

CFA/CSU MEMORANDUM OF UNDERSTANDING

Expanded COVID Related Leave and Parental and Caregiver Relief Measures

The California State University (“CSU” or “employer”) and California Faculty Association (“CFA”) agree to the following:

ECRL - Expanded COVID Related Leave

- 1) Each eligible employee shall be allotted ~~128~~ **256** hours **(or the same number of hours offered to other CSU employees if the number exceeds 256)** of ECRL (Expanded COVID Related Leave) for use between February 1, 2021 and December 31, 2021. The total number of ECRL hours shall be pro-rated for employees whose appointment is less than full-time. FERP faculty, other retired annuitants, and temporary faculty employed solely to teach summer session, extension, and/or intersession, with no appointments during the regular terms (e.g. fall and spring semester; or fall, winter, and spring quarters) within the academic year are not eligible for ECRL. Unused ECRL hours expire on December 31, 2021. ECRL has no value if an employee separates from employment.
- 2) ECRL can be used for the following reasons:
 - a) The employee’s own COVID-19 illness.
 - b) The employee is experiencing COVID-19 related symptoms and is seeking diagnosis for their own illness.
 - c) Care for an employee’s ~~immediate~~ family member who ~~resides in the employee’s household who~~ has COVID-19 symptoms or illness.
 - d) 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.
 - e) The employee is excluded from the worksite because of a requirement under Cal OSHA General Industry Safety Orders, Section 3205. Provision “e)” only applies to Unit 3 employees who are assigned to work on-campus.
- 3) The use of ECRL shall not be unreasonably denied by the appropriate administrator. Employees should provide as much advance notice as possible of the need to use ECRL to the appropriate administrator. Documentation, including self-certification, may be required.
- 4) ECRL ~~can only be~~ **may be** used in full day increments (~~16 workdays~~) for FLSA exempt employees, which includes all Unit 3 employees. ECRL ~~can only be used hour for hour for FLSA non-exempt employees~~ **may also be used for partial leave within a single day depending on an individual’s needs and circumstances.**
- 5) ECRL can be used on consecutive days or intermittently, based on need.
- 6) ~~ECRL shall not be used for timebase reductions or for reductions in Weighted Teaching~~

Units (WTUs). **Campus administrators may offer reductions in Weighted Teaching Units (WTUs) to assist faculty who need workload reductions in order to attend to children without childcare or in-person schooling, family members who are ill due to COVID-19, and/or have performance measures that are impacted due to COVID-19. (43 hours of ECRL is worth 1 WTU.) Campus administrators may use stimulus funding to cover the costs of assigning work to temporary faculty members hired for work normally performed by faculty using ECRL.**

- 7) Appropriate administrators or designees are encouraged to provide approvals for additional flexibility, if possible, regarding course delivery (e.g., change of modality, asynchronous assignments, etc.) while maintaining the integrity of course learning outcomes. **Further, CSU administrators may, with use of federal stimulus or other funding, hire graders, teaching assistants, and/or other support for faculty who request such assistance. Additionally, upon request, probationary faculty members shall be granted up to two additional years of probation due to setbacks incurred due to the pandemic.**
- 8) ECRL shall be considered “employer-provided employee sick leave” under Cal OSHA General Industry Safety Orders, Section 3205.
- 9) The parties agree that, when announcing ECRL in any form, campus administrators, CFA, and CFA chapters will link to or provide a copy of this MOU. Any such announcements may not alter the language, content, or intent of the MOU.
- 10) The parties encourage Academic Senates, evaluation committees, and campus administrators to revisit and revise performance measures, including teaching expectations, service, and research/creative activity evaluation criteria for all faculty in ways that consider the impact of COVID-19.**