

## **SDSU Research Foundation – COVID-19 Paid Administrative Leave Policy**

*Issued March 23, 2020*

**UPDATED: February 22, 2022**

The purpose of this policy is to provide short-term, emergency guidance regarding compensation of employees whose ability to work has been impacted by the COVID-19 pandemic. This policy is designed to be comparable to the California State University coded memoranda HR 2020-03 and HR 2020-04, while also operating within the financial constraints and applicable sponsor guidelines associated with federal, state and private externally funded programs.

In designing this policy, we have prioritized the physical health and safety of employees first, maintaining the capacity and readiness of the research and scholarly enterprise second, and leveraging financial resources in an appropriate way to maintain institutional and individual program capacity upon returning to more normalized operations.

In accordance with the March 19, 2020 order by the Governor of the State of California that all residents shall stay in their homes, all non-essential employees are required to comply with the Temporary Telework policy located on the SDSU Research Foundation website at [https://www.foundation.sdsu.edu/important\\_notices\\_coronavirus.html](https://www.foundation.sdsu.edu/important_notices_coronavirus.html).

The health and well-being of our employees continues to be our foremost priority during the COVID-19 pandemic. In March of 2020, we provided up to 128 hours of COVID Paid Administrative Leave (“CPAL”) to employees **unable to work due to COVID-19 related reasons**. Consistent with the CSU system, in April of 2020, we increased available CPAL hours to 256 for full-time employees through the end of 2020. We also temporarily made up to 256 hours of CPAL available to SDSURF benefit eligible, part-time, hourly casual and student employees through the end of 2020, if based on the assessment of SDSURF’s COVID-19 response team, they meet the criteria of any of the categories detailed below; and subject to availability and allowability of funding.

On January 1, 2021, SDSU Research Foundation rolled over any unused CPAL hours that its employees had remaining at that time (i.e., these hours did not expire for current employees.)

Effective March 29, 2021, Governor Newsom signed Senate Bill 95 which provides up to 80 hours of supplemental COVID-19 related paid leave for employees between January 1, 2021 and September 30, 2021. Consistent with this new law, as well as CSU’s further policy statements, SDSU Research Foundation will ensure that all current full-time employees have at least **128 hours** of Supplemental COVID Paid Administrative Leave (“SCPAL”) to use between January 1 and June 30, 2022, which will be prorated based on the full-time equivalency of the current appointment. In this

way, we are providing more than the minimum number of paid leave hours and extending the period of usage.

**Supplemental COVID-19 Paid Administrative Leave hours are provided and may be used in accordance with the following guidelines:**

- If, as of January 1, 2021, the employee exhausted the previous allotment of CPAL hours or had a balance below 128 hours or equivalent based on full-time equivalency, the employee's balances will be adjusted to 128 hours for full time employees and prorated to the equivalent for part time employees.
- If, as of January 1, 2021, the employee's CPAL balance was over 128 hours or the equivalent based on full-time equivalency, the employee's balance will not be affected.
- An employee who had a qualifying reason for CPAL between January 1, 2021 and March 29, 2021 may use the Supplemental CPAL leave hours granted by this policy retroactively to 1/1/21. To request this paid leave retroactively, please contact your supervisor. Supervisors, please reach out to payroll at [sdsurfpayroll@sdsu.edu](mailto:sdsurfpayroll@sdsu.edu) for assistance in making corrections.
- New hires may be granted up to 256 paid leave hours if unable to work for COVID-19 related reasons.
- As of June 30, 2022, any unused SCPAL hours will expire.

On January 1, 2022, SDSU Research Foundation rolled over any unused CPAL/SCPAL hours that its employees had remaining at that time (i.e., these hours will not expire for current employees.) New hire may be granted up to 256 paid leave hours if unable to work for COVID-19 related reasons.

**COVID-19 Paid Administrative Leave (including any supplemental hours granted in 2021) may be used by employees who are unable to work (including remotely) due to one of the following unexpected or extraordinary circumstances:**

1. Their own COVID-19 related illness or to care for a qualifying family member with a COVID-19 related illness, or during a COVID-19 quarantine or isolation period.
2. COVID-19 related school or daycare closure requires the employee to stay at home with a child or dependent.
3. They have been directed by their supervisor or healthcare provider not to come to work for COVID-19 related reasons. **Please note: Per CSU directive, students who are unable to work, and have not resigned their position in order to relocate back home, must be paid at a minimum through April 5, 2020.**
4. COVID-19 testing for the employee.
5. Vaccination appointment for self or qualifying family member.
6. Employee is experiencing vaccine-related side-effects.

