

**General Leave Accommodation Principles**

This policy is designed to support communication and cooperation between students, faculty and department personnel and the good-faith efforts of all to accommodate outside demands so that students can successfully complete their program of study. Because graduate student support and employment is often variable by quarter, and because most graduate student employees do not meet the eligibility requirements for the Family and Medical Leave Act (FMLA), it is the intention of this policy to provide a consistent and equitable leave accommodation for medical and familial needs.

While the [Planned Educational Leave Program](#) (PELP) remains available to any student, this policy is offered as an alternative for students who are able to benefit from continuous enrollment in order to receive financial support during short periods where leave is appropriate.

**Accommodation Policy****A. Eligibility and General Requirements**

Doctoral and master's students, including students in self-supporting and professional degree programs, who hold an academic employment appointment in the Academic Student Employee series (ASE: TA, AI, hourly Reader/Tutor) or as a Graduate Student Researcher (GSR) are eligible for accommodation under this policy, as are students supported by internal or external fellowships.

1. Students shall not have their financial support reduced or eliminated while on an approved paid leave.
2. Students must be regularly enrolled throughout the leave period to meet employment and fellowship eligibility requirements and also to be considered for accommodations under this policy; the only exception to this requirement is during summer quarter when registering for units is not required.
3. A student who ends their appointment/award(s) is no longer covered under this policy.
4. Appropriate documentation must accompany all leave and return requests.
5. The accommodations provided in this policy are per situation or incident.
6. Any leave provided under this policy does not extend beyond the end date of appointment/award(s). However, should a student have multiple term appointments/awards (ASE and/or GSR and/or Fellowships) that are consecutive, the leave may span both appointment/award terms and the end date is considered the end date of the second appointment/award. Spring/Fall appointments/awards are not considered consecutive.
7. Any student on approved paid or unpaid leave will continue to receive benefits associated with their appointment/award for the duration of the approved leave under the same conditions that coverage would otherwise have been provided by the University or funding source if the student had not been on leave (tuition and fee remissions, health insurance premium, etc.).
8. Those who have accrued vacation leave may substitute accrued vacation for unpaid leave but shall not be required to use vacation leave. Vacation leave usage runs concurrently with these benefits and is not in addition to the total amount of leave provided by this policy. A student cannot use vacation leave during a period of paid leave (no "double-dipping").
9. For student employees, unpaid leave may be granted for periods beyond the terms of leaves in this policy, at the sole discretion of the department (for ASEs) or Principal Investigator (for GSRs); benefits associated with the appointment/award will continue to be paid by the fund source when a student is on unpaid leave.

10. Any student benefitting from a leave accommodation from any other source within the University shall have those leave accommodations run concurrently with any leave provided by this policy.
11. Labor agreement leave articles take precedence over local campus policies as changes occur.
12. Definition of a family member: one's mother, father, sister, brother, parent-in-law, spouse, domestic partner, parent of domestic partner, grandparent, grandchild, child, step or foster child (including children of domestic partner).
13. Definition of a serious health condition: an illness, injury, impairment or physical/mental condition that involves inpatient care and/or continuing treatment by a health care provider for a condition that causes more than three (3) full consecutive calendar days of incapacity.

## **B. Types of Leaves**

### **1. Short-term Medical and Family-Related Leave**

A student is eligible for 2 days (50% quarterly appointment) or 3 days (50% semester appointment) of leave not to continue beyond the end date of the appointment(s) for:

- personal illness and/or disability;
- the birth, adoption, or care of a child or family member; or
- family emergencies.

This leave is prorated for appointments less than 50%. This leave is paid for salaried employees and unpaid for hourly employees. Additional leave may be granted (paid or unpaid) at the sole discretion of the hiring unit (benefits will continue to be paid by the funding source).

### **2. Long-term Medical and Family-Related Leave (Serious Health Condition, Child- Bonding--Not Childbearing)**

A maximum of 4 weeks leave, not to continue beyond the end date of the appointment(s) is available to students who:

- have a serious health condition;
- need to care for a family member who has a serious health condition; or
- need to care for and bond with the student's newborn child or a child placed with the student for adoption or foster care (within 12 months of birth or placement).

