

CONCILIATION PLAN OF THE UNIVERSITY OF ZARAGOZA

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INTRODUCTION

Reconciling work and family has become a pressing problem of our time, understanding that reconciling is being able to develop work without sacrificing the quality of personal and family life.

The challenges to achieve a better reconciliation of work and family life involve social changes, such as new forms of work organisation, restructuring of social protection, changes in family structures and the distribution of care between men and women, etc. These challenges are part of the promotion of equal opportunities for all.

In this regard, the public authorities have undertaken major legislative reforms, including the adoption, inter alia, of Laws 39/1999, to promote the reconciliation of the family and work life of workers and the Organic Law 1/2004, on measures for comprehensive protection against gender-based violence, the subsequent Order APU/3902/2005, in the area of the State Administration and, with regard to the Administration of the Autonomous Community of Aragon, the publication of the Agreement, within the framework of the Bureau of the Civil Service, on the reconciliation of family, work and personal life of public employees, known as the Aragon Council Plan.

On this open path, the University of Zaragoza wants to continue with the trend initiated by other Public Administrations. In the sectoral scope of Administration and Services Personnel we already have the regulation of certain aspects that affect the reconciliation of personal and work life, such as some permits not contemplated in other Public Administrations or with the improved regulation of other benefits. And also in the field of teaching and research staff, internal mobility and leave and leave have been regulated in particular. However, it is true that this issue has not been addressed systematically or globally for all public employees and that in recent times there has been significant progress in the matter that it is fair to extend to the staff of our University.

Therefore, the University of Zaragoza and the Trade Unions, at the meeting held on November 17, 2006, signed the following Agreement on the reconciliation of personal, family and work life of public employees of the University of Zaragoza.

PARAGRAPH 1.-GENERAL ISSUES

1.1 Subjective scope of application

The subjective scope of application of this Agreement extends to all teaching and research staff and administration and services (hereinafter, public employees), who provide their services at the University of Zaragoza.

In the case of teaching and research staff hired to work, all those groups listed in Article 3 of the I Collective Agreement for teaching and research staff hired by the University of Zaragoza are considered included.

The measures contained in this Agreement shall be specified, adapted and, where appropriate, developed in the respective sectoral field (PAS - PDI) in order to reconcile it with its specificity and in accordance with the primacy in the provision of the public service.

1.2 Expressions used

The reference to children includes minors who are in guardianship or foster care, either permanent or pre-adoptive, both of the applicant and his spouse, partner or person with whom he lives maritally.

The reference to degree of affinity includes that of the public employee because of his connection with the spouse, partner or person with whom he lives maritally. Where the specific grade is not specified, the degree of affinity shall be understood as including.

1.3 Legislative adaptation

The working conditions set out in this Agreement are adopted without prejudice to those basic state or regional legislative amendments that may result in an improvement in the working conditions of the public employee.

PARAGRAPH 2.-FLEXIBLE TIME

2.1 General flexible schedule

In each specific sectoral area of the University, measures will be taken to ensure, within the distribution of working hours, the existence of time flexibility.

Public employees who are victims of gender-based violence, in order to give effect to their protection or their right to comprehensive social assistance, shall be entitled to the reorganisation of working time, through the adjustment of working hours, the application of flexible working hours or other applicable forms of working time.

2.2 Hourly easing by dependents

2.2. a) Public employees shall have the right to relax the fixed hours of their working hours within a maximum of one hour for those who are dependent on older persons, children under the age of twelve or persons with disabilities, as well as those with direct care of a relative up to the second grade with serious illness.

2.2 B) public **employees** who have children with mental, physical or sensory disabilities shall be entitled to two hours of hourly flexibility in order to reconcile the schedules of special education centres and other centres where the disabled child receives care, with the hours of the jobs themselves.

2.3. Application to teaching staff

These measures will be applied in the teacher's teaching day, understanding this as the fixed schedule of the day.

SECTION 3.-REMUNERATIONS

Leave to leave the job for a period of less than full time are grouped in this section.

3.1 *Permission to accompany children and first-degree relatives to the doctor*

Public employees shall have the right to be absent from work for as long as necessary, to accompany the doctor to children under the age of eighteen or when treatment so requires, and first-degree relatives who are unable to fend for themselves because of age or illness.

3.2 *Permission to perform an inexcusable duty of a public, personal or family character*

Leave may be granted for the time necessary for the performance of an inexcusable duty of a public or personal nature and those related to the reconciliation of family and work life.

3.3 *Permission to attend coordination meetings in education centres*

Public employees shall have the right to be absent from the workplace for as long as necessary to attend the meetings of the coordinating bodies of educational establishments where the disabled child receives care, with prior justification and duly accredited.

