

UC DAVIS

GRADUATE STUDIES



Family & Medical Leave Accommodation for Graduate Students with Funding

Eligibility, Funding, and Procedures
March 2015

CONTACTS

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DEVELOPING THE POLICY

- **Graduate students are not usually eligible for FMLA**
- Granting agencies generally defer to campus policy regarding paid leave periods
- **Bonilla/AB2360 & CA Equity in Higher Education Act provisions (2014)**
- Systemwide agreement for all campuses to institute a leave policy that applies to funded graduate students by end of winter quarter 2015
- **Academic Student Employee bargaining agreement**

Family & Medical Leave for Funded Graduate Students | UC Davis Grad Studies - Google Chrome
https://gradstudies.ucdavis.edu/current-students/employment/leave-accommodation

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Student Family Housing Redevelopment

Revision state: *Published*
Current draft: Yes

The Graduate Studies [Policy for Family and Medical Leave Accommodation for Graduate Students with Funding](#) (GS2015-01) 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, the leave 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.

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 and 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

WHO IS ELIGIBLE

- **Funded Graduate Students**
 - **GSRs** (Graduate Student Researchers)
 - **ASEs** (Academic Student Employees: TA, AI, Reader, Tutor)
 - **Fellowship Recipients** (Internal & External)
- **Regularly enrolled for duration of leave**

Refer to APM Appendix II-B for eligibility requirements and restrictions for student academic & research appointments

GENERAL REQUIREMENTS

- **Salaried employees (TA, AI, GSR) and Fellowship recipients = paid leaves**
- **Hourly employees (Reader, Tutor) = unpaid leaves**
- **Leaves cannot be approved beyond end date of appointment/award**
 - Consecutive term appointments/awards: leave spans both terms and end date of second appointment is "end date"
 - Spring/Fall appointments/awards are not considered consecutive
- **Leaves are per incident**
- **Leaves must be taken continuously, not intermittently**
- **Verification/Medical certification required**
- **Leaves count towards 18/21 quarter rules**

BENEFITS PAID DURING LEAVE

- **Students on an approved leave continue to be eligible for benefits of the appointment/award, whether the leave is a paid or unpaid leave**

Students on leave shall not have their benefits reduced whether administrative, investigatory, family or medical

- **If PI/department grants an unpaid leave, PI/department will need to fund the benefits**
- **Accrued vacation leave may be substituted for periods of unpaid leave**
Runs concurrently with leave benefit; cannot use vacation during paid leave (no double-dipping)

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 three (3) full consecutive calendar days of incapacity.

LEAVE TYPES

- 1. Short-term Medical & Family-Related Leave**
- 2. Long-term Medical & Family-Related Leave**
(Serious Health Condition, Child-Bonding)
- 3. Long-term Medical & Family-Related Leave**
(Pregnancy/Childbearing)
- 4. Bereavement Leave**
- 5. Jury Duty Leave**
- 6. Military Leave**

1. Short-term Medical & Family-Related Leave

- **2 days for a 50% quarterly appointment**
- **3 days for a 50% semester appointment**
- **Prorated for appointments less than 50%**
- **Reason for leave:**
 - **personal illness and/or disability;**
 - **the birth, adoption, or care of a child or family member; or**
 - **family emergencies**
- **Paid for salaried/fellowship; unpaid for hourly employees**

2. Long-term Medical & Family-Related Leave (Serious Health Condition, Child-Bonding)

- **4 weeks**
(paid=salaried/fellowship; unpaid=hourly employees)
- **Reason for leave:**
 - **serious health condition**
 - **care for family member w/ serious health condition**
 - **care for & bond with newborn or adopted/foster child**
(within 12 months of birth or placement)
- **Additional unpaid leave: 2 weeks**
- **Total: 4 weeks & 2 days paid* + 2 weeks unpaid**

3. Long-term Medical & Family-Related Leave (Pregnancy/Childbearing)

- **6 weeks**
(paid=salaried/fellowship; unpaid=hourly employees)
- **Reason for leave:**
 - pregnancy
 - childbirth
 - related medical conditions
 - period prior to, during & after childbirth
- **Can be combined with short-term leave (2 days) for total paid* leave of 6 weeks and 2 days**
- **Concurrent with Pregnancy Disability Leave (PDL-medical) = 4 months unpaid (16 weeks)**
- **Total: 6 weeks & 2 days paid* + 10 weeks unpaid**

