



University of California
San Francisco

Pay for Family Care and Bonding (PFCB) for HCOMP Faculty

Office of Faculty and Academic Affairs

Master Presentation

1/3/23

Table of Contents

- Program definition: slide 3
- Eligibility and Leave Laws: slides 4-7
- PFCB Requests: slide 8
- Interaction with HSCP: slides 9-11
- Impact to Compensation and Benefits: slides 12-13
- Administration of PFCB: slides 14-16
- Tracking and Timesheets: slide 17
- Budget and Payroll Considerations: slide 18
- Examples: slides 19-22
- Key Takeaways: slide 23
- Resources: slide 24- 25
- Communications to Date: slide 26
- Leave Definitions: slide 27



Pay for Family Care and Bonding (PFCB)

- To support the need to take leave to care for their family members, the University now offers eligible academic appointees a partial income replacement program, Pay for Family Care and Bonding (PFCB), for up to eight workweeks per calendar year.
- Effective January 1, 2023, UCOP expanded the Pay for Family Care and Bonding program (PFCB), increasing the income replacement from 70% to 100% of eligible earnings. For HCOMP faculty, PFCB is calculated at 100% of base salary (X+X').
- PFCB may be available when Family Medical Leave (FML) is taken for the purpose of
 - caring for a family member with a serious health condition,
 - bonding with a new child,
 - Military Caregiver Leave, and
 - Qualifying Exigency Leave.
- PFCB is not available when leave is taken for an employee's own serious health condition, or for the period of childbearing leave during which the faculty member is temporarily disabled and leave is covered under Pregnancy Disability Leave (PDL).

Eligibility for PFCB program

- HSCP faculty are most likely to be eligible to utilize PFCB when taking a qualifying leave to care for a family member; or for bonding with a child when the PDL period during Childbearing leave has been extended to 10 or more weeks
- Eligibility for PFCB will be determined based on:
 - the faculty member's eligibility for Family and Medical Leave (FML) under the FMLA and/or CFRA;
 - the qualifying reason for the leave;
 - any existing HSCP pay benefits available for the requested leave type, and,
 - whether the HSCP paid leave provisions meet the minimum partial income replacement provided under PFCB.

Eligibility for Family Medical Leave under FMLA/CFRA

An employee is eligible for Family Medical Leave under FMLA/CFRA if:

- The employee has at least 12 months cumulative University service

And,

- The employee has 1,250 productive hours during the 12 months immediately before the start of the leave.



What Does FMLA/CFRA Cover?

FMLA (federal)

- Care of a newborn, foster placed or adopted child
- Care for spouse, child (minor or dependent adult) or parent who has a serious health condition
- For the employee's own serious health condition (including pregnancy)
- Military Caregiver Leave
- Qualifying Exigency Leave

CFRA (state)

- Care of a newborn, foster placed or adopted child
- Care for spouse, domestic partner, child (any age), parent, grandparent or sibling who has a serious health condition
- For the employee's own serious health condition (except pregnancy)
- Qualifying Exigency Leave



What Does FMLA/CFRA Provide?

FMLA

- ❑ 12 workweeks (or 480 hours if used intermittently) of job protected leave per calendar year.
- ❑ Benefits protection (meaning the employer contribution for benefit's will be paid even if on a LWOP).
- ❑ Supplemental FMLA (under PPSM) provides an additional 12 workweeks of job protection for an FML leave in progress.

CFRA

- 12 workweeks (or 480 hours if used intermittently) of job protected leave per calendar year.
- Benefits protection (meaning the employer contribution for benefit's will be paid even if on a LWOP).
- For pregnancy only, an additional 12 weeks of leave is available for bonding, within 1 year of the birth of the child.

State and Federal laws such as Pregnancy Disability Leave (PDL), Family Medical Leave Act (FMLA), and California Family Rights Act (CFRA) provide job and benefits protections for eligible employees during periods of family medical leave, but these laws do not provide, or guarantee pay.

