

**ARTICLE 41
UNIVERSITY RETIREMENT & SAVINGS PLANS**

A. GENERAL CONDITIONS

Eligible employees may participate in a number of retirement programs generally available to other eligible staff employees of the University.

B. RETIREMENT AND SAVINGS PLANS

1. The University maintains several retirement and savings plans for eligible University employees. As of September 1, 2006, such plans include but are not limited to the UC Retirement Plan (UCRP), Tax-Deferred 403(b) Plan, Defined Contribution Plan (DCP) and 457(b) Deferred Compensation Plan which collectively constitute the University of California Retirement System (UCRS). The University may, at its option, amend and/or terminate the existing UCRS plans, to the extent permitted by law and consistent with the plan terms, and establish new retirement and/or savings plans for the UCRS. In the event the University makes such alterations, the changes will apply to employees eligible to participate in the UCRS plans within the unit in the same manner as they apply to other eligible staff employees at the University. The sole exceptions to the above shall be 1) any alterations proposed by the University which affect only bargaining unit employees and 2) any alterations proposed by the University which reduce the UCRS retirement benefits of bargaining unit employees. In such cases, the University agrees to meet and confer with respect to the proposed change(s).
2. Effective with this Agreement and through June 30, 2009, the amount and timing of employee contributions, if any, to the UC Retirement Plan will be the same as those paid by employees of the Research Support Professionals (RX) and/or Technical (TX) Units. See UCRP Side Letter.
3. The parties will engage in re-opener bargaining beginning on or about May 1, 2009 over this article as outlined in Article 47 – Duration.
4. In the event this Agreement expires, the parties agree that the terms of this Article 41 – University Retirement and Savings Plans, preserve the status quo and will continue in full force and effect unless otherwise expressly modified by mutual agreement of both parties.

C. EFFECT OF LEAVES OF ABSENCE

1. Leaves of Absence Without Pay

Approved leave without pay shall not be considered a break in service. The regulations of the retirement system determine the effects of such leave without pay on retirement benefits.

2. Family Medical Leave Act

Retirement benefits shall be continued for an employee on an approved Federal Family Medical Leave Act (FMLA) leave in accordance with the provisions of the applicable retirement system regulations.

D. ENUMERATION OF UNIVERSITY RETIREMENT & SAVINGS PLANS

For informational purposes only, a brief outline of retirement and savings programs in effect on the date the Agreement is signed is found in Appendix B. UPTE understands and agrees that the descriptions contained in Appendix B do not completely describe the coverage or eligibility requirements for each plan, the details of which have been independently communicated to UPTE.

Specific eligibility under each of the various plans is governed entirely by the terms of the applicable Plan Documents, custodial agreements, and state and federal laws. Employees in an ineligible classification are excluded from coverage, regardless of appointment percent and average regular paid time. For details on specific eligibility for each program, see the applicable documents, agreements, regulations, or contracts.