This leave is paid for salaried employees and fellowship recipients; unpaid for hourly employees. Any accrued vacation leave may be used in lieu of unpaid leave, at the employee's discretion. Leave must be taken continuously and may not be taken intermittently. Verification or medical certification is required. This leave is not to continue beyond the end date of the appointment(s).

#### **Additional Unpaid Leave for Serious Illness or Baby Bonding**

In addition to the Long-term Medical and Family-Related Leave, a student is eligible for 2 additional weeks of unpaid leave for their own serious health condition or in order to bond with a baby, not to exceed 6 weeks total leave. Any accrued vacation leave may be used in lieu of unpaid leave, at the employee's discretion. Leave must be taken continuously and may not be taken intermittently; for baby bonding leave, the leave must be taken within 12 months of birth/placement. Verification or medical certification is required. This leave is not to continue beyond the end date of the appointment(s).

### **3. Long-term Medical and Family-Related Leave (Pregnancy/Childbearing)**

For pregnancy, childbirth, or related medical conditions for the period prior to, during, and after childbirth, a student may receive a maximum of 6 weeks leave, not to continue beyond

the end date of the appointment(s). This leave is paid for salaried employees and unpaid for hourly employees. Any accrued vacation leave may be used in lieu of unpaid leave at the employee's discretion. Leave must be taken continuously and may not be taken intermittently. This leave runs concurrently with any Pregnancy Disability Leave and may be combined with any Short-term Medical and Family-Related Leave to provide 6 weeks and 2 days of paid leave for childbearing, if a student is eligible. Medical certification is required.

**Additional Unpaid Pregnancy Disability Leave**

Running concurrently with the Long-term Medical and Family-Related Leave for pregnancy and childbearing, a student is eligible for a maximum of four (4) months of unpaid leave per pregnancy and/or reasonable accommodation for pregnancy disability, childbirth, and related medical conditions. Medical certification is required. This leave is not to continue beyond the end date of the appointment(s), and not to exceed four months in a 12-month period. A student who accrues vacation leave, may at their option, use accrued vacation leave in lieu of unpaid leave. Vacation leave used runs concurrently with these benefits; vacation leave is not in addition to the amount of leave provided by this policy (no "double-dipping").

**4. Bereavement Leave**

A student is eligible for 3 scheduled work days of leave due to the death of a family member (per occurrence). This leave is paid for salaried employees and unpaid for hourly employees. This leave is not to continue beyond the end date of the appointment(s).

**5. Jury Duty Leave**

Student employees receive leave for the duration of their jury summons, not to continue beyond the end date of the appointment(s). This leave is paid for salaried employees and unpaid for hourly employees. Verification is requirement.

**6. Military Leave**

Student employees who are called to active military service will be provided unpaid leave from their current positions to fulfill their military obligations to the extent required by applicable law.

**C. Procedure for Requesting Leave for Students Employed as an ASE or GSR**

Whenever possible, requests for leave should be submitted to the hiring unit(s) at least 30 days in advance of their start date, and shall be made in writing with information about the nature of the leave and probable duration. The student employee will be required to provide appropriate documentation. While it is the University's responsibility to make arrangements for coverage, the student employee will assist as is reasonably possible.

In order to ensure proper coverage for leaves other than long-term leaves, student employees are expected to contact the supervisor to request leave as soon as the need for the leave becomes known but not less than one (1) working day in advance of the commencement of the leave unless the leave is for an unanticipated personal or family illness or bereavement.

To request leave, the student completes the [Leave Accommodation Request Form](#) and submits all required documentation, including the Medical Certification, to the home department for approval. For leaves seven (7) days or less, the home department retains all forms and there is no requirement to input the approved leave into the payroll system. For approved leaves greater than seven (7) days, the home department is responsible for entering the leave into the payroll system using the appropriate leave code (see instructions in form); the department provides copies to Graduate Studies for record-keeping purposes

For students on internal or external fellowships, please see section D below.

When a student holds multiple appointments in more than one unit and/or over multiple terms, only one leave request should be completed and filed with the home department (primary appointment). The home department will take the lead role in coordinating the leave administration with the alternate departments.