Requesting PFCB

- It is important for faculty members to talk to their HR Leave Specialist as soon as they are aware of the need to take a leave. The leave specialist will provide the faculty member with the necessary information regarding leave types and pay options. Faculty members are also encouraged to have a discussion with their supervisor and/or chief administrative officer, or their department chair in order to plan for their absence from work.
- HR has developed a calculator to assist with the determination of whether HSCP pay options meet the minimum of the partial income replacement provided under PFCB.
- HR is contacting faculty on qualifying leaves to determine PFCB eligibility and pay options, as applicable

Applicable HSCP Pay Options

- **Childbearing Leave** : 12 weeks at the plan participants negotiated compensation rate ($X' + Y$), excluding clinical incentives and bonuses. Childbearing leave is the time the Plan Participant is temporarily disabled because of pregnancy, childbirth or related medical conditions (APM 760-25). If the period of temporary disability related to pregnancy, childbirth or related medical conditions lasts less than 12 weeks, the remaining period of paid childbearing leave (for a leave in progress), may be used for bonding, up to the maximum period of 12 weeks (84 consecutive calendar days-one 12 week block).
- **Childrearing Leave** : 12 weeks at the plan participants negotiated compensation rate ($X' + Y$), excluding clinical incentives and bonuses. Provided for non-birth parent responsible for caring for any child or children who are, or become, a member of the Plan Participant's family. (SOM: taken in one 12 week block or two 6 week blocks)
- **Other Paid Leave** : 5 days per fiscal year at the plan participants negotiated compensation rate ($X' + Y$), excluding clinical incentives and bonuses. Granted when a Plan Participant is unable to work due to care for a spouse, domestic partner, child or parent who is ill.

PFCB and HSCP Pay Option Comparison

PFCB pay option:	HSCP: Childbearing, Childrearing, and Leave to Care for a Family Member pay options
Requires FMLA/CFRA eligibility (12 months cumulative university service and 1250 productive work hours during the 12 months immediately before the start of the leave)	FMLA/CFRA eligibility not required
Granted on a calendar year basis	Granted on a fiscal year basis, or for each birth or placement of a child
Provides 100% of X+X' for up to a total of 8 weeks for <ul style="list-style-type: none"> ○ caring for a family member with a serious health condition, ○ bonding with a new child, ○ Military Caregiver Leave, and ○ Qualifying Exigency Leave. 	Provides 100% of X+X'+Y for <ul style="list-style-type: none"> ○ one week to care for a family member. Granted when a Plan Participant is unable to work due to care for a spouse, domestic partner, child or parent who is ill. ○ 12 weeks for childrearing/bonding for the non birthparent ○ 12 weeks for childbearing - If the period of temporary disability related to pregnancy, childbirth or related medical conditions lasts less than 12 weeks, the remaining period of paid childbearing leave (for a leave in progress), may be used for bonding, up to the maximum period of 12 weeks
Administered in minimum blocks of one week.	CB leave administered in one 12 week block; CR leave administration varies by school; leave to care for a family member may be taken in one day increments
UCRP and leave accruals pro-rated to reflect the percentage of paid effort in place immediately prior to leave	Service credit and leave accruals based on effort in place immediately prior to leave



Interaction with HSCP

- For HCOMP faculty the availability of the PFCB pay option is calculated based on the value and usage of the applicable HCOMP benefit. Usage of the HCOMP benefit decrements the PFCB pay option.
- If the HSCP pay option for the qualifying leave reason is more generous than the PFCB pay option, then the HSCP pay option will typically be applied first. The PFCB balance will be decremented by the equivalent dollar amount.
- If a portion of the HSCP pay option for Childbearing leave is used for bonding, then the HSCP pay option will be applied first, and the PFCB balance will be decremented by the equivalent dollar amount.
- Parental Bonding Leave must be utilized within 12 months of the birth or placement of the child.