3.4 *Permission to receive general medical care or undergoing assisted fertilisation techniques*

Public employees shall have the right to be absent from work in order to receive medical care and to undergo assisted fertilisation techniques, upon justification of their completion within their working day.

3.5 *Permission to attend birth preparation, adoption and prenatal examination classes*

Public employees shall have the right to be absent from work to attend birth preparation classes for as long as necessary for their completion and with duly substantiated justification.

They will also have the right to attend the talks, interviews and preparation courses that are given to the adoption applicants to obtain the certificate of suitability for the time necessary for their practice and after justification of the need for their realisation within the working day.

Public employees shall be allowed during their working day for prenatal examinations for as long as necessary and with duly accredited justification.

3.6 *Leave for hospitalisation of premature children*

Public employees have the right to leave the workplace for up to two hours a day in cases of the birth of premature children or where, for any reason, children must remain hospitalised after delivery.

3.7 *Absences and lack of punctuality due to gender-based violence*

In cases where public employees who are victims of gender-based violence are therefore absent from their job, these total or partial lack of assistance shall be considered justified by time and under the conditions under which social care or health services so determine, as appropriate.

3.8 *Application to teaching staff*

In the event that the application of these measures to staff with teaching responsibilities affects the teaching of

students, the public employee must justify the need to carry them out at the time in which these teaching activities were planned.

SECTION 4.-REDUCTION OF DAY

The reduction in working hours referred to in this paragraph constitutes an individual right of the public employee. If two or more employees of the University generate this right by the same deceased subject, the University of Zaragoza may limit its simultaneous exercise for justified reasons of operation.

In each sectoral area, due to their specificity, the necessary measures may be taken for the adaptation and application of the scheme provided for in this paragraph and without prejudice to the schemes currently in force.

The following cases are envisaged:

4.1 Reduction of working time for reasons of legal guardianship

4.1(a) From a child under 12 years of age

Public employees who, for reasons of legal guardianship, are directly cared for by a person under the age of twelve, shall be entitled to a reduction of up to an average of their working hours, with a proportional reduction in the remuneration corresponding to that period.

4.1 .b) of an elderly, physically, mentally or sensory or familiar person up to the second degree

Public employees who, for reasons of legal guardianship, have in their direct care an elderly person who requires special dedication, or physically, mentally or sensory disabled who does not carry out a paid activity, or family up to the second degree who, for reasons of age, accident or illness, is unable to fend for himself and who does not carry out paid activity, shall be entitled to a reduction of up to one means of their working time, with proportional deduction of their remuneration.

4.2 Reduction of working hours due to very serious illness of first-degree family members

Public employees shall have the right to request a reduction of up to 50 % of their working hours, without loss of pay, for a maximum period of one month, to attend to the care of a family member of the first degree, on account of very serious illness, duly justified by the doctor concerned.

The exercise of this right shall be compatible with the leave for serious illness of family members up to the first degree contained in Section 5.6(a) of this Agreement. In this case the reduction of working hours will be reduced by the equivalent of the days used with the permit.

4.3 Reduction of working hours due to gender-based violence

The public employee who is the victim of gender-based violence, in order to give effect to his protection or his right to comprehensive social assistance, shall be entitled to a reduction of up to one medium of his working day, with a proportional deduction of his remuneration.

SECTION 5.-REMUNERATED PERMITS

Leave to leave the job for a period of time equal to or longer than full time are grouped in this section.

5.1 *Maternity leave*

a) Duration

Maternity leave shall last 16 weeks uninterrupted, extendable in the case of childbirth, adoption or multiple placement by two more weeks for each child from the second. In the event of the death of the mother, the father may make use of all or, where appropriate, of the remaining part of the period of leave. In the event of the death of the child, the period of suspension shall not be reduced unless, after the end of the six weeks of compulsory rest, the mother applies to return to her job.

In the case of adoption or placement, both pre-adoptive and permanent, of children under six years of age or under six years of age in the case of children with disabilities or disabled children or who, because of their circumstances and personal experiences or who, because they come from abroad, have special social and family integration difficulties duly accredited by the competent social services, the leave shall be taken into account at the choice of the public employee, either on the basis of the administrative or judicial decision on placement, or from the judicial decision establishing the adoption.

b) Distribution and enjoyment in the event of childbirth when father and mother work.

The period of leave will be distributed at the option of the interested party provided that the first six weeks are immediately after delivery. Maternity leave may be counted, at the request of the mother or, if she is missing, of the father, from the date of hospital discharge in cases of the birth of premature children or in which, for whatever reason, they must remain hospitalised after delivery. Although the first six weeks after childbirth are excluded from this calculation, as it is compulsory rest for the mother.

