

**APM - 760 is currently under review. Please consult with [Academic Personnel Offices](#).**

## Index

- 760-0     **Policy**
- 760-8     Types of Family Accommodations for Childbearing and Childrearing**
- a.   Childbearing leave with or without pay
  - b.   Parental leave without pay
  - c.   Active service-modified duties
  - d.   Part-time appointment and reduction in percentage of time of an appointment to accommodate family needs
  - e.   Stopping the clock for the care of a child or children
  - f.   Personnel reviews
- 760-25    Childbearing Leave**
- a.   Description and Eligibility
  - b.   Pay Status
  - c.   Accommodation of Pregnancy
  - d.   Interaction with Family and Medical Leave Entitlement
- 760-27    Parental Leave Without Pay**
- a.   Description and Eligibility
  - b.   Interaction with Family and Medical Leave Entitlement

**Index**

- 760-28 Active Service-Modified Duties**
- a. Description and Eligibility
  - b. Pay Status
  - c. Provisions for Health Sciences Compensation Plan Faculty Members
- 760-29 Part-Time Appointment and Reduction in Percentage of Time of an Appointment to Accommodate Family Needs**
- 760-30 Stopping the Clock for the Care of a Child or Children**
- 760-31 Personnel Reviews**
- 760-35 General Provisions**
- a. Notice
  - b. Duration
  - c. Effect on the Eight-Year Limitation of Service of Assistant Level Appointees
  - d. Sabbatical Leave Credit
  - e. Reinstatement Following Childbearing or Parental Leaves
  - f. Records
- 760-37 Related Policies**

**Index**

Charts I-IV are currently under revision.

**760-0 Policy**

Family accommodation policies for childbearing and childrearing responsibilities are fundamental to an equitable and productive academic environment. The University of California's family accommodation policies and programs assist faculty and other academic appointees in balancing the needs of work and family.

**760-8 Types of Family Accommodations for Childbearing and Childrearing**

- a. Childbearing leave with or without pay (APM - 760-25)
- b. Parental leave without pay (APM - 760-27)
- c. Active service-modified duties (APM - 760-28)
- d. Part-time appointment and reduction in percentage of time of an appointment to accommodate family needs (APM - 760-29)
- e. Stopping the clock for the care of a child or children (APM - 760-30)
- f. Personnel reviews (APM - 760-31)

APM - 760 – Charts I, II, III, and IV are currently under revision.

**760-25 Childbearing Leave**

**a. Description and Eligibility**

An academic appointee who bears a child is eligible for childbearing leave for the period prior to, during, and after childbirth. Childbearing leave shall consist of time an appointee is temporarily disabled because of pregnancy, childbirth, or related medical conditions. Leave for childbirth and recovery normally will be for at least 6 weeks; more time may be necessary for medical reasons. Consistent with the FEHA, if an academic appointee is disabled because of pregnancy, childbirth, or related medical conditions she is eligible

## Family Accommodations for Childbearing and Childrearing

to take an unpaid childbearing leave (“pregnancy disability leave”) for up to 4 months during the period of actual disability. During a childbearing leave, no duties shall be required by the University. Childbearing leave need not be taken in one continuous period of time but may be taken on an intermittent or reduced schedule basis when medically necessary.

An academic appointee may be eligible for employer-paid Short-Term Disability Insurance Plan benefits and, if enrolled, for employee-paid Supplemental Disability Insurance Plan benefits if unable to work because of her physical condition. Before disability benefits under either the Short-Term or Supplemental Disability Insurance Plan can begin, an appointee who accrues sick leave must use accrued sick leave in accordance with the terms of the plan.