Compensation During PFCB

- The PFCB program provides partial income replacement for up to a maximum of eight workweeks per calendar year, calculated at 100% of the faculty member's base salary ($X+X'$), and pro-rated for the percentage of paid effort at the time of the leave (excluding clinical incentives, bonuses, and administrative stipends).
- Clinical faculty will need to clarify the potential impact to annual clinical incentive payments with their Department
- Leave accruals (e.g. vacation leave) or other paid leave benefits may not be used to supplement PFCB partial wage replacement in order to receive 100% of earnings during the leave.
- If HSCP paid leave provisions are applicable, they will be applied first and the faculty will be compensated as documented in the Departmental compensation plan. The annual PFCB entitlement will be decremented to reflect usage of HSCP benefits.
- If the employee has an appointment established at a fixed percentage of less than 100%, the PFCB pay option is based on the salary rate that was used to calculate the employee's pay during the pay period(s) immediately prior to the month in which the employee's leave begins.



Benefits During PFCB

- There is a continuation of health benefits while receiving PFCB.
- During PFCB, faculty will be paid at 100% of $X+X'$. PFCB is considered taxable wages. Deductions will be pro-rated accordingly.
- Base salary ($X+X'$) will be adjusted for academic advancements occurring during a qualifying leave.



PFCB Administration

- PFCB must run concurrent with FMLA and/or CFRA. In other words, if an employee is not eligible (or is no longer eligible) for FMLA and/or CFRA then they would not be eligible for PFCB.
- The PFCB program provides partial income replacement for qualifying leaves taken in minimum blocks of no less than one workweek.
- If the remaining PFCB balance is the equivalent of less than one workweek, additional days of the PFCB pay option may be provided for a qualifying leave in progress in order to meet the minimum block requirement of one workweek.

PFCB Administration

- If the qualifying block leave ends before the faculty member has used their full entitlement of PFCB, the remaining balance is available for use during another qualifying block leave later in the same calendar year.
- If the faculty member does not fully utilize their annual entitlement of PFCB they are not eligible to have the dollar value of the PFCB paid to them as salary.
- PFCB accruals reset annually on January 1 and do not rollover from year to year.
- PFCB will not be applied to a qualifying leave that is taken on an intermittent or reduced schedule basis.

PFCB Administration

- What if the FMLA/CFRA leave crosses over a calendar year?
 - Partial income replacement under PFCB is available for up to 8 workweeks per calendar year. PFCB accruals reset annually on January 1st . If a leave in progress crosses over into a new calendar year, the PFCB balance will reset. Paid leave benefits under the HSCP will continue to be applied first followed by partial income replacement, as available, under PFCB. The PFCB balance will be decremented by the equivalent dollar amount for any HSCP paid leave benefit utilized during that calendar year.
- What if the FMLA/CFRA leave crosses over a fiscal year?
 - HSCP benefits include paid leave benefits for childbearing, childrearing, and leave to care for a family member. Childbearing and childrearing leave are granted for a maximum of 12 weeks for each birth or placement of a child. Paid leave to care for a family member is provided under the HSCP for up to five days per fiscal year. For leaves to care for a family member that cross over the fiscal year, HSCP paid leave benefits will be applied first followed by PFCB, as available. The PFCB balance will be decremented by the equivalent dollar amount of the HSCP paid leave that is taken, but faculty may be eligible for an additional five days of HSCP paid leave to care for a family member each fiscal year.

PFCB Tracking and Timesheets

- PFCB usage will be tracked by HR.
- Earn codes have been created in UCPATH
- HBS: new pay codes are being entered for PFCB under FMLA and CFRA.
- PFCB balances will not be displayed in HBS or UCPATH.
- HR will be reviewing timesheets for academics utilizing PFCB.



Budget/Payroll Considerations

- The cost of PFCB payments will become an element of Composite Benefit Rates (CBRs). Budget and Resource Management (BRM) will discuss the business process with the Control Points.
- BRM has indicated that actual PFCB payments made each FY will influence CBRs in FY23 and beyond.
- PFCB may impact a department financially if the unit is required to compensate other faculty to cover duties temporarily while an employee utilizes the PFCB program for a qualifying leave.

