DATE: April 7, 2020

TO: All CSUB Main Campus & AV Employees

FROM: Kellie Garcia, Associate Vice President
Human Resources and Administrative Services

SUBJECT: Emergency Pay for CSUEU and Teamsters 2010

PLEASE NOTE: Emergency Pay ONLY applies to employees in CSUEU (Units 2, 5, 7 and 9) and Teamsters 2010 (Unit 6)

Emergency Pay provisions for CSUEU and Teamsters 2010 are being implemented retroactive to March 20, 2020 for the Coronavirus (COVID-19) pandemic. Some work must continue to be done on the campus during times of emergency. Examples of that work include:

1. The health, welfare, and safety of community members who remain on campus
2. Critical information technology services and security
3. Building or property safety, security, or integrity
4. Research animals, specimens, or equipment support
5. Operation of critical infrastructure (power, water, heat, roads, etc.), or,
6. Critical business, contractual, or legal obligations

Emergency Pay provisions are available for individuals in the following CBIDs: CSUEU (Units 2, 5, 7, and 9), and Teamsters 2010 (Unit 6). Represented employees in CBIDs not listed above, as well as non-represented employees, are not eligible for emergency pay. Emergency Pay should be paid in accordance with the provision language in the employee’s respective collective bargaining agreement.

Emergency pay provisions of a collective bargaining agreement (CBA) are only available to those employees assigned to work on campus during the governor’s stay at home order. In addition to emergency pay provisions of these CBAs, the following will apply:

i. Employees who are able to telecommute 100% will be paid their regular salary.
ii. Employees assigned to work on campus will receive emergency pay pursuant to their CBA for the time they were assigned to work on campus.
iii. Employees scheduled to work on campus but only need to go into the office part of the week are eligible for emergency pay for the time worked on campus. Employees are paid regular pay for days they telecommute. If unable to telecommute, employees may be eligible to receive CSU paid administrative leave policy, state or federal law, or use accrued leave balances.

iv. Employees who are unable to telecommute are eligible for CPAL 256 hours paid administrative leave and any other applicable enacted CSU paid administrative leave policy, state or federal, or accrued leave balances.

v. Employees who are not assigned duties on campus and are unable to telecommute are eligible for (CPAL 256) leave under the provisions of any applicable enacted CSU paid administrative leave policy, or state or federal law or use accrued leave balances.

EMERGENCY PAY PROVISIONS – CSUEU & TEAMSTERS 2010:

CSUEU (Units 2, 5, 7 and 9)
20.37 Emergency Pay:

When the President has declared a state of emergency at a campus, in exchange for the performance of emergency work by bargaining unit employees outside of their normal assignment, and at a time when those employees would, subject to the approval of the University, otherwise have been able to use administrative leave, the following emergency pay will be provided.

Non-exempt personnel required to return to or remain at work shall receive emergency pay of an additional one-half (½) hour for each hour worked up to forty (40) hours per week. Hours worked in addition to forty (40) hours per week shall be paid at time and one-half (the inclusion of the phrase “an additional” is for the purposes of clarification only). CSUEU employees must be paid, this time cannot be compensated with CTO.

An exempt employee who is required to work on a day or days declared as a state of emergency at a campus, who would otherwise have been able to use administrative leave, shall receive equivalent informal time off at such time(s) as agreed upon by the employee and the Appropriate Administrator.

TEAMSTERS 2010 (Unit 6)
24.53 Emergency Pay:

When the President determines it is necessary to close the campus because of an emergency situation or condition and other employees are sent home on paid administrative leave, an employee that volunteers, is asked or is assigned by the appropriate administrator to continue working at the campus where the emergency exists, shall receive “Emergency Pay."

a. The term “emergency” as used in this provision means a sudden, unexpected happening; an unforeseen occurrence or condition requiring immediate action, including, but not limited to a natural disaster, act of terrorism, or threat to campus health, safety or property.
b. “Emergency Pay” is compensation for the hours worked by the designated employees during their normal shift while the campus is closed during the administrative leave period.

c. “Emergency Pay” is a premium payment (exclusive of the employee’s regular pay), paid at one times the employee’s straight time rate of pay for each hour worked during the emergency when the campus is on administrative leave. At the discretion of management, emergency pay may be awarded as cash or CTO. If paid as cash, the payment must be paid at the employee’s straight time rate. If credited as CTO, the hours credited must be on a straight time basis.

d. Time worked while receiving “Emergency Pay” are regular hours worked during their normal shift within the forty (40) hour workweek period.

e. The emergency pay premium will also be paid for any hours worked on an overtime basis during the emergency when the campus is on administrative leave.

f. Premium pay received as emergency pay for hours worked during the employee’s regular shift and when on an overtime basis shall be includable compensation for the purposes of determining the regular rate of pay for the payment of overtime.

g. Employees on paid time off (i.e., Sick Leave, Vacation, Personal Holiday) when the emergency is declared who are not called back to work shall remain on such paid time off status and will not receive administrative leave pay or emergency pay.

NON-REPRESENTED GROUPS

**Management Personnel Plan (MPP) (M80), Confidential (C99) and Excluded (E99)**

MPP, confidential, and excluded employees including student assistants are not entitled to emergency pay.

HOW TO SUBMIT TIME

A new form has been developed, **COVID-19 Emergency Pay Certification and Approval**, and is available on Payroll forms page, click **here**. Any CSUEU or Teamsters 2010 employee who has worked and will receive Emergency Pay will need to complete this form and turn in to the Payroll Office by the 2nd of each month for the prior month.

For March 20th – March 31st, please complete the form, have it approved, and submitted to the Payroll Office no later than April 10th.

If you have any questions, please contact the Payroll Office x3369.

KG:bf

c: Lynnette Zelezny, Ph.D., M.B.A., President
   Vernon Harper, Interim 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