plan implementing procedures for those academic appointees who are already eligible to receive such benefits. Although many details of the new Pay for Family Care and Bonding benefit are still pending, we have added preliminary draft language to APM - 715, Leaves of Absence/Family and Medical Leave, and APM - 760, Family Accommodations for Childbearing and Childrearing, to generally address the new benefit in order to solicit feedback during systemwide review. We have included footnotes in these policies to identify the areas still under development.

- **Changes to comply with SB 1383.** The Governor recently signed SB 1383 expanding the California Family Rights Act (CFRA), effective January 1, 2021. One notable change of the new legislation is that it expands the definition of family members for whom an appointee may take a family and medical leave under CFRA to include grandparents, grandchildren, and siblings. Language has been added to APM - 715, Leaves of Absence/Family and Medical Leave, address the new SB 1383 requirements.
- **New sections on bereavement leave and jury duty leave.** Language has been added to APM - 758, Leaves of Absence/Other Leaves with Pay, to specifically address bereavement and jury duty leaves. While these types of leaves are well-defined in staff PPSM policies, they were previously not specifically defined in APM policy. The proposed changes mirror existing language in staff PPSM policies.
- **Removal of age requirement of child for Active Service-Modified Duties eligibility.** In APM - 760, Family Accommodations for Childbearing and Childrearing, the previous eligibility criteria that a newly placed child must be “under age five” has been removed. This change will allow for a child of any age newly placed for adoption or foster care to be covered under APM - 760 for Active Service-Modified Duties.

Systemwide Review

Systemwide review is a public review distributed to the Chancellors, the Chair of the Academic Council, the Director of the Lawrence Berkeley National Laboratory, and the Vice President of Agriculture and Natural Resources requesting that they inform the general University community, especially affected employees, about policy proposals. Systemwide review also includes a mandatory, 90-day full Senate review.

Employees should be afforded the opportunity to review and comment on the draft policies, available on the [Academic Personnel and Programs website](#). Attached is a Model Communication which may be used to inform non-exclusively represented employees about these proposals. The Labor Relations Office at the Office of the President is responsible for informing the bargaining units representing union membership about policy proposals.

We would appreciate receiving your comments no later than **February 8, 2021**. Please submit your comments to ADV-VPCARLSON-SA@ucop.edu. If you have any questions, please contact Director Kimberly Grant at Kimberly.Grant@ucop.edu.

Sincerely,



Susan Carlson
Vice Provost
Academic Personnel and Programs

Enclosures:

1) The following draft policies and clean copies can be found on the [Academic Personnel and Programs website](#):

- APM - 700, Leaves of Absence/General (clean and redline copies)
- APM - 710, Leaves of Absence/Sick Leave/Medical Leave (clean and redline copies)
- APM - 715, Leaves of Absence/Family and Medical Leave (clean and redline copies)
- APM - 720, Leaves of Absence/Holidays (clean and redline copies)
- APM - 730, Leaves of Absence/Vacation (clean and redline copies)
- APM - 740, Leaves of Absence/Sabbatical Leaves (clean and redline copies)
- APM - 750, Leaves of Absence/Leave for Service to Governmental Agencies (clean and redline copies)
- APM - 751, Leaves of Absence/Military Leave (clean and redline copies)
- APM - 752, Leaves of Absence/Leave to Attend Professional Meeting (clean and redline copies)
- APM - 758, Leaves of Absence/Other Leaves with Pay (clean and redline copies)
- APM - 759, Leaves of Absence/Other Leaves without Pay (clean and redline copies)
- APM - 760, Family Accommodations for Childbearing and Childrearing (clean and redline copies)

2) Model Communication

cc: President Drake

Provost and Executive Vice President Brown

Executive Vice Chancellors/Provosts

Executive Vice President and Chief Operating Officer Nava

Senior Vice President and Chief Compliance Officer Bustamante

Interim Vice President Lloyd

Vice President Maldonado

Vice Provosts/Vice Chancellors for Academic Affairs/Personnel

Assistant Vice Provosts/Vice Chancellors/Directors - Academic Personnel

Deputy General Counsel Woodall

Executive Director Baxter

Executive Director Chester

Chief of Staff and Chief Policy Advisor Kao

Chief of Staff and Executive Director Henderson

Chief of Staff Levintov

Chief of Staff Peterson

Senior Counsel Leider

Senior Counsel Mastro

Director Grant

Director Lee

Director Sykes

Manager Smith

HR Manager Crosson
Analyst Durrin
Analyst Miller
Analyst Wilson