HSCP & PFCB – Application and Examples

- When FMLA/CFRA eligible HCOMP faculty request a qualifying leave, the leave specialist will utilize the calculator, developed by HR, to determine whether HSCP pay options meet the minimum of the partial income replacement provided under PFCB.
- The leave specialist will advise the faculty member of their pay options based on:
 - The HSCP benefit and compensation they will receive
 - The PFCB partial income replacement and associated compensation
 - How usage of either of the HSCP and PFCB pay options decrements the other entitlement

Example 1:HSCP Childbearing/PFCB Compensation

Dr. Yang, an Assistant Professor 2, is pregnant and expects to work until delivery. She plans to take 6 weeks of pregnancy disability (PDL) and 6 weeks baby bonding – paid via the HSCP childbearing benefit.

- APU scale 4: $X+X' = 122,000$ (10-1-22 scale) $Y = 20,000$
- Total negotiated comp = \$142,000
- Faculty takes 12 weeks childbearing leave; PDL ends after 6 weeks. Remaining 6 weeks taken as bonding.

How do we determine the value of the 6 weeks of bonding?

- $\$142,000/2088$ annual hours = 68.00 hourly rate
- 68.00×240 hours (240 hours = 6 weeks) = \$16,320

PFCB value is 6 weeks at 100% of $X+X'$ (\$122,000)

- $\$122,000/2088 = 58.43$ hourly rate
- 58.43×240 (40 hours \times 6 weeks) = \$14,023

HSCP – 12 weeks pay at $X'+Y$, 6 weeks of which is used for PDL (\$16,320)

PFCB – 6 weeks pay at 100% of $X+X'$ (\$14,023)

HSCP 6 weeks of pay at $X'+Y$ (\$16,320) > PFCB 6 weeks of pay at 100% of $X+X'$ (\$14,023)

Example 2: HSCP Childbearing - additional bonding

HS Clinical Assistant Professor step 2 with additional leave for bonding after HSCP childbearing leave

- APU scale 4: $X+X' = 122,000$ (10-1-22 scale) $Y = 60,000$
- Total negotiated comp = \$182,000
- Faculty takes 12 weeks childbearing leave; PDL ends after 9 weeks. Remaining 3 weeks taken as bonding.

- How do we determine the value of the 3 weeks of bonding?
 - $\$182,000 / 2088$ annual hours = 87.16 hourly rate
 - 87.16×120 hours (120 hours = 3 weeks) = \$10,459

- PFCB value is 8 weeks at 100% of $X+X'$ (\$122,000)
 - $\$122,000 / 2088 = 58.43$ hourly rate
 - 58.43×320 (40hrs \times 8 weeks) = \$18,697

- PFCB 8 weeks (\$18,697) – HSCP 3 weeks (\$10,459) = \$8,238
- Divide by PFCB hourly rate of 58.43 = 141 hours or 18 days (rounded up) of PFCB partial income replacement paid at 100% of $X+X'$ if they remain eligible for FMLA/CFRA

Example 3: HSCP Childrearing

- HSCP Pay Option Provides: 12 weeks at 100% of $X+X'+Y$.
- PFCB pay option provides: 8 weeks at 100% of $X+X'$.
- HSCP pay option will always be greater than the PFCB pay option - faculty will be paid via the Comp plan pay option rather than PFCB.



Key Takeaways

- PFCB is an additional pay option available to assist FMLA/CFRA eligible faculty who may wish to take a leave to care for a family member or bond with a child
- Usage of HSCP pay options (childbearing, childrearing, and leave to care for a family member) decrements PFCB pay options and vice versa. If the HSCP pay option is more generous, this will be applied first.
- Applicable HSCP pay options are calculated at 100% of $X+X'+Y$ while PFCB is calculated at 100% of $X+X'$. Neither pay option includes clinical incentives, bonuses, or administrative stipends.
- The cost of PFCB will be incorporated into the composite benefit rate (CBR).
- HR Leave Specialists will work with eligible faculty to determine applicable HSCP, PFCB, and other pay options to identify what option(s) would be most beneficial to the individual.