Other Leaves

4. Bereavement Leave: 3 scheduled work days due to death of family member (per occurrence)

(paid=salaried/fellowship; unpaid=hourly employees)

5. Jury Duty Leave: duration of summons

(paid=salaried/fellowship; unpaid=hourly employees)

6. Military Leave: unpaid leave to fulfill obligation as required by applicable law

- **PELP: still a good option for students who anticipate longer-term absence and/or cannot successfully complete a quarter**

Leave Funding Source

- **During leave, stipends, salary & benefits are charged to the original funding source(s)**
Effort continues to be reported as if the student is still there; consistent with effort reporting for PIs on leave
- **Unpaid leaves for GSRs:
PI /department identify alternate fund source for benefit expense**
- **When leave spans quarters, active appointment is charged**

Leave Accommodation Fund Managed by Graduate Studies

- **Requests to fund student on leave can be made to Graduate Studies under the following conditions:**
 - Funding rules prohibit pay while student on leave (evidence required)
 - GSR on pregnancy/childbearing leave and a replacement GSR is essential to project; PI must identify a qualified and available replacement (evidence of hire required)
 - Extraordinary circumstances only:
TA on pregnancy/childbearing leave; replacement identified, available and hired (evidence of hire required) and strong justification why department needs additional funding
- **Leave Funding Request Form submitted to Graduate Studies for approval**
- **If approved, funding is only for student on leave and only for duration of paid leave**

Requesting Leaves GSR & ASE(TA, AI, Reader, Tutor)

- **Student requests leave as soon as known, 30 days in advance, when possible**
- **Leaves 7 days or less: no form is required by Graduate Studies; department can require**
- **Leaves greater than 7 days:**
 - Student completes their portion of the Leave Accommodation Request Form and provides documentation (Medical Certification~15 days)
 - Home Department reviews and approves, enters into PPS, sends copies to Graduate Studies for record-keeping
 - Multiple appointments = home department takes lead and coordinates leave with alternate departments
 - Graduate Studies reviews and enters leaves into BANNER for reporting purposes

UC DAVIS

GRADUATE STUDIES

UC DAVIS

OFFICE of GRADUATE STUDIES

250 Mink Hall • One Shields Ave.
Davis, CA 95616
(530) 752-0650
gradstudies.ucdavis.edu

FAMILY AND MEDICAL LEAVE ACCOMMODATION INSTRUCTIONS

UC Davis provides graduate students Family & Medical Leave Accommodation for any of the following reasons: the student's own serious health condition, the birth of a child or to care for a newborn, newly adopted child, or a newborn in foster care, the care of a family member with a serious health condition, bereavement, jury duty and military service. Any graduate student in good standing and supported by university academic employment or fellowship may be eligible. Talk to your supervisor or advisor about taking a Family and Medical Leave Accommodation. Leaves taken under this policy are paid or unpaid depending upon the nature and duration of the situation. However, depending on the reason for your leave, you may be able to use accrued vacation leave for all or a portion of the leave. A family and medical leave accommodation consists of several types of leave and, in certain circumstances, leaves may overlap or run concurrently. Leave accommodation will not extend beyond the end date of the appointment/award(s).

INSTRUCTIONS:

Graduate Student:

Complete the Leave Accommodation Request indicating your current status, type of support, reason for leave and requested begin and anticipated return dates. Indicate estimated period of paid, unpaid and vacation (if applicable) you wish to use.

Discuss your plan for leave with your supervisor or departmental staff. Continue to communicate with your supervisor or department staff during your leave to make adjustments to this request as needed.

Sign and date your request. Provide completed Health Care Certification with 15 days.

Submit form to: Home department (TA, AL, Reader, Tutor or GSR).
Graduate Studies, 250 Mink (Fellowship)

Department:

Supervisor must review the plan with the student, review the request for approval, obtain chair/manager acknowledgement of the planned leave.

Payroll Processor:

Leaves less than 7 days in duration do not require data entry into PPS. Retain request in employee file.