**b. Pay Status**

An academic appointee is eligible for childbearing leave regardless of the length of her University service. Pay status during childbearing leave shall be based on the following provisions:

- (1) An academic appointee who accrues sick leave or vacation leave credit may, at her option, use such accrued leave credit in lieu of taking childbearing leave without pay.
- (2) A member of the Academic Senate will receive at least her approved base salary for up to 6 weeks while she is unable to perform her normal University obligations. Any additional compensation under the Health Sciences Compensation Plan shall be paid in accordance with campus policies.
- (3) A non-Senate academic appointee who does not accrue sick leave and who has served in her title or any other UC academic title for at least 12 consecutive months will receive at least her approved base salary for up to 6 weeks while she is unable to perform her normal University obligations. Any additional compensation under the Health Sciences Compensation Plan shall be paid in accordance with campus policies.
- (4) A non-Senate academic appointee who does not accrue sick leave and who has not served in her title or any other UC academic title for at least 12 consecutive months will receive at least her approved base salary for approximately the period which would be accrued during the appointment in accordance with the accrual rates in [APM - 710-18](#). Any additional

compensation under the Health Sciences Compensation Plan shall be paid in accordance with campus policies. If additional leave is needed, leave without pay will be granted for the necessary period in accordance with applicable University policy.

**c. Accommodation of Pregnancy**

As an alternative to or in addition to a childbearing leave, the University shall temporarily modify a pregnant appointee's position or transfer her to a less strenuous or hazardous position upon request if medically necessary and if the temporary modification or transfer can be reasonably accommodated. This temporary modification or transfer shall not be counted against an eligible academic appointee's entitlement to up to 4 months of childbearing leave ("pregnancy disability leave" under the FEHA) or family and medical leave unless the modification has taken the form of intermittent leave or a reduced work schedule.

**d. Interaction with Family and Medical Leave Entitlement**

If an academic appointee on a childbearing leave also is eligible for family and medical leave (see [APM - 715](#)), up to 12 workweeks of the childbearing leave shall run concurrently with family and medical leave under Federal law. At the end of a childbearing leave (which may extend up to 4 months if the individual is certified disabled by her health care provider), an eligible appointee also is entitled to up to 12 workweeks of unpaid leave consistent with the CFRA to care for her newborn child, if the child has been born by this date, or for any other covered reason except pregnancy or pregnancy-related medical conditions, if the appointee has any remaining FMLA/CFRA leave entitlement.

An academic appointee on family and medical leave, with or without pay, shall be entitled to continue participation in health coverage (medical, dental, and vision) as if on pay status for a period of up to 12 workweeks during a calendar year. However, the University will not continue to make employer contributions to health plan premiums for a CFRA leave if it has already done so for 12 workweeks granted under the Federal FMLA. Other group insurance coverage and retirement benefits shall be administered in accordance with the provisions of the applicable group insurance and retirement system regulations. Local Benefits Offices will provide information on how to continue insurance coverage.

**760-27 Parental Leave Without Pay**

**a. Description and Eligibility**

An academic appointee is eligible for a full-time or part-time parental leave without pay for up to one year to care for a child. The child may be the appointee's child or that of a spouse or domestic partner. Accrued vacation may be substituted in lieu of unpaid parental leave.

**b. Interaction with Family and Medical Leave Entitlement**

An academic appointee who is eligible for family and medical leave (see [APM - 715](#)) shall be granted an unpaid leave to care for a newborn child or a child newly placed for adoption or foster care. Up to 12 workweeks of the parental leave shall run concurrently with family and medical leave. Parental leave under State and Federal law has the following additional obligations and benefits.

**(1) Timing**

Parental leave granted pursuant to the FMLA and/or the CFRA must be concluded within 12 months following the child's birth or placement.

**(2) Effect on Benefits**

An academic appointee on a family and medical leave, with or without pay, shall be entitled to continue participation in health coverage (medical, dental, and vision) as if on pay status for a period of up to 12 workweeks during a calendar year. Other group insurance coverage and retirement benefits shall be administered in accordance with the provisions of the applicable group insurance and retirement system regulations.

An appointee on a parental leave not covered by State or Federal family and medical leave law is responsible for the continuation of benefits during any unpaid portion of the leave. Details are available from local Benefits Offices.