Resources: HCOMP Faculty

- UC Net website: <https://ucnet.universityofcalifornia.edu/compensation-and-benefits/other-benefits/pay-for-family-care-bonding.html>
- APM 715 (Leaves of Absence/Family and Medical Leave) and 760 (Family Accommodations for Childbearing and Childrearing) have been updated to include PFCB pay option: <https://www.ucop.edu/academic-personnel-programs/academic-personnel-policy/policy-issuances-and-guidelines/index.html>
- VPAA website: <https://facultyacademicaffairs.ucsf.edu/academic-personnel/leaves>
- HR website: <https://hr.ucsf.edu/pay-family-care-and-bonding>
- PeopleConnect: <https://peopleconnect.force.com/s/article/Pay-for-Family-Care-and-Bonding-Campus-Health-Manager>

Resources: Staff and NFA Employees

- UC Net website: <https://ucnet.universityofcalifornia.edu/compensation-and-benefits/other-benefits/pay-for-family-care-bonding.html>
- HR website: <https://hr.ucsf.edu/pay-family-care-and-bonding>
- PeopleConnect: <https://peopleconnect.force.com/s/article/Pay-for-Family-Care-and-Bonding-Campus-Health-Manager>
- UCOP: <https://policy.ucop.edu/doc/4010406/PPSM-2.210>

PFCB Communications

- HR Update Newsletters 5-20 and 6-17
- School/Department Control Points meeting 5-24 and 6-28
- SOM Managers meeting 6-4
- Dean's meeting 6-9
- Vice and Associate Deans 7-14
- SOM Chairs and Directors 8-2
- SOD Managers Meeting: 9-14
- SOP Managers Meeting: 9-14

Leave Definitions

- **Pregnancy Disability Leave (PDL):** PDL provides up to four months of job-protected leave to a faculty member who is disabled due to pregnancy, childbirth, or related medical conditions. While on leave, a faculty member will keep the same paid health benefits they had while working; however, PDL does not provide or guarantee pay during the leave.
- **Parental Bonding leave:** During a period of leave to bond with a child, leave entitlements under the Family Medical and Leave Act (FMLA) and the California Family Rights Act (CFRA) run concurrently. These laws provide an eligible faculty member with up to 12 weeks of job-protected leave per calendar year. While on leave, a faculty member keeps the same paid health benefits they had while working; however neither FMLA nor CFRA provide or guarantee pay during the leave.
- **Family Medical and Leave Act (FMLA):** FMLA provides an eligible faculty member up to 12 weeks of job-protected leave per calendar year. A federal law that allows an employee to take unpaid leave (1) due to the employee's serious health condition (including disability resulting from pregnancy, childbirth or related medical condition), (2) to care for certain family members if they have a serious health condition, (3) to bond with their new child after the child's birth or placement with the employee for adoption or foster care, (4) for Military Caregiver Leave, or (5) for Qualifying Exigency Leave. While on leave, a faculty member keeps the same paid health benefits they had while working; however FMLA does not provide or guarantee pay during the leave.
- **California Family Rights Act (CFRA):** For employees eligible for FML at the time of their PDL leave, CFRA provides up to an additional 12 weeks of job-protected leave within 12 months of the birth, to bond with the child. CFRA begins after the (medically determined) PDL period but may run concurrently with FML. There are also some protected family leaves solely covered under CFRA; such as leave to care for a sibling, grandparent, grandchild, or adult (non-dependent) child. While on leave, a faculty member keeps the same paid health benefits they had while working; however, like FML, CFRA does not provide or guarantee pay during the leave.
- **Qualifying Exigency Leave:** Qualifying Exigency Leave is leave taken because of a "qualifying exigency" arising out of the fact that the employee's spouse, domestic partner, son, daughter, or parent is a military member on covered active duty or call to active duty (or has been notified of an impending call or order to covered active duty). Generally speaking, this will involve the military member's deployment to a foreign country.
- **Military Caregiver Leave:** leave to care for a covered service member undergoing medical treatment, recuperation, or therapy for a "serious injury or illness" incurred or aggravated in the line of duty if the covered service member is employee's parent, spouse, domestic partner, son, daughter, or next of kin.