Leaves of greater than 7 days must be entered into PPS using the LVWP/LVNP bundle.

Use action code of 07 - Leave with Pay, 08 - Leave without Pay

Enter Begin Date and Anticipated Return Date

Enter Type: 04: Pregnancy disability
05: Extended illness
11: Military
15: Family and medical leave without pay
16: Family and medical leave with pay

Note: If leave is a combination of paid and unpaid, do not process more than one leave transaction for an employee on the same day. Ensure PPS is updated to return the employee to pay status at the end of any unpaid leave. No leave shall extend beyond the appointment end date.

Forward approved Leave Accommodation Request and Health Care Certification to Tracey Pereira, tpereida@ucdavis.edu, Graduate Studies.

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OFFICE of GRADUATE STUDIES

250 Mink Hall • One Shields Ave.
Davis, CA 95616
(530) 752-0650
gradstudies.ucdavis.edu

FAMILY AND MEDICAL LEAVE ACCOMMODATION REQUEST

Student Name:		Dept/Program:	
Employee ID:		Supvr/Adviser:	
Student ID:		Staff Contact:	
E-Mail:		Staff Phone:	
Phone:		Staff E-Mail:	

ELIGIBILITY & SUPPORT

- I am currently registered in ____ units at UC Davis (summer registration not required) Fall / Winter / Spring / Summer
- I hold an academic appointment as: Academic Student Employee (ASE - TA/AL/Reader/Tutor) Fall / Winter / Spring / Summer
 Graduate Student Researcher (GSR) Fall / Winter / Spring / Summer
 UC Davis Staff
- I have a Scholarship/Fellowship awarded by _____, Fall / Winter / Spring / Summer

TERM

Please check reason for leave accommodation:

- Personal illness/disability, birth, adoption or care of family, family emergency. 2 day-qttr or 3 day-sem = Short-term Medical and Family Related Leave.
- Serious health condition, childcare-not childbearing. (medical certification may be required) (Type = 05, 15 or 16)
- 4 weeks max. paid = Long-term Medical and Family-Related Leave. (Type = 16)
- 2 weeks unpaid = Additional Unpaid Baby Bonding/Serious Illness Leave (VAC may be used) (Type = 16)
- Pregnancy Disability/Childbearing.
- 6 weeks max. paid = Long term Medical and Family-Related Leave (Pregnancy/Childbearing) (medical certification may be required) (Type = 04)
- 4 months max. unpaid = Pregnancy Disability Leave (VAC may be used) (medical certification may be required) (Type = 04)
- Bereavement - 3 scheduled work days
- Jury Duty - duration of summons
- Military Service - unpaid (Type = 11)

Requested Start Date: Anticipated Return Date:

I wish to use leave as estimated below:

Type	Days/Weeks	From	Through
Leave with pay			
Unpaid Leave			
Vacation			

Student Signature & Date:

- APPROVED BY: Provisionally Approved (pending Health Certification)

Supervisor/Advisor Signature: Chair/Mgr Signature:
Name & Phone:

FAMILY AND MEDICAL LEAVE HEALTH CARE CERTIFICATION

PURPOSE of FORM:

The below-named student has requested a family and leave accommodation under university policy. This medical certification form will provide the University with information needed to determine if the student's requested leave is for a qualifying reason.

INSTRUCTIONS to STUDENT:

Please complete and sign Section II before giving this form to your health care provider. You are required to submit a timely, complete, and sufficient medical certification to support your request for accommodation. Providing this completed form is required to obtain the benefit of family and medical leave accommodation. Failure to provide a complete and sufficient medical certification to the University may result in a delay or denial of your leave request.

This form should be completed and returned within 15 calendar days. If you cannot return the completed form within the stated deadline, please contact [redacted] with the reasons for the delay and the date when the certification will be provided.

You may return the form in person, by mail, or by fax. The fax number is [redacted].

