

**Excluded Employees
(E99)**

NOTE: The following summary is intended to provide an overview of leave program information. Please refer to CSU policy for detailed program information.

Leave Type	Benefit
Absence as a Witness – Serving in the CSU's Interest	<p>Situation A: Normal salary for corresponding period of absence for court-subpoenaed or expert witness in the interest of the CSU. Proof of Service for state, or for federal, court fees shall be provided to the CSU to continue CSU compensation and benefits. Otherwise, an amount equal to the fees shall be deducted from the employee's salary. No vacation or CTO shall be used in such cases.</p> <p>Situation B: Federal court fees in excess of regular earnings may be retained and only an amount equal to the compensation paid the employee while on leave remitted, or if entire fees are retained by employee, time taken off shall be charged to available vacation or CTO credits, or the employee shall be docked for period of absence.</p>
Absence as a Witness – Not Serving in the CSU's Interest	Employee shall be charged vacation or CTO for time, or employee shall be docked for non-compensable absence.
Adoption/Foster Care for Children Age 6 to 18	Not applicable
Bereavement (Funeral) Leave (HR 2013-14)	Up to two (2) paid days of bereavement leave for each death of an immediate family member. <i>Applicable to Police Officer Cadet classification (class code 8346) only.</i>
Catastrophic Leave Donations (Title 5, Section 42933)	40 hours = maximum number of irrevocable vacation and/or sick leave hours to donate per fiscal year in increments of one (1) hour or more.
Catastrophic Leave – Family Care (Title 5, Section 42931)	40 hours = maximum number of irrevocable vacation hours to donate per fiscal year in increments of one (1) hour or more.
Citizen's Necessity	Not applicable
Compensating Time Off (CTO) Annual Maximum – per Collective Bargaining Agreement/MOU	Not applicable
Compensating Time Off (CTO) Maximums Pursuant to FLSA (FLSA Section [7][o][3][A])	120 hours = accrual maximum as of December 31 st . CTO in excess of 240 hours prior to December 31 st must be paid in cash.
Emergency Leave	Not applicable
Family Care/Medical Leave CSU Family Medical Leave (CSU FML) (HR 2009-11, HR 99-05)	<ul style="list-style-type: none"> - All full-time and part-time employees employed for at least one academic year or 12 months (not necessarily continuous) preceding the leave. Student employees must have worked at least 1,250 hours in the 12 months preceding the leave. The definition of "employment"

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	<p>includes employment at all CSU campuses as well as other California state employment.</p> <ul style="list-style-type: none"> - Eligible employees are entitled to CSU FML without pay for a total of twelve (12) weeks in a twelve (12) month period. - Employees must utilize appropriate leave credits prior to going on any unpaid CSU FML. - In the case of the birth or adoption/foster care of a child by the employee, leave taken shall be initiated within one (1) year of the birth or placement as appropriate.
<p>Family Care/Medical Leave – Military Exigency Leave (MEL) (National Defense Authorization Act (NDA), HR 2010-03)</p>	<p>For the purpose of addressing issues which may arise from a covered military member’s deployments or call to active duty to a foreign country, leave of up to twelve (12) weeks of leave for any employee whose family member is a member of any branch of the military, including the National Guard or Reserves, who is deployed or called to active duty in a foreign country. Length of time off from work varies based on type of leave taken and shall be deducted from the twelve (12) week FML entitlement.</p>
<p>Family Care/Medical Leave – Service Member Care Leave (SMCL) (National Defense Authorization Act (NDA), HR 2010-03)</p>	<p>Up to twenty-six (26) weeks of leave during a single 12-month period to care for a spouse, registered domestic partner, son, daughter, parent, or “next of kin” who is an injured, covered service member. The twelve (12) week FML entitlement is included in the calculation of the twenty-six (26) week leave entitlement.</p>
<p>Holiday, Alternate Day Off (ADO)</p>	<p>Not applicable</p>
<p>Holiday, Compensatory Time Off</p>	<p>If not paid in cash, subject to Holiday Pay CTO.</p>
<p>Holiday, Credit</p>	<p>8 hours = maximum holiday credit. A non-exempt employee who works on a holiday is entitled to a maximum of eight hours holiday credit. Additional hours worked on a holiday will be treated as regular overtime in accordance with regular overtime policies. FLSA-exempt employees are not eligible for overtime compensation, including holiday credit.</p>
<p>Holiday, Informal Time Off</p>	<p>As granted by the Governor.</p>
<p>Holiday, Personal (FSR 84-21, Title 5, Section 42920)</p>	<p>One (1) day per calendar year, forfeited if not used by 12/31.</p>
<p>Holiday Time Off</p>	<p>The number of hours of the holiday shall be determined by the hours the employee is normally scheduled to work on the day the holiday is observed.</p>
<p>Jury Duty (HR/Benefits 2004-22)</p>	<p><u>State</u>: Regular salary received for time spent on jury duty if Proof of Service is provided.</p> <p><u>Federal</u>: If jury duty fees are received for federal jury service, employee must remit fees to receive regular CSU pay.</p>