**760-28 Active Service-Modified Duties**

**a. Description and Eligibility**

Active service-modified duties is a period during which normal duties are reduced so that an academic appointee may prepare for and/or care for a newborn child or a child under age five newly placed for adoption or foster care. To be eligible for active service-modified duties, an academic appointee must be responsible for 50 percent or more of the care of a child. The child may be the appointee's child or that of a spouse or domestic partner. An appointee is eligible for a period of active service-modified duties for each event of birth or placement. The birth or placement of one or more children at the same time constitutes a single event of birth or placement. Eligibility for a period of active service-modified duties shall normally extend from 3 months prior to 12 months following the birth or placement.

An academic appointee who is a birth mother and who has a full-time appointment for at least one full academic year (three quarters or two semesters) is eligible for a total period of childbearing leave plus active service-modified duties of three quarters (or two semesters) to enable her to recover fully from the effects of pregnancy and childbirth and to prepare for and/or care for the newborn child. If she gives birth during the summer or an off-duty term, she is eligible for a total period of active service-modified duties of three quarters (or two semesters).<sup>1</sup>

All other academic appointees are eligible for a total period of childbearing leave plus active service-modified duties of one quarter (or one semester).<sup>1</sup>

An academic appointee shall provide notice to the department chair or unit head of the need for a period of active service-modified duties. The notice must include a written statement by the appointee certifying that he or she is responsible for 50 percent or more of the care of a newborn child or a child under age five newly placed for adoption or foster care. The proposed modifications should then be discussed with the appointee and are subject to approval by the Dean and/or Chancellor. During a period of active service-modified duties, the appointee is on active service and is expected to perform

---

<sup>1</sup> Paragraphs footnoted do not apply to Health Sciences Compensation Plan faculty members; see APM - 760-28-c for relevant provisions.



some portion of his or her normal duties. A period of active service-modified duties is not a leave of absence.

For ladder-rank faculty, the modification of duties normally will be either partial or full relief from teaching without the assignment of additional teaching duties before or after to offset the teaching relief. In the quarter or semester of a childbearing leave, there must be full relief from teaching duties. For other eligible faculty who primarily have teaching duties, the modification of duties normally will be partial teaching relief or the assignment of additional resources such as teaching assistants or readers, as appropriate. For all other eligible academic appointees, the modification of duties normally will be a reduced workload (see APM - 760-28-b(2)).<sup>1</sup>

**b. Pay Status**

Pay status during a period of active service-modified duties shall be based on the following provisions:

- (1) A faculty member will continue to receive his or her regular monthly salary.<sup>1</sup>
- (2) An academic appointee who accrues sick leave shall use such accrued sick leave credit in proportion to the reduced workload. When sick leave credit has been exhausted or for those non-faculty academic appointees who do not accrue sick leave, pay will be reduced in proportion to the reduced workload. A reduction in appointment percentage may affect an appointee's health and welfare and retirement benefits.

**c. Provisions for Health Sciences Compensation Plan Faculty Members**

During a period of active service-modified duties, faculty who are members of the Health Sciences Compensation Plan with clinical responsibilities may reduce clinical duties in lieu of teaching relief, as appropriate. At a minimum, Health Sciences Compensation Plan faculty members are eligible for a total period of childbearing leave plus active service-modified duties of up to one quarter (or one semester) for each event of birth or placement for adoption or foster care. For a Health Sciences Compensation Plan faculty member who is a birth mother, an additional two quarters (or one semester) of active service-modified

---

<sup>1</sup> Paragraphs footnoted do not apply to Health Sciences Compensation Plan faculty members; see APM - 760-28-c for relevant provisions.

duties to enable her to recover fully from the effects of pregnancy and childbirth and to prepare for and/or care for the newborn child may be approved in accordance with campus policies. During a period of active service-modified duties, a Health Sciences Compensation Plan faculty member will receive pay no less than his or her approved base monthly salary. Any additional compensation under the Health Sciences Compensation Plan shall be paid in accordance with campus policies.

