

COVID-19 LEAVE POLICY FOR FACULTY

INTRODUCTION

As faculty anticipate delivery of classes for the Fall 2020 semester, the following policy provides guidelines, categories, and definitions for those situations in which a faculty member is unable to perform his or her work in person or remotely.⁽¹⁾ Each of the five schools at Pepperdine anticipate significantly different course delivery modes for the Fall 2020 term and so specific determinations of the nature of class delivery at each of the schools will be made at the school level. This document provides a backdrop for those more specific plans that are forthcoming. As a Christian university, Pepperdine also recognizes that several faculty members may have either personal or family dynamics that require specific attention in the current COVID-19 environment (see below for specifics). The deans of the five schools are fully committed to working with each qualified faculty member⁽²⁾ on a case-by-case basis to ensure that a reasonable opportunity to work productively is provided while also guaranteeing that the larger promises of the University to the students are met.⁽³⁾ Implicit within this policy is the acknowledgement that faculty workload traditionally is composed of scholarship, teaching, and service responsibilities.

In a related manner, other documents will address in detail protocols to ensure classrooms and work spaces are clean, reflect safe-distancing guidelines and use of protective coverings, and provide for optimal flow patterns and safeguards throughout all public places. These protocols reflect guidelines provided to all institutions of higher education by the Los Angeles County Department of Public Health. Those guidelines include regular internal and external monitoring of the protocols provided.

COVID-19 HEALTH LEAVE

During the COVID-19 pandemic, faculty members may apply for a COVID-19 Health Leave if they must be absent from work due to their own illness related to COVID-19 and meet one of the following criteria:

1. They have a fever, dry cough, shortness of breath, or any other COVID-19 symptoms identified by the U.S. Centers for Disease Control and Prevention, and are seeking a medical diagnosis of COVID-19.
2. They have known exposure to a person with a confirmed case of COVID-19 and are exhibiting a fever, dry cough, shortness of breath or any other COVID-19 symptoms identified by the U.S. Centers for Disease Control and Prevention.
3. They have been advised to self-isolate or quarantine by a health care provider based on the health care provider's belief that they have COVID-19, that they may have COVID-19, or that they are particularly vulnerable to COVID-19.

Faculty members may be eligible to apply for State Disability Insurance (SDI) with appropriate documentation from a health care provider while on a COVID-19 Health Leave. Medical documentation will be required for this leave.

COVID-19 CARE LEAVE

During the COVID-19 pandemic, if faculty members must be absent from work

1. to care for a qualified individual⁽⁴⁾ who depends on care from the faculty member, AND
2. that the qualified individual⁽⁴⁾ for whom the faculty member is providing care either a) has been advised by a health care provider to self-quarantine because of the health care provider's belief that the individual has COVID-19; b) may have COVID-19 due to known exposure or symptoms; c) is particularly vulnerable to COVID-19; or d) is subject to a Federal, State, or local isolation or quarantine order related to COVID-19,

then faculty members have the following options:

1. Request to work remotely, with dean approval, if their job responsibilities can be performed through telework, as determined by the University. Faculty members may telework, even if the individual who needs care is present in the remote work location, so long as faculty members satisfactorily perform their job duties and work an agreed upon schedule (either their normal work schedule or an alternate work schedule as approved by their dean).
2. Faculty members may apply for a COVID-19 Care Leave if their job responsibilities cannot be performed through telework, or they cannot reasonably perform telework while also providing care.

Faculty members may be eligible to apply for Paid Family Leave (PFL) while on a COVID-19 Care Leave with appropriate documentation from a health care provider. Medical documentation will be required for this leave.

COVID-19 CHILD CARE LEAVE

During the COVID-19 pandemic, if faculty members must be absent from work

1. to care for a child whose school or place of care has been physically closed for reasons related to COVID-19 OR to care for a child because their childcare provider is unavailable for reasons related to COVID-19; AND
2. there is no other suitable person available to care for their child during the period of absence,

then faculty members have the following options:

1. Request to work remotely, with dean approval, if their job responsibilities can be performed through telework as determined by the University. Faculty members may telework even if their children are present in the remote work location, so long as faculty members are satisfactorily fulfilling their job duties and work an agreed upon schedule (either their normal work schedule or an alternate work schedule approved by their dean).
2. Faculty members may apply for a COVID-19 Child Care Leave if their job responsibilities cannot be performed through telework, or they cannot reasonably perform telework while also providing childcare.

Faculty members may be eligible to apply for Unemployment Insurance while on an unpaid COVID-19 Child Care Leave.

COVID-19 DISTANCE LEAVE

During the COVID-19 pandemic, if faculty members must be absent from work

1. due to being subject to a Federal, State, or local isolation or quarantine order related to COVID-19; OR
2. because the University has directed the faculty member not to report to the workplace for a COVID-19 related reason, including that the faculty member is not currently assigned as a CSP,

then faculty members have the following options:

1. Request to telework, with dean approval, if their job responsibilities can be performed through telework as determined by the University.
2. Faculty members may apply for a COVID-19 Distance Leave if their job responsibilities cannot be performed through telework, or they cannot reasonably perform telework.