#### **D. Procedure for Requesting Leave for Students on Fellowship**

Students supported by university fellowships will experience no change in their funding during an approved leave provided under this policy. To maintain fellowship eligibility, students must be registered, enrolled, maintain a minimum of 12 units, and meet the minimum 3.0 GPA criteria established by the Graduate Council. Students on PELP or Filing Fee do not meet the registered status requirement. Students who do not meet the minimum requirements are subject to withdrawal of their fellowship support. Students supported by fellowships from granting agencies external to UC Davis must adhere to the rules of the granting agency in regard to leaves. If the external agency defers to university policy regarding leave, as provided under this policy, the fellowship funding will not be interrupted. If the external agency requires suspension of payment during the leave period, the student will be eligible for substitute payment from the Leave Accommodation Fund (see below) for the duration of the approved leave.

A student on fellowship should confer with their graduate program staff coordinator and complete the [Leave Accommodation Request Form](#) and submit it to Graduate Studies. Graduate Studies will ensure eligibility requirements are met and enter the leave in BANNER.

#### **E. Leave Funding Source**

The paid leave will be paid by the salary source of the appointment/award or by the salary sources of a combination of appointments/awards. If a leave is the result of more than one qualifying appointment/award, the benefit will be charged proportionately to each funding source of appointments/awards. All benefits associated with the appointment or award continue to be provided at the same level throughout the approved leave period, whether the leave is paid or unpaid, by the salary source(s) of the active appointments or awards.

For students on approved leave who have appointments/awards that span two quarters of the leave period (e.g. student has a fall quarter TA appointment and winter quarter GSR appointment), the leave will be paid by the hiring unit or funding source active during the leave period (proportionally for dual appointments/awards).

##### **Leave Accommodation Fund**

A centralized Leave Accommodation Fund is managed by Graduate Studies to pay the salary, benefits and/or stipend for some graduate student leaves. Funding from this source may be available in the following circumstances and only by approval of Graduate Studies:

- In the event that the salary, benefits or stipend cannot be paid by the salary source because of funding rules prohibiting leave pay. Evidence of funding rule restriction must be provided.
- In the event that a Graduate Student Researcher (GSR) is approved for pregnancy/childbearing leave and a replacement GSR is essential to the project and the Principal Investigator has identified an available and qualified replacement during the leave period. Evidence of replacement student hire must be provided.
- Under only extraordinary circumstances, a department may request funding for a Teaching Assistant on approved pregnancy/childbearing leave; the request must include strong justification and must identify an available and qualified replacement for the leave period. Evidence of replacement student hire must be provided.

The [Leave Funding Request Form](#) must be submitted with appropriate evidence to Graduate Studies; if approved, funding for the student on an approved leave will be provided only during the paid leave period.

## **F. Special Considerations**

### **Appointment Limits**

All academic-title employees using the accommodation benefit should be aware that the maximum number of quarters to hold academic appointments (18 quarters for ASEs and 21 for GSRs) cannot be extended beyond those limits; paid and unpaid leave periods count towards these limits.

### **International Students**

International students holding visas are encouraged to work closely with [Services for International Students and Scholars](#) (SISS) to ensure compliance with U.S. immigration law.

### **CA Equity in Higher Education Act Provisions**

In accordance with the CA Equity in Higher Education Act ((AB2350(Bonilla)/Chapter 637, Statutes of 2014)):

- A graduate student shall not be required to take a leave of absence, withdraw from a graduate program, or limit his or her graduate studies solely due to pregnancy or pregnancy-related issues.
- Campus should reasonably accommodate pregnant graduate students so they may complete their graduate courses of study and research, which may include, but is not necessarily limited to, allowances for the pregnant student's health and safety, such as allowing the student to maintain a safe distance from hazardous substances, allowing the student to make up tests and assignments that are missed for pregnancy-related reasons, or allowing a student to take a leave of absence. Reasonable accommodation shall include the excusing of absences that are medically necessary, as required under Title IX.
- A graduate student who chooses to take a leave of absence because she is pregnant or has recently given birth shall be allowed a period of 12 additional months to prepare for and take preliminary and qualifying examinations and an extension of at least 12 months toward normative time to degree while in candidacy for a graduate degree, unless a longer extension is medically necessary.
- A graduate student who is not the birth parent and who chooses to take a leave of absence because of the birth of his or her child shall be allowed a period of one month to prepare for and take preliminary and qualifying examinations, and an extension of at least one month toward normative time to degree while in candidacy for a graduate degree, unless a longer period or extension is medically necessary to care for his or her partner or their child.
- An enrolled graduate student in good academic standing who chooses to take a leave of absence because she is pregnant or has recently given birth shall return to her program in good academic standing following a leave period of up to one academic year, subject to the reasonable administrative requirements of the institution, unless there is a medical reason for a longer absence, in which case her standing in the graduate program shall be maintained during that period of absence.
- An enrolled graduate student in good academic standing who is not the birth parent and who chooses to take a leave of absence because of the birth of his or her child shall return to his or her program in good academic standing following a leave period of up to one month, subject to the reasonable administrative requirements of the institution.