**760-29 Part-Time Appointment and Reduction in Percentage of Time of an Appointment to Accommodate Family Needs**

Academic appointees may be eligible for appointment to a part-time position or may be eligible to reduce their percentage of time of an appointment from full time to part time for a specified period of time or permanently to accommodate family needs. The Chancellor has authority to approve such appointments. Members of the Health Sciences Compensation Plan who reduce the percentage of time of their appointment remain under the same terms of the Plan during the period that their appointment is reduced (see APM - 670). For provisions regarding part-time appointments in the Professor series, see APM - 220-10, -16-c, -16-d, -18-b, and Appendix B.

**760-30 Stopping the Clock for Child Care**

- a. An academic appointee may stop the clock during the probationary period to care for any child who is, or becomes part of a faculty member's family. To be eligible to stop the clock, an appointee at the Assistant level must be responsible for 50 percent or more of the care of a child. The birth or placement of one or more children at the same time constitutes a single event of birth or placement. An appointee is eligible to stop the clock even if the appointee does not take a formal leave or have a modification of duties. (See APM - 133-17-g-i.)
- b. An academic appointee must provide notice of his or her intent to stop the clock within two years of a birth or placement and before July 1 of the academic year in which a promotion review is to occur. Each notice must include a written statement by the appointee certifying that he or she is responsible for 50 percent or more of the care of the child or children.

## Family Accommodations for Childbearing and Childrearing

- c. The clock may not be stopped after July 1 of the academic year in which a promotion review is to occur or in cases where there has been a review that has resulted in a decision not to continue the individual's appointment.
- d. Stopping the clock will not delay the timing of a merit or reappointment review. However, academic appointees may request to defer a formal appraisal or promotion review by one year to correspond with the stopping of the clock in accordance with campus policies.

**760-31 Personnel Reviews**

An academic appointee at the Associate level or above may request deferral of a personnel review to accommodate family needs in accordance with campus policies.

Academic appointees shall not be arbitrarily disadvantaged in their promotion, advancement, or compensation because they have elected to take a childbearing or parental leave, to stop the clock, or to defer a personnel review. Personnel reviews that are deferred due to a family accommodation as defined in APM - 760 should be treated procedurally in the same manner as personnel reviews conducted at the usual intervals. The file shall be evaluated without prejudice as if the work were done in the normal period of service and so stated in the department chair's or unit head's letter.

**760-35 General Provisions****a. Notice**

When academic appointees are aware that they will need to take a childbearing or parental leave or to participate in a period of active service-modified duties, they should provide sufficient advance notice to allow their department or unit to make replacement teaching and other arrangements. At a minimum, 30 days advance notice should be given.

**b. Duration**

- (1) The aggregate duration of all leaves plus periods of active service-modified duties may not exceed one year for a single event of birth of a child or of placement of a child under age five for adoption or foster care. The child may be the appointee's child or that of a spouse or domestic

## Family Accommodations for Childbearing and Childrearing

partner. The birth or placement of one or more children at the same time constitutes a single event of birth or placement.

- (2) An academic appointee is not eligible for a childbearing leave, a parental leave, a family and medical leave, or a period of active service-modified duties beyond the established end date of the appointment. If the appointment is renewed or extended, or if a subsequent appointment is made, the appointee may continue a leave or period of active service-modified duties provided the maximum time allowed for such accommodation(s) has not been used.

**c. Effect on the Eight-Year Limitation of Service of Assistant Level Appointees**

Any childbearing or parental leave which is equal to or exceeds one semester or one quarter and which is not greater than one year, whether with or without salary, shall automatically be excluded from service toward the eight-year limit unless the academic appointee informs the department chair or unit head in writing before, during, or within one quarter or semester after the leave that it should not be excluded from service toward the eight-year limit. Exclusion of one or two quarters or one semester will not necessarily delay the timing of a review. (See [APM - 133-17-g\(3\)](#).)