Faculty members may be eligible to apply for Unemployment Insurance while on an unpaid COVID-19 Distance Leave.

ADDITIONAL INFORMATION

COVID-19 related leaves are generally unpaid and will be granted for the necessary period of time up to a maximum of six (6) months (documentation may be required). Any such leave will run concurrently with any other leaves to which the faculty member is otherwise entitled under applicable law (e.g., Family and Medical Leave Act, California Family Rights Act, Sick Leave) or University policy.

During an approved COVID-19 leave, the University will continue most (although some exceptions apply) University-sponsored health insurance and welfare plans under the same terms and conditions that applied before the leave commenced. To continue coverage under health and/or welfare benefit plans, faculty members will be required to continue to pay their insurance premium contributions during the leave period (including premium payments for dependent coverage) that they would be required to make absent the leave. However, during any unpaid portion of the leave, the University may advance premium payments that the faculty member would otherwise be required to make to maintain such coverage, subject to and with the faculty member's agreement that upon return to work, or upon separation of employment, the faculty member will be responsible to repay all such premium payments over a scheduled period of time.

The above Leave policy will expire December 31, 2020, unless extended, or otherwise amended, by the University.

⁽¹⁾ *The definitions used and categories delineated derive from the latest information provided by the Center for Disease Control (CDC) and guidance provided by the Family Medical Leave Act (FMLA) and Equal Employment Opportunity Commission (EEOC).*

⁽²⁾ *A qualified faculty member is a person in the vulnerable population as defined by the CDC:*

- *People age 65 and older*
- *People with chronic lung disease or moderate to severe asthma*

- *People who have serious heart conditions*
- *People who are immunocompromised*
 - *Many conditions can cause a person to be immunocompromised, including cancer treatment, smoking, bone marrow or organ transplantation, immune deficiencies, poorly controlled HIV or AIDS, and prolonged use of corticosteroids and other immune weakening medications*
- *People with severe obesity (body mass index [BMI] of 40 or higher)*
- *People with diabetes*
- *People with chronic kidney disease undergoing dialysis*
- *People with liver disease*

⁽³⁾ *There will be an appeal process for those rare cases when the faculty member and school administration cannot arrive at a mutual resolution.*

⁽⁴⁾ *Qualified individuals are a faculty member's child, parent, spouse, registered domestic partner, grandparent, grandchild, sibling, or parent-in-law.*

COVID-19 FACULTY LEAVE POLICY SCENARIOS

Effective August 1, 2020

FACULTY SCENARIO	PAY COORDINATION	LENGTH OF LEAVE
1. Working (On Campus or Remote, including remote teaching and alternate faculty work)	<ul style="list-style-type: none"> Regular Pay 	
2. Faculty Member Sick <u>With</u> COVID-19 <i><u>COVID-19 Health Leave</u></i> <i>(Medical documentation required)</i>	<ul style="list-style-type: none"> Coordinate Salary Continuation with State Disability Insurance (SDI) 	Determined by healthcare provider up to 6 months
3. Faculty Member Sick <u>Without</u> COVID-19 for more than 30 Days <i><u>Family and Medical Leave</u></i> <i>(Medical Documentation Required)</i>	<ul style="list-style-type: none"> Coordinate Salary Continuation with State Disability Insurance (SDI) 	Determined by healthcare provider up to 6 months
4. Faculty Member is Caring for an Eligible Family Member ⁽¹⁾ Sick With COVID-19 and Cannot Work Remotely <i><u>COVID-19 Care Leave</u></i> <i>(Medical documentation required)</i>	<ul style="list-style-type: none"> Coordinate Salary Continuation with Paid Family Leave (PFL) 	Determined by healthcare provider up to 6 months
5. Faculty Member in Vulnerable Population and Cannot Work Remotely <i><u>COVID-19 Distance Leave</u></i>	<ul style="list-style-type: none"> COVID-19 Distance Leave⁽²⁾ (unpaid with benefits) 	Up to 6 months
6. Faculty Member with a Household Member in Vulnerable Population and Cannot Work Remotely <i><u>Personal Leave of Absence</u></i>	<ul style="list-style-type: none"> Personal Leave of Absence (unpaid and no benefits) 	Determined by Dean Up to 6 months
7. Faculty Member with Child Care issues due to COVID-19 and Cannot Work Remotely <i><u>COVID-19 Child Care Leave</u></i>	<ul style="list-style-type: none"> COVID-19 Child Care Leave⁽²⁾ (unpaid with benefits) 	Up to 6 months

<p>8. Uncomfortable Being on Campus (Not in a Vulnerable Population) and Cannot Work Remotely</p> <p><u>Personal Leave of Absence</u></p>	<ul style="list-style-type: none"> ● Personal Leave of Absence (unpaid and no benefits) 	<p>Determined by Dean Up to 6 months</p>
-------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------	------------------------------------------

⁽¹⁾ *Qualified individuals are a faculty member's child, parent, spouse, registered domestic partner, grandparent, grandchild, sibling, or parent-in-law.*

⁽²⁾ *These leaves are typically unpaid leaves.*

⁽³⁾ *Except as required under CA Labor code 230.8.*