Should a graduate student have questions or a complaint regarding possible pregnancy discrimination, they should contact the [UC Davis Harassment & Discrimination Assistance and Prevention Program](#) (hdapp.ucdavis.edu) at (530) 752-9255.

## Resources

Questions about leaves should be first directed to the hiring unit or graduate program and then to Graduate Studies.

Information, forms, and answers to frequently asked questions can be found on the Graduate Studies website: <https://gradstudies.ucdavis.edu/current-students/employment/leave-accommodation>.

Other campus resources include:

- Employment Policies: Eligibility, Benefits (vacation accrual, etc.)  
[APM Appendix II-B: Appointment of Graduate Students to Academic Positions](#)
  - *Students in ASE titles (TA, Reader, Tutor, AI) do not accrue vacation as they are academic-year titles per [APM 730](#); the exception is title code 1511 (Associate In\_, fiscal year) which is eligible for vacation accrual and leave.*
  - *Students in the GSR title may be eligible for vacation accrual based upon percentage time of appointment and length of appointment per [APM 730](#).*
- Planned Educational Leave Program (PELP)  
<http://gradstudies.ucdavis.edu/graduate-programs/policies>  
*Temporary leave from a study to allow a student to resolve personal, financial or medical problems; this is an unenrolled status.*
- Harassment & Discrimination Assistance and Prevention Program (HDAPP)  
<http://hdapp.ucdavis.edu/>  
*Resources and assistance related to discrimination concerns.*
- WorkLife and Wellness Program  
<http://worklife-wellness.ucdavis.edu/index.html>  
*Childcare options, financial assistance for childcare, and the breastfeeding support program.*

## Graduate Student Leave Accommodations: Quick Reference Guide Graduate Studies Policy GS2015-01

### Eligibility

Student must be regularly enrolled throughout entirety of approved leave period and hold an Academic Student Employee appointment (TA, Reader, AI, Tutor), Graduate Student Researcher appointment (GSR), or be receiving an internal or external fellowship.

<b>Pregnancy Disability Leave*</b> 4 months, unpaid	
<b>Pregnancy/Childbearing Leave*</b> 6 weeks**	
<b>Long-term Medical &amp; Family-Related Leave</b> 4 weeks** & 2 additional weeks unpaid	
<b>Short-term Medical &amp; Family-Related Leave</b> 2 days for 50% appointments (prorated)**	
<b>Bereavement Leave</b> 3 scheduled work days**	
<b>Jury Duty Leave</b> duration of service**	
<b>Military Service Leave</b> duration of service, unpaid	

\*leaves run concurrently

\*\*leave is paid for salaried employees & fellowship recipients; unpaid for hourly employees

### Other considerations

- Leaves shall not continue beyond the end date of any appointment/award. However, should a student have consecutive term appointments/awards (ASE and/or GSR and/or Fellowships), the leave may span both appointment/award terms and the end date is considered the end date of the second appointment/award. Spring/Fall appointments/awards are not considered consecutive.
- Additional unpaid leave may be granted at the discretion of the department or P.I. for student employees; accrued vacation leave may be used in lieu of unpaid leave.
- Any benefits normally associated with the appointment/award will continued to be paid by the funding source(s) of the appointment/award while the student is on an approved leave, paid or unpaid.
- The 18/21 quarter rules for employment still apply; paid and unpaid leave periods count towards these limits.

### Definitions

- Family Member: one's mother, father, sister, brother, parent-in-law, spouse, domestic partner, parent of domestic partner, grandparent, grandchild, child, step or foster child (including children of domestic partner).
- Serious Health Condition: an illness, injury, impairment or physical/mental condition that involves inpatient care and/or continuing treatment by a health care provider for a condition that causes more than 3 full consecutive calendar days of incapacity.