A period of active service-modified duties is not a leave of absence and is included as service toward the eight-year limit.

For determining years toward the eight-year limitation of service, the combined total of periods of leave for family accommodations, other leaves unrelated to academic duties, and time off the clock may not exceed two years.

**d. Sabbatical Leave Credit**

An academic appointee does not accrue sabbatical leave credit during a childbearing leave with pay for one quarter or semester or more, or during a childbearing or parental leave without pay (see [APM - 740-11-h\(3\)](#) and [\(4\)](#)). During a period of active service-modified duties, an appointee accrues credit toward sabbatical leave in accordance with standard accrual provisions (see [APM - 740-11](#)). In order for an individual to accrue sabbatical leave credit, service must be at half time or more (see [APM - 740-11-a, -b, and -c](#)).

**e. Reinstatement Following Childbearing or Parental Leaves**

- (1) If an appointee takes a childbearing leave consistent with State law, she shall be reinstated to the same position if she returns to work within 4 months and immediately following termination of the childbearing leave. If a non-Senate academic appointee would have been laid off or terminated had she remained on pay status during the leave period, reinstatement shall be to a similar position at the same location. If a similar position is not available, she shall be afforded the same considerations afforded to other non-Senate academic appointees who are laid off or terminated pursuant to the provisions of [APM - 145](#), Non-Senate Academic Appointees/Layoff and Involuntary Reduction in Time; [APM - 150](#), Non-Senate Academic Appointees/Corrective Action and Dismissal; or applicable Memorandum of Understanding.
- (2) If an appointee takes a parental leave, the appointee shall be reinstated to the same or an equivalent position if he or she returns to work immediately following termination of the parental leave. If a non-Senate appointee would have been laid off or terminated had the appointee remained on pay status during the leave period, the appointee shall be afforded the same considerations afforded to other non-Senate academic appointees who are laid off or terminated pursuant to the provisions of [APM - 145](#), Non-Senate Academic Appointees/Layoff and Involuntary Reduction in Time; [APM - 150](#), Non-Senate Academic Appointees/Corrective Action and Dismissal; or applicable Memorandum of Understanding.
- (3) Appointees whose appointments have a definite end date are not entitled to a leave or continuation of appointment beyond the end date of that appointment.

**f. Records**

Chancellors shall assure that appropriate records are maintained for appointees who utilize a family accommodation as defined in [APM - 760](#).

### **760-37 Related Policies**

For related policies, refer to the Academic Personnel Manual sections listed below:

- a. [APM - 133-17](#), Computation of Years of Service (see [APM - 133-17-g, -h, -i, and -j](#) for provisions on leaves, stopping the clock, and personnel reviews that are deferred due to a family accommodation as defined in [APM - 760](#))
- b. [APM - 210-1](#), Instructions to Review Committees Which Advise on Actions Concerning Appointees in the Professor and Corresponding Series (see [APM - 210-1-c\(4\)](#) for provisions on assessment of evidence)
- c. [APM - 220](#), Professor Series (see [APM - 220-10, -16-c, 16-d, 18-b, and Appendix B](#) for provisions on part-time appointments, reductions in percentage of time of an appointment, and personnel reviews that are deferred due to a family accommodation as defined in [APM - 760](#))
- d. [APM - 670](#), Health Sciences Compensation Plan and Guidelines on Occasional Outside Professional Activities by Health Sciences Compensation Plan Participants
- e. [APM - 710](#), Leaves of Absence/Sick Leave
- f. [APM - 715](#), Leaves of Absence/Family and Medical Leave
- g. [APM - 730](#), Leaves of Absence/Vacation

### **Revision History**

August 7, 2018:

- Technical revisions to equalize the active-service modified duties periods between semester and quarter campuses.
- Technical revisions to delete charts I-IV pending legal review of policy.

For details on prior revisions, please visit the Academic Personnel and Programs website: <https://www.ucop.edu/academic-personnel-programs/academic-personnel-policy/policy-issuances-and-guidelines/index.html>.