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	If employee retains jury duty fees, available vacation or CTO credits may be used to cover time off. An hourly employee shall be eligible for time off with pay for jury duty only for those hours he/she was scheduled to work. Employee shall be docked for non-compensable absence.
Leaves of Absence (Title 5, Sections 43100)	<ul style="list-style-type: none"> - Up to two (2) years unpaid leave with requests for extension not to exceed one (1) year for each request. - Administrative leave may be granted by the President or Chancellor as appropriate in the event of a natural catastrophe or an emergency situation that places the health or safety of the employee in jeopardy, normally of short duration.
Maternity Leave per Education Code Section 89519 Maternity Leave (ECML)	Leave of absence for the purpose of pregnancy, childbirth or the recovery therefrom of a female employee. Period of leave is determined by the employee and a permanent employee is entitled up to one (1) year of leave without pay. ECML tracks with California Pregnancy Disability leave (CDPL) and CSU Family Medical Leave (CSU FML) and an employee may utilize leave credits before going on any unpaid portion of ECML.
Maternity/Paternity/Adoption	Not applicable
Military Leave - Employee (Title 5, Section 43095, HR 2001-25)	Emergency, temporary and indefinite leaves shall be granted to employees in accordance with state and federal law.
Military Spouse/Domestic Partner Leave (CA Assembly Bill 392, Chapter 361, HR 2007-19)	Up to ten (10) days unpaid leave to a qualified employee who is the spouse or registered domestic partner of a member of the Armed Forces of the United States, National Guard, or Reserves serving in a combat zone or combat theater, and is on leave from deployment.
Organ Donor/Bone Marrow Leave (HR 2003-04)	A paid leave of absence not exceeding thirty (30) consecutive calendar days in any one (1) year period for any employee who is donating his/her organ to another person; a paid leave of absence not exceeding five (5) consecutive calendar days in any one (1) year period to any employee who is donating his/her bone marrow to another person.
Paid Administrative Leave	Not applicable
Personal Time Off (PTO)	Not applicable
Pregnancy Disability Leave California Pregnancy Disability Leave (CPDL) (Govt. Code Section 12945)	Up to four (4) months of leave for a female employee. Separate and distinct from the twelve (12) week family leave provision.
Professional Development Time	Not applicable
Sick Leave – Accrual (Title 5, Section 42726)	Up to eight (8) hours per qualifying pay period. Pro rata accrual for less than full-time. Sick leave may be accumulated without limits.

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Sick Leave Usage – Bereavement	Up to five (5) days of accrued sick leave may be authorized by the appointing authority for each death of a person related by blood, adoption, or marriage, or any person residing in the immediate household of the employee.
Sick Leave Usage – Family Care (HR 99-05)	The use of sick leave to care for a family member may be mutually agreed to by the employee and the appropriate administrator and charged against the family medical leave entitlement.
Sick Leave Usage – Maternity	Pregnancy or any disability caused by, or contributed to, by pregnancy must be considered a justification for the use of sick leave, if a woman's condition prior to delivery is such that her doctor believes she should take leave. Childbirth is a valid reason for the use of sick leave, provided the employee is on work status, compensating time off, or vacation at the time of delivery. Ten (10) days of sick leave should be granted routinely for childbirth. Additional sick leave should be granted following childbirth if the employee is incapacitated from working.
Sick Leave Restoration	An employee returning to CSU employment within six (6) months following the date of permanent separation shall be credited by the appointing authority with the sick leave balance at the time of separation from the previous position. If the employee has been appointed to a class in which sick leave is not earned, the previously earned sick leave balance, although restored, is not available for use until such time as the employee is appointed to a position in which the employee is eligible to accrue and use sick leave.
State Service Crediting (Title 5, Section 42700[aa])	For purposes of computing credit for vacation with pay, a qualifying monthly pay period means a monthly pay period during which an employee is in pay status for eleven (11) or more workdays. Omission from pay status for more than eleven consecutive workdays within two consecutive monthly pay periods bars one such period from being qualified.
Temporary Suspension Leave	Not applicable
Union Business Release Time	Not applicable
Union Leave	Not applicable
Vacation – Accrual Rate (Title 5, Section 42902)	Service Requirement Method. Pro rata accrual for less than full-time.
Vacation Maximum (Title 5, Section 42909)	272 hours for ten (10) or less years of qualifying service; 384 hours for more than ten (10) years of such service.
Voting Time Off (California Elections Code Section 14000, HR/Benefits 2004-21)	Up to two (2) hours of paid time off to vote at a general, direct primary, or presidential election.