**All COVID-19 Paid Administrative Leave hours (including any supplemental hours granted in 2021) are subject to the following conditions:**

1. Will be available until June 30, 2022 or the end date of the individual employee assignment, whichever occurs first, after which any remaining balance will expire.
2. May be used either before or after the employee uses other available leave accruals at the request of the employee and with approval of the supervisor and PI/Program Director.
3. Will be prorated based on the full-time equivalency of the current appointment.
4. Are not payable upon termination of employment.

**2/22/22 UPDATE:**

On February 9, 2022, Gov. Gavin Newsom signed [Senate Bill \(SB\) 114](#) that requires employers provide up to 80 hours of supplemental paid sick leave (SPSL) which will be prorated based on the full-time equivalency of the current appointment for employees who are unable to work due to COVID-19 related reasons. The SPSL hours are retroactive to January 1, 2022. The California State University (CSU) extended the program's deadline from September 30, 2022, to December 31, 2022, and SDSU Research Foundation will do the same.

SPSL will be implemented as follows:

- If, as of January 1, 2022, the employee exhausted the previous allotment of CPAL/SCPAL hours or had a balance below 80 hours or equivalent based on full-time equivalency, the employee's balances will be adjusted to 80 hours for full time employees and prorated to the equivalent for part time employees.
- If, as of January 1, 2022, the employee's CPAL/SCPAL balance was over 80 hours or the equivalent based on full-time equivalency, the employee's balance will not be affected.
- An employee who had a qualifying reason for SPSL beginning January 1, 2022 may use the leave hours granted by this policy retroactively to 1/1/22. To request this paid leave retroactively, please contact your supervisor. Supervisors, please reach out to payroll at [sdsurfpayroll@sdsu.edu](mailto:sdsurfpayroll@sdsu.edu) for assistance in making corrections.
- New hires may be granted up to 256 paid leave hours if unable to work for COVID-19 related reasons.
- As of December 31, 2022, any unused CPAL/SCPAL/SPSL hours will expire.

## **Qualifying Reasons for Leave under SB 114:**

**Up to 40 hours of leave** can be used for the following reasons when employees are unable to work onsite or telework:

### **Vaccine-Related:**

- The covered employee is attending a vaccine or booster appointment for themselves or a family member or cannot work or telework because they have vaccine-related symptoms or are caring for a family member with vaccine-related symptoms.

### **Caring for Yourself:**

- The employee is subject to quarantine or isolation period related to COVID19 as defined by an order or guidance of the California Department of Public Health, the federal Centers for Disease Control and Prevention, or a local public health officer with jurisdiction over the workplace; has been advised by a healthcare provider to quarantine; or is experiencing COVID-19 symptoms and seeking a medical diagnosis.

### **Caring for a Family Member:**

- The employee is caring for a family member who is subject to a COVID-19 quarantine or isolation period or has been advised by a healthcare provider to quarantine due to COVID-19 or is caring for a child whose school or place of care is closed or unavailable due to COVID-19 on the premises.

**Up to 40 hours of additional leave can be used only for the following reason when employees are unable to work or telework:**

- The covered employee tests positive for COVID-19 or the employee is caring for a family member who tested positive for COVID-19.

This policy is applicable to all programs regardless of funding source (Federal or non-Federal). **All leave will be charged directly to the source of funds of the employee's current work assignment.** For externally funded programs, specific funding agency restrictions or lack of funding may be considered as justification for exceptions to this policy. To request an exception, please submit through the link below.

[SDSU Research Foundation COVID-19 Paid Administrative Leave \(Request for Exception\)](#)

This policy will be re-evaluated regularly as the current COVID-19 pandemic evolves and may be subject to change at any time. Any provisions required by SB 95 or SB 114 will, however, remain unchanged.

Questions regarding this policy may be directed to Human Resources at [sdsurfhr@sdsu.edu](mailto:sdsurfhr@sdsu.edu).

Employees whose COVID-19 infections are considered work-related per applicable law will be granted paid leave in accordance with all applicable requirements including, but not limited to, those set forth by Cal/OSHA.

For your convenience, this policy is also available on the SDSURF website at: [https://www.foundation.sdsu.edu/important\\_notices\\_coronavirus.html](https://www.foundation.sdsu.edu/important_notices_coronavirus.html)

Policy Issued – March 23, 2020

**Tracking:**

Updated 4/2/20

- Increased hours from 128 to 256

Updated 1/5/21

- Eliminate 12/31/20 expiration date
- Update Cal/OSHA leave

Updated 1/21/21

- Include time for testing/vaccination

Updated 4/5/21

- Updated to comply with SB 95 and consider Chancellor's office additional hours
- Updated reasons for leave
- Added expiration date 12/31/21

Updated 12/15/21

- Updated to extend expiration date of S/CPAL to 6/30/22.

Updated 2/22/22

- Updated to comply with SB 114
- Extending use until 12/31/22