DATE: March 8, 2021

TO: All CSUB Main Campus and AV Employees

FROM: Lori Blodorn, Associate Vice President Human Resources and Administrative Services

SUBJECT: Expanded COVID Related Leave (ECRL) and COVID-19 Testing for Teamsters Local 2010 (Unit 6) Employees

PLEASE NOTE: ECRL only applies to employees in Teamsters 2010 (Unit 6)

The Memorandum of Understanding (MOU) reached between the California State University (CSU) and Teamsters (Teamsters Local 2010 – Unit 6), agree to the following COVID-19 leave and testing related provisions.

Each eligible employee shall be allotted 256 hours of ECRL (Expanded COVID Related Leave) for use between January 1, 2021 and December 31, 2021. These provisions shall be provided retroactive to January 1, 2021.

The total number of ECRL hours shall be pro-rated for employees whose appointment is less than full-time. Unused ECRL hours expire on December 31, 2021. ECRL has no value if an employee separates from employment.

Eligibility

Represented employees in CBIDs not listed above, as well as non-represented employees, are not eligible for this leave. This leave is only available to the following employees:

- All Teamsters Local 2010 (Unit 6) employees with a timebase including exempt and non-exempt employees

Unit 6 employees shall be granted a one-time allotment of up to 256 hours (or prorated amount) of employer-provided employee sick leave that can be used for COVID-19-related absences, subject to the following conditions:
• All hours must be used by close of business on December 31, 2021 at which time the remaining allotted hours will expire;
• ECRL can only be used in full day increments for FLSA exempt employees;
• ECRL can be used hour-for-hour for FLSA non-exempt employees;
• The number of hours of ECRL for employees who work less than full-time shall be prorated according to the percent or time base of the appointment.
• ECRL has no value if an employee separates from employment.
• ECRL shall be considered “employer-provided employee sick leave” under Cal OSHA General Industry Safety Orders, Section 3205.

Reason for Leave

A Unit 6 employee qualifies for paid sick time if the employee is unable to work (or unable to work remotely) due to the following reasons:

1. The employee’s own COVID-19 illness.
2. The employee is experiencing COVID-19 related symptoms and is seeking diagnosis for their own illness.
3. Care for an employee’s immediate family member who resides in the employee’s household who has COVID-19 symptoms or illness.
4. The employee is responsible for care of a minor child, who resides in the employee’s household, and whose school or daycare is closed due to COVID-19 resulting in the employee being unable to work.
5. The employee is excluded from the worksite because of a requirement under Cal OSHA General Industry Safety Orders, Section 3205.

Total Time Available under ECRL (up to 256 hours)

The number of hours available for employees who work less than full-time shall be prorated according to their full-time equivalency, or the percent of the appointment (hours normally scheduled to work).

Example: Full-time = 256 hours; .5 Time base, or 20 hour/week = 128 hours

Full Time Employees
Employees are granted an allotment of up to 256 hours. This time may be used at any time from January 1, 2021 through December 31, 2021.

• Exempt Employees:
  Exempt employees are to use paid leave in full day increments unless the leave is designated under the Family and Medical Leave Act (FMLA).

• Non-Exempt Employees:
  Under the Fair Labor Standards Act (FLSA), non-exempt employees may use time in less than full day increments.
Less than Full Time

The number of hours (or days, if exempt) for employees who work less than full-time shall be prorated according to the percent or timebase of the appointment (hours normally scheduled to work). In the case of an employee whose schedule varies from week to week to such an extent that the campus is unable to determine with certainty the number of hours the employee would have worked if such employee had not taken leave, the campus shall use the following in place of such number:

If the normal hours scheduled are unknown, or if the part-time employee’s schedule varies, a six-month average will be used to calculate the average daily hours. If this calculation cannot be made because the employee has not been employed for at least six months, the number of hours that the employee is expected to work will be used.

Reasonable Notification and Documentation

Employee Documentation

Employees requesting employer-provided sick leave under ECRL must submit a Expanded COVID-19 Relief (Paid) Leave Form (attachment) to the HR Office at hr@csub.edu.

- To take paid sick leave for a qualifying COVID-19 related reason under (1) & (2), an employee must additionally provide the HR office with the name of the health care provider who advised the employee to self-quarantine due to concerns related to COVID-19.
- To take paid sick leave for a qualifying COVID-19 related reason under (3), an employee must additionally provide the HR office with either: (a) the name of the government entity that issued the Quarantine or Isolation Order to which the individual being cared for is subject; or (b) The name of the health care provider who advised the individual being cared for to self-quarantine due to concerns related to COVID-19.
- To take paid sick leave for a qualifying COVID-19 related reason under (4) and/or expanded family and medical leave, an employee must provide the HR office: (a) the name of the son or daughter being cared for; (b) the name of the school, place of care, or childcare provider that has closed or become unavailable; and (c) a representation that no other suitable person will be caring for the son or daughter during the period for which the employee takes Paid Sick Leave or Expanded Family and Medical Leave.

COVID-19 Testing for Unit 6 Employees

Testing of Employees

- Employer-ordered COVID-19 testing will be provided by, or facilitated by, the Employer without cost to the employee, and should be provided during normal working hours, as it shall be considered time worked.
- CSU shall comply with Cal OSHA General Industry Safety Orders, Section 3205 requirements for testing during workplace outbreaks.
• Employees who used accrued sick or vacation leave for employer-ordered testing prior to this MOU shall have that sick, vacation, or CTO leave restored.
• The employer may authorize an employee to participate in voluntary employee testing during the employee’s normal working hours. The employer shall determine the schedule for any voluntary employee testing provided by the employer.

If you have any questions, please contact Tina Williams, Director of Human Resource Administration twilliams@csub.edu or myself lblodorn@csu.edu.

c: Lynnette Zelezny, Ph.D., M.B.A., President
   Vernon Harper, Provost/Vice President for Academic Affairs
   Thom Davis, Vice President for Business and Administrative Services/CFO
   Thomas D. Wallace, Vice President for Student Affairs
   Victor Martin, Vice President for University Advancement
   Michael Lukens, Chief of Staff to the President
   Claudia Catota, Chief Diversity Officer and Special Assistant to the President

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Attachment 1: ECRL Form