

PLP 2020 FAQ's

Updated October 21, 2020

1. When is the PLP 2020 leave available?
 - a. Rank and file employees and excluded employees shall be credited with sixteen (16) hours of PLP 2020 beginning July 1, 2020 on the first day of each pay period for the duration of the PLP 2020 program. PLP leave credits are available to be used beginning July 2020.
2. Is it okay to share the PLP 2020 Side letter information with rank and file staff?
 - a. Yes, however if you receive questions from your rank and file staff, refer them to their labor organizations. Most side letters are posted on the specific union websites and on the CalHR labor website for public viewing. <https://www.calhr.ca.gov/state-hr-professionals/Pages/labor-agreements-2020-budget.aspx>
3. Can I make a schedule and tell my staff when to use PLP?
 - a. No. Employees will be given maximum discretion to use PLP 2020 subject to severe operational considerations. However, whenever feasible, PLP 2020 should be used in the pay period it was earned.
4. Are Seasonal Aids and Scientific Aids subject to PLP 2020?
 - a. Seasonal and temporary employees are not subject to PLP 2020.
Temporary employees not eligible for healthcare are not subject to PLP 2020.
5. Are retired annuitants subject to the 9.23% pay reduction?
 - a. Retired Annuitants are considered temporary employees and are not eligible for healthcare as they are covered through the CalPERS retiree health program. Therefore, PLP2020 will not apply to Retired Annuitants.
6. Are rank and file required to use PLP before using other leave credits?
 - a. PLP 2020 must be used before any other leave, including CTO, except for sick leave and Professional Development Days. Employees may elect to use PLP in lieu of approved sick leave.

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7. If an employee has tested positive for COVID-19 or is caring for a family member who has tested positive for COVID-19, should they use PLP 2020 first if they are eligible for up to 2 weeks of paid leave under the Families First Coronavirus Act (FFCRA), Emergency Paid Sick Leave Act (EPSLA)?
 - a. No, EPSLA is sick leave and the EPSLA should be used first.
8. Are employees at the 640 hour leave cap required to use their PLP first?
 - a. Yes, PLP must be used first.
9. Does the 640 hour leave cap increase each month by the 16 hours PLP 2020?
 - a. Only for BU2 and BU10 classified employees, the 640 leave cap increases by the 16 hours monthly increments until June 30, 2025.
 - b. Effective 10/20/2020, departments are directed to suspend policies that require leave balances be reduced below the cap and shall not require employees to implement leave-reduction plans until the 2020 PLP program ends or July 1, 2022 whichever is sooner.
10. Are employees able to use their 16 hours PLP in less than 8 hour days?
 - a. Yes, pursuant to the bargaining units MOUs for employees, they are required to submit their requests as they would with requesting vacation/annual leave. Please see the following Bargaining Units' MOU language:

SEIU BU1, BU4, BU11, BU14 MOU Section 8.1 [Vacation/Annual Leave]: I. Work Week Group 2 employees may take Vacation/Annual Leave credits in fifteen (15) minute increments.

CASE BU2 MOU 9.1 [Vacation Leave] L. For WWG 2 employees, vacation leave credits may be used in thirty (30) minute increments, except that fractional vacation leave credits may be used where/when accumulated.

CSLEA BU7 MOU 9.1 [Vacation Leave and Scheduling] K. Employees shall be allowed to use vacation credits in quarter hour (15 minute) increments.

PECG BU9 MOU 5.4 [Vacation Leave] K. Vacation leave credits may be used in thirty (30) (effective October 31, 2002, fifteen (15)) minute increments.

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CAPS BU10 MOU 3.1 [Vacation Leave] G. Vacation requests must be submitted in accordance with departmental policies on this subject.

IUOE BU12 MOU 10.1 [Vacation Leave] J. Unit 12 employees are authorized to use existing fractional vacation hours that may have been accumulated.

11. Can employees bank their 16 hours PLP, even though they are at or over the 640 Hr. leave cap?

- a. Yes, the employee can bank the monthly 16 hours PLP in the month credited, however whenever possible the employee should use the PLP in the month earned.

12. If an employee does not use their 16 hours of PLP in the month credited, does the employees salary get reduced by 18.46%?

- a. No, the monthly salary reduction remains the same, the 16 hours is accrued. See the bargaining unit's PLP 2020 side letter agreement for specific monthly salary reductions.

13. Can the accrued PLP 2020 be cashed out after the PLP 2020 side letter agreement expires?

- a. An employee who voluntarily separates from State service can cash out the accrued hours credited during the PLP 2020 period.

14. Does accrued PLP 2020 Expire?

- a. No, accrued PLP 2020 does not expire. The accrued PLP 2020 may be cashed out at the time of separating from State service.

15. Are part-time and permanent intermittent employees subject to PLP 2020?

- a. Yes, the PLP 2020 is calculated on a pro-rated basis on the hours worked during the month.

16. Are non-represented Excluded-Exempt Employees subject to PLP 2020?

- a. Yes

17. What are the PLP 2020 conditions for Excluded-Exempt Employees?

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- a. Effective July 1, 2020, the PLP 2020 conditions will be similar to the bargaining units they are associated with.

18. For those who are qualified to receive the Healthcare Affordability payment, how will those be paid?

- a. They will be paid on a separate check and will always be issued on a separate check.

SEIU DISPUTE RESOLUTION PROCESS:

The Union and the State agree that any grievances concerning the terms of this Side Letter shall be initiated at the CalHR level, per Section 6.9 of the current MOU between the parties. A copy of the grievance shall be provided to the department upon submission to CalHR.

The Union and the State agree that the mini-arbitration process, Section 6.14 of the current MOU, shall be the exclusive means to resolve any disputes concerning this Side Letter.

Notwithstanding the language in Section 6.14, the State's participation in the mini-arbitration process is mandatory.

CASE (BU2), CAPS (BU10) DISPUTE RESOLUTION PROCESS:

Disputes regarding the denial of the use of PLP 2020 time may be appealed through the grievance procedure. The decision by the Department of Human Resources shall be final and there may be no further appeals.