You should include a fax cover sheet marked "CONFIDENTIAL" and address your fax to:
"ATTENTION: [redacted]"

SECTION I – To be completed by THE UNIVERSITY

STUDENT'S NAME		STUDENT ID# / EMPLOYEE ID#	
NAME OF UNIVERSITY REPRESENTATIVE		UNIVERSITY REPRESENTATIVE MAILING ADDRESS	
TELEPHONE	FAX	E-MAIL	

SECTION II - To be completed by THE STUDENT

I am seeking certification for:

- my own serious health condition Pregnancy Disability/Childbearing
- care of a family member who has serious a health condition

Name of family member for whom you will provide care:

If family member is your child, date of birth: _____ Relationship of family member to you: _____

(1) Describe care you will provide to your family member and estimate the duration of leave needed to provide care.

SIGNATURE

STUDENT'S SIGNATURE	DATE
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SECTION III – To be completed by HEALTH CARE PROVIDER

INSTRUCTIONS to the HEALTH CARE PROVIDER

The student named above has requested a family and leave accommodation under university policy. This medical certification form will provide the University with information needed to determine if the student's requested leave is for a qualifying purpose.

NOTE: DO NOT DISCLOSE ANY UNDERLYING DIAGNOSES WITHOUT THE STUDENT'S CONSENT.

PROVIDER'S NAME	
BUSINESS ADDRESS	
TELEPHONE	FAX

PART A: MEDICAL FACTS

1. Approximate date the student became or will become disabled by pregnancy, childbirth or related medical condition:	From	To
Probable duration of the period(s) of disability:		
2. Serious Health Condition* for STUDENT or family member commenced:	From	To
Probable duration of the period(s) of disability:		

* 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.

SIGNATURE

Signature of HEALTH CARE PROVIDER	Date
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Payroll Entry for Leaves

<7 days in duration do not require data entry into PPS

Retain request in employee file

>7 days must be entered into PPS, LVWP/LVNP bundle

Action code 07 - Leave with Pay,
 08 - Leave without Pay

Begin Date and Anticipated Return Date

Enter Type: 04: Pregnancy disability
 05: Extended illness
 11: Military
 15: Family and medical leave without pay
 16: Family and medical leave with pay

No leave shall extend beyond the appointment end date

Requesting Leaves Internal & External Fellowships

- **Student requests leave as soon as known, 30 days in advance, when possible**
- **Leaves 7 days or less: no form is required**
- **Leaves greater than 7 days:**
 - Student confers with their graduate program staff and completes their portion of the Leave Accommodation Request Form and provides documentation (Medical Certification ~15 days)
 - **Graduate Studies reviews and approves;** ensures eligibility requirements are met; enters leaves into PPS and BANNER; notifies student

Leaves and Academic Responsibilities

- **This policy is focused on retaining funding and the administration of shorter-term leaves**
- **Graduate Council has responsibility for academic accommodations & is developing a policy**
Bonilla/AB2350/CA Equity in Higher Education Act
- **University should reasonably accommodate pregnant grads:**
 - distance from hazardous substances
 - make up assignments missed for pregnancy-related reasons
 - take leave, as medically necessary
 - additional 12 months to prepare for take prelims, the QE, and towards normative time (1mo for non-birth parent)
 - remain in “good standing” after a leave is taken
 - ability to make a pregnancy discrimination complaint to the Harassment & Discrimination Assistance & Prevention Program (HDAPP, formerly SHEP)

General Guidance on Coursework Options

- **Students enrolled in 396 or 299 units related to their employment (GSR/TA), should continue to receive satisfactory grades while on approved university leave (paid or unpaid)**
- **For coursework unrelated to employment:**
 - Talk to instructor - request extended deadlines and a plan for remediation of missed lectures or other work
 - Request an "incomplete" (I) grade from their instructor; students must remove the "I" grade before the end of the third succeeding quarter of academic residence
 - Petition for S/U grading for a graded course (unless a required program course)
 - Petition to drop a course as long as they remain enrolled in enough units to meet eligibility for appointment/award

**Quick
Reference
Guide
(page 7 of policy)**

**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.

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

Questions?

- **Employed students should direct questions to department/hiring staff**
- **Fellowship students should contact their graduate program coordinator**
- **Faculty & staff should contact Tracey Pereida: tgpereida@ucdavis.edu or 754-6447**
- **Web (policy, forms, FAQs):**
gradstudies.ucdavis.edu/current-students/employment/leave-accommodation