Notwithstanding the foregoing, and without prejudice to the six weeks immediately following the delivery of compulsory rest for the mother, in the event that the mother and father work, the mother and father may, at the beginning of the maternity leave period, opt for the father to enjoy a certain and uninterrupted part of the rest period after childbirth, either simultaneously or successively with that of the mother, unless at the time of its effectiveness the incorporation into the work of the mother poses a risk to her health.

c) Distribution and enjoyment in the event of adoption or placement, both pre-adoptive and permanent, of children under six years of age or under six years of age disabled or disabled or with problems of social integration due to coming from abroad when father and mother work.

In the case of adoption and placement, both pre-adoptive and permanent, of children under six years of age or under six years of age in the case of children with disabilities or disabled children or who because of their circumstances and personal experiences or who come from abroad, have special difficulties of social and family integration duly accredited by the competent social services, if the father and mother work, the period of suspension shall be distributed at the option of the interested parties, who may enjoy it simultaneously or successively, always in uninterrupted periods and within the limits indicated.

In the case of simultaneous enjoyment, the sum of the periods may not exceed the 16 weeks foreseen or corresponding in the case of adoption or multiple placement.

d) In cases of intercountry adoption where the prior movement of the parents to the adopted child's country of origin is necessary, the period of leave may begin up to four weeks before the decision establishing the adoption.

5.2 Permit for prior travel by international adoption
SECTION 7.- PAID PERMITS AND HOLIDAYS

In cases of intercountry adoption, where it is necessary to move the parents to the country of origin of the adopter, they shall be entitled to a leave of up to two months, receiving during this period the full fixed remuneration.

5.3 Paternity leave

By birth of a child, the father shall be entitled to ten working days from the day of birth.

5.4 Permit for adoption or placement

Adoption or placement, both pre-adoptive and permanent, shall be entitled to ten working days, to enjoy by one of the parents, from the administrative or judicial decision of placement or of the judicial decision establishing the adoption.

5.5 Pregnancy termination leave

5.5. A) case of non-survival of the newborn or abortion of a viable fetus

In cases of non-survival of the newborn and in cases where the abortion of a viable fetus occurs, the father shall be granted a four working-day leave where the causing event occurs in the working place of residence or six working days if it is in a different locality.

5.5 B) Case of termination of pregnancy without Transitional Disability

In cases of termination of pregnancy provided for in current legislation, when the public employee is not recognised as temporary incapacity, she shall be entitled to three days' leave, subject to proof of this circumstance. The spouse or partner shall be entitled to one day's leave.

5.6. A) family members up to first grade and siblings

In the event of death or serious illness of first-degree relatives and siblings, public employees shall be entitled to a leave of four or six working days, depending on the event that occurs in the place of residence of work or in a different locality, respectively, which will be used during the therapeutic process of which it brings cause and duly justified. In the case of long-term hospitalisation and subject to justification and authorisation, these days may be used in a followed or alternate manner, provided that it is compatible with the needs of the service.

This leave will be compatible with the reduction of working hours due to very serious illness of first-degree family members, contained in Section 4.2 of this Agreement. In this case, the reduction of working hours will be reduced by the equivalent of the days used with this permit.

5.6. B) family members up to second grade

In the case of other relatives up to the second grade, public employees shall be entitled to a permit of three or five working days, depending on the event that occurs in the place of residence of work or in a different locality, respectively. In the case of long-term hospitalisation and subject to justification and authorisation, these days may be used in a followed or alternate manner, provided that it is compatible with the needs of the service.

SECTION 6.-REMUNERATED PERMITS AND DAY

6.1 Maternity leave taken part-time

Maternity leave may be taken on a full-time or part-time basis, at the request of the public employee, under the conditions laid down by law or regulation.

6.2 Absence, reduction of working time or lactation leave

Public employees, for breastfeeding of a child under 12 months, shall be entitled to one hour daily of absence from work, which may be divided into two fractions, or to a reduction in their working hours by one hour. This right may be enjoyed by the father or mother if both work.

Where there are two or more children under the age of 12 months, the period of leave shall be multiplied by the number of children to be taken care of.

At the option of the mother or father, breast-feeding leave may be replaced by paid leave of four weeks or that resulting in multiple births, which may be added to maternity or paternity leave.

In the event that the mother dies not as a worker, the father shall retain this right. Take exhausted holidays on maternity, paternity and breastfeeding leave

In the case of maternity or paternity leave, the holiday period will be allowed after the end of the leave, including, where appropriate, the accumulated period for breastfeeding, even if the calendar year to which that period corresponds has expired.

SECTION 8.-ADMINISTRATIVE SITUATIONS

8.1 Excess for child and family care

8.1.a) Duration and computation

Public employees shall be entitled to leave of not more than three years in order to take care of each child, to be counted from the birth of the child or from the administrative or judicial decision on placement or of the judicial decision establishing the adoption.

Public employees shall be entitled to leave of up to three years for the care of family members up to the second degree in which they are dependent and who, for reasons of age, accident, illness or disability, are unable to take advantage of themselves and do not engage in paid activity, as soon as this situation is established.

It may be requested at any time after the date of birth or judicial decision of adoption or, in the case of care of relatives, of the moment at which the situation is established.

Such leave constitutes an individual right of civil servants, men or women. If two or more public employees of the University generated these rights by the same deceased subject, their simultaneous exercise could be limited for justified reasons. When a new deceased subject entitles a new period of leave, the beginning of the leave will end the one that, if any, was enjoyed. The petitioner must expressly declare that he does not carry out an activity that would impede or impair the personal care of the person entitled to leave.

SECTION 7.- PAID PERMITS AND HOLIDAYS

8.1. B) Effects

During the period of stay in these situations of leave, the public employee shall be entitled to reserve the job he/she holds.

You will also be entitled to the calculation of the length of stay for the purposes of trienniums, of other development or career supplements that may be fixed in their respective sectoral scope, as well as for the purpose of proving the period of performance to access other jobs. You will also have the right to attend vocational training courses.

8.1. C) Re-entry

Re-entry must be requested at least one month before the end of the period of leave. Otherwise, he shall be declared on leave on his own.

8.1. D) temporary employees

The public employee with a temporary relationship will be able to access this situation and maintain the job reserve provided that the relationship of the one that brings cause is maintained. e) sectoral scope of application

In each sector area (PDI/PAS), due to their specificity, the measures deemed appropriate may be adopted in application of the scheme provided for in this section.

8.1 Voluntary leave by family grouping

8.2. A) duration

Voluntary leave by family grouping, with a minimum duration of one year, may be granted to public employees whose spouse resides in another municipality because they have obtained and are performing a permanent job as a career civil servant or as a permanent worker in any public administration, autonomous bodies, social security management entity, as well as in constitutional bodies or the judiciary.

8.2. B) Effects

Surplus public employees shall not earn remuneration, nor will they be counted for the length of stay in such a situation for the purposes of trienniums, of other development or career supplements that may be fixed in their respective sectoral scope, nor for the purpose of proving the period of performance in order to access other jobs.

8.2. C) Re-entry

Re-entry must be requested at least one month before the end of the period of leave. Otherwise, he shall be declared on leave on his own.

8.2. D) sectoral scope of application

In each sectoral area, due to their specificity, the measures deemed appropriate may be adopted in application of the scheme provided for in this paragraph.

8.3 Excess for gender-based violence

8.3. A) duration

Public employees who are victims of gender-based violence, in order to give effect to their protection or their right to comprehensive social assistance, shall have the right to apply for leave without the need to have provided a minimum period of prior services and no period of stay is applicable.

8.3. B) Effects

During the first six months they will be entitled to reserve the post they held, being eligible for that period for the purposes of three years, of other development or career supplements that could be fixed in their respective sectoral scope, and for the purpose of proving the period of performance for access to other jobs. Leave may be extended for periods of three months, with a maximum of 18, with the same effect.

In addition, during the first six months of that leave, fixed full remuneration and, where applicable, family benefits for dependent children shall be received.

9.1. *Agreements for the mobility of public employees*

Within the framework of the agreements signed by the University of Zaragoza with other administrations, to facilitate mobility among its officials, special consideration will be given to cases of geographical mobility of public employees who are victims of gender-based violence.

9.2. *Job change due to gender-based violence*

The public employee who is the victim of gender-based violence, as determined by the relevant judicial body, shall have, according to his particular situation, preferential right to occupy another job in a different administrative unit, in the same or different locality, provided that it is of the same category or professional level. The job to which he chooses will be provisional, the worker being able to return to the post of reserved origin or exercise the preferential right to his provisional position.

9.3. *Change of job for health protection*

9.3 A) *transfer of the public employee for maternity protection*

In order to ensure the effective protection of the mother and the fetus during pregnancy against conditions harmful to their health, the public employee shall have the right to adapt working conditions, or, where appropriate, to a temporary change of job or function, subject to contradictory medical advice attesting to such a situation and necessity.

This shall also apply during the breastfeeding period if working conditions could adversely affect the health of the woman or