

21. Benefits

AFFORDABLE CARE ACT (ACA) EMPLOYER SHARED RESPONSIBILITY REQUIREMENTS.

Beginning 1/1/16, all UC employees working an average of 30 hours per week for three months or more during a measurement period are required to be offered at least a Core Benefits Package. The offer applies to the following appointment types: per diem employees, students in casual/restricted appointments, seasonal workers, and those compensated solely by agreement (flat-dollar compensation). The UC Office of the President will contact eligible employees by December 31 to offer them Core Benefits and inform them of a special enrollment period in January.

While the Affordable Care Act (ACA) requires that full-time employees are offered coverage, it does not require that the employee enroll in a plan.

While the changes will take effect January 1, 2016, the determination of eligibility is based on a calculation of hours worked during a 12-month look-back measurement period which started in November 2014. Consequently, employees in the ineligible categories may qualify for UC insurance in 2016, based on their 2015 employment history. The retrospective calculation and determination of eligibility will occur annually and will be administered automatically in the Payroll Personnel System (reflected as a change from BELI code 5 to 4). This group will also be measured for ongoing eligibility during the look-back period, but they must work on average 30 hours per week to continue coverage.

The changes may result in an increase in benefits costs to departments in calendar year 2016 and beyond if employees in the eligible job categories meet the benefits eligibility criteria during subsequent measurement periods. When considering a future budget plan, departments should keep in mind that going forward, benefits eligibility for employees may continue for a longer period of time.

Complete details on the new provisions impacted by the ACA regulations, including UC employer shared responsibility requirements, can be accessed at the UC Net website: <http://blink.ucsd.edu/go/aca>.

Additional information is provided in the Frequently Asked Questions section at: <http://ucnet.universityofcalifornia.edu/oe//faq/aca-faq.html>.

CHILDBIRTH ACCOMMODATION FOR DOCTORAL STUDENTS

Doctoral student women who are anticipating childbirth and have Graduate Student Researcher (GSR), Teaching Assistant (TA), Associate In appointments, or Fellowships/traineeships may be excused from regular employment duties for a period of up to six weeks without loss of financial support. The full policy and petition can be found at: <http://grad.ucsd.edu/financial/student-parents.html>.

CHILD CARE REIMBURSEMENT PROGRAM

Effective July 1, 2008, a system-wide child care reimbursement policy was established to reimburse ASEs appointed at 25% time or more who have (a) qualified dependent(s). As of Summer 2014, each ASE shall receive up to \$900 per quarter for expenses incurred during the ASE's appointment period during the academic year and a maximum reimbursement of \$900 for all of Summer Session. A fact sheet with questions and answers can be found at: <http://ucnet.universityofcalifornia.edu/forms/pdf/ase-child-care-reimbursement-program.pdf>.

Effective Fall 2013, students employed as Graduate Student Researchers (GSRs) in PPS at 25% time or more on one of the following title codes: 3262, 3263, 3264, 3284, 3285, 3286, 3287 will be eligible for reimbursement of qualifying childcare expenses. As of Summer 2014, each eligible GSR shall receive up to \$900 per quarter for expenses incurred during the GSR's appointment period. In addition, GSRs appointed at 25% or more during the summer will also be eligible for up to a maximum reimbursement of \$900. A fact sheet with questions and answers can be found at: http://grad.ucsd.edu/files/financial/ucsd_gsr_childcare_reimbursement_factsheet.pdf.

The **ASE** Child Care Reimbursement Form UBEN 254 is available at: <http://ucnet.universityofcalifornia.edu/forms/pdf/uben-254.pdf>. The form must be submitted by the student to the **hiring department** together with appropriate receipts and documentation no later than the last day of the following term.

The **GSR** Child Care Reimbursement Form 254 available at: http://grad.ucsd.edu/files/financial/ucsd_gsr_uben254.pdf. The form must be submitted by the student to the student's **academic home department/program** together with appropriate receipts and documentation no later than the last day of the following term.

Departmental Procedure to process the reimbursement:

- The reimbursement payment should be added as a new distribution to the existing appointment in PPS using **sub 2** and DOS code **BXC**.
- You may use current or retroactive monthly dates within the appointment period. If it is a retroactive date, then it will be paid on the *next* available compute. Retroactive *fund changes* for childcare reimbursements require an EPET in addition to updating PPS.
- The appointment *must* be set up on a monthly pay schedule. To reimburse a bi-weekly Reader/Tutor, you will need to change the pay schedule and rates to monthly.
- The reimbursement is considered taxable earnings. The BXC will be flat taxed (25% federal and 6.6% state) if it's *not* paid with the regular earnings.
- Payment will be issued on the next monthly or bi-weekly pay period based on the distribution dates.

IMPORTANT: Payroll will be entering the information in the ETFT screen, so it is **critical** that you notify them at payrollcomp@ucsd.edu.

The academic home department/program covers the cost of GSR child care reimbursements in terms of setting up the payment; thus, the payment should be set up on a home department index.. The academic home department/program will be subsequently reimbursed by the relevant VC office from discretionary campus funds.

The Child Care Reimbursement Form should be kept by the student's **hiring department** in the student's employment file for **ASE's**, and kept by the student's **academic home department/program** in the student's employment file for **GSR's**. The student should be notified once the reimbursement has been processed.

Effective Fall 2015, students supported by fellowship/traineeship funds at the equivalent of a Graduate Student Reader for at least 25% time plus resident tuition and fees will be eligible for reimbursement of qualifying childcare expenses up to a maximum of \$900 per quarter. A fact sheet with questions and answers can be found at:

http://grad.ucsd.edu/files/financial/UCSD_Fellow-Trainee_Reimburse_QA.pdf.

The Fellow/Trainee Child Care Reimbursement Form is available at:

<http://grad.ucsd.edu/files/financial/uben254-UCSD%20Fellow-Trainee.pdf>. Students will be reimbursed by departments and programs using the same procedures used for stipend payments through the Graduate Division. The **Fellow/Trainees's academic home department** will be responsible for providing all required forms, records, and receipts to the Graduate Division.

ACADEMIC STUDENT EMPLOYEE (ASE) LEAVES

See Article 17 of the 6/20/14 ASE/UAW contract for full details on leaves:

http://ucnet.universityofcalifornia.edu/labor/bargaining-units/bx/docs/bx_2010-2013_17_leaves.pdf.

Bereavement Leave

Subject to the provisions of the ASE union contract, the University will grant an ASE's reasonable request for bereavement leave due to the death of a family member as defined in Section H. The period of bereavement leave shall be up to three (3) days per occurrence. Salaried (sub 0) ASEs shall be granted up to three (3) days pay for bereavement on those days the employee was previously scheduled to work.

Jury Duty

An ASE shall be eligible for a jury duty leave when summoned for required jury duty service. Jury duty leave is leave with pay. Students should be encouraged to defer their jury duty to the summer months, if possible, when classes are not in session so as to not inconvenience the enrolled students. Verification of actual service for jury duty shall be provided by the ASE to the appropriate timekeeper. Pay for jury duty will not continue past the end date of the ASE's appointment.

Long –Term Medical Leave and Family-Related Leave

Subject to the provisions of the ASE contract, the University will grant a salaried (sub 0) ASE's reasonable request for long-term leave during the academic year. Whenever possible the leave should be requested at least thirty (30) days in advance. The leaves described below may be combined for a maximum of six (6) weeks of leave during the academic year. The leave cannot be continued beyond the end date of the ASE's appointment.

1. Paid Leave for Pregnancy Disability, Childbirth and Related Medical Conditions.

A salaried ASE shall be eligible to receive up to six (6) weeks of paid leave for pregnancy, childbirth or related medical conditions for the period prior to, during, and after childbirth. Any paid leave taken under this Section shall run concurrently with any leave taken under Section B. pursuant to California's Pregnancy Disability Leave Laws. An ASE will be approved for up to two additional weeks of unpaid leave for baby bonding, provided such unpaid leave does not extend beyond the end date of the ASE's appointment. Unpaid leave may be granted for periods beyond the terms of leaves in this Section D, at the sole discretion of the University.

Under the Graduate Division Childbirth Accommodation policy, Ph.D. and MFA student women who are anticipating childbirth and have GSR, TA or Associate (sub 0) appointments may be excused from employment for a total of 6 weeks without loss of pay. Students eligible for both the Accommodation Policy and the ASE child bearing leave benefit will use the ASE benefit. The Petition for Childbirth Accommodation form is available at:

<http://grad.ucsd.edu/financial/student-parents.html>

When entering a leave of absence into PPS, use the ELVE screen to enter the appropriate LOA code:

Leave of Absence action code: 7 (with pay)

Type code: 4 (pregnancy disability)

Enter the LOA begin date and the LOA return date.

Note: The cost of a childbearing leave for a Graduate Student Researcher must be paid by the faculty's grant. Upon request, the Graduate Division will consider offering reimbursement for a GSR substitute for up to 6 weeks.

2. Other Paid Leave

A salaried (sub 0) ASE shall be eligible to receive up to four (4) weeks of paid leave for a serious health condition as defined under the Family Medical Leave Act (FMLA) of the ASE or the ASE's family member. Additionally, this leave may be used for the care and bonding with an ASE's newborn or child placed with the ASE for adoption or foster care, provided that the leave is taken within twelve months of the birth or placement of the child with the ASE.

When entering a leave of absence into PPS, use the ELVE screen to enter the appropriate LOA code.

Leave of Absence action code: 16 (4 weeks)

An ASE receiving paid leave for pregnancy disability, childbirth, related medical condition or for illness or injury from any other source within the University will not be eligible to receive leave.

Military Leave

ASEs called to active military service shall be provided leave from their current positions to fulfill their military obligations. Military leave will be paid to the extent required by applicable law.

Pregnancy Disability Leave

Under the California Pregnancy Disability Leave Laws, ASEs are entitled to unpaid leave for up to four months per pregnancy and/or reasonable accommodation for pregnancy disability, childbirth, and related medical conditions. Notwithstanding the foregoing, a Pregnancy Disability Leave will not continue beyond the end date of the ASE's appointment. The University will maintain and pay for health insurance coverage (University-sponsored Student Health Insurance Plans, or other insurance for non-student ASEs, as applicable) for the duration of the leave, not to exceed four months in a 12-month period under the same conditions that coverage would otherwise have been provided by the University if the employee had been in employment continuously for the duration of the leave.

Short-Term Family-Related Leave

The University will grant an ASE's reasonable request for leave of absence of appropriate duration due to:

- Personal illness and/or disability
- Birth, adoption, or care of a child or family member as defined in Section H of the ASE union contract
- Family emergencies

Paid Medical Leave and Family Leave

Subject to the provisions of the ASE union contract, students appointed on salaried (sub 0) ASE titles at 50% for an academic quarter are eligible for no more than two (2) paid sick leave days per quarter. For ASEs who are employed other than 50% FTE, the amount of paid leave will be prorated. (e.g. 25% appointment = one (1) day sick leave). The leave does not accrue from quarter to quarter.

Leaves shall be unpaid for non-salaried (sub 2) employees.

The student should complete an absence slip and provide it to the hiring department timekeeper. The department will monitor and provide summary of short-term usage as requested by the Graduate Division and/or Labor Relations.

In the case of the student being simultaneously employed by two or more departments, the student will earn leave from each department based on the percentage of the appointment. For example, a student with two 25% appointments would earn two (2) days per quarter – one (1) day from each department. Two absence slips would need to be completed.

Vacation

Students appointed as Teaching Assistants, Associates, Readers and Tutors do not accrue formal vacation.

There is no formal vacation accrual for students appointed as Graduate Student Researchers since their employment may not exceed 49.99% time during the academic year.

Workers' Compensation

A student appointed on an academic title may be eligible for workers' compensation benefits for qualified injury or accident. Additional information may be obtained from the Workers' Compensation program, x40136 or x44785.

UC DEPENDENT CARE FLEXIBLE SPENDING ACCOUNT PROGRAM

The UC Dependent Care Flexible Spending Account) was implemented January 1, 2009.

DepCare FSA Highlights:

- Academic Student Employees (TAs, Associates, Tutors & Readers) and Graduate Student Researchers **appointed at 43.75%** time may enroll in this program.
- The employee must enroll during their period of initial eligibility (PIE = 31 days from the appointment begin date) or when they have a change in family or employment status. **Employees may not enroll after their PIE expires.**
- DepCare FSA allows enrollees to pay for eligible dependent care expenses on a pretax, salary reduction basis.
- The employee forfeits (**i.e. "use it or lose it"**) any contribution they can't claim for the plan year.
- The minimum contribution is \$180/year, maximum contribution is \$5,000/year.
- Monthly deductions are based on the annual contribution elected by the employee divided by the remaining months within a calendar year. NOTE: monthly contributions continue only as long as the employee remains on active pay status and is otherwise eligible.
- Enrollment forms should be submitted by the 15th of the first month of the eligible appointment to meet the monthly payroll deadline.
- For payroll deduction purposes, Readers and Tutors must be set up on a **Monthly** pay schedule if they wish to enroll in the program.

Enrollment Information:

IMPORTANT: To meet the payroll deadline, enrollment forms must be submitted to the Graduate Division **by the 15th of the month**. Payroll deductions will begin on the next payday. Late forms will not be processed until the next month.

- Employees must re-enroll in the plan if they have a one day break in service/pay.
- Eligible employees who wish to enroll in the program should complete the following enrollment form: <http://ucnet.universityofcalifornia.edu/compensation-and-benefits/other-benefits/flexible-spending-accounts/ase-depcare/index.html> and send the form to: Becky Burrola, Graduate Division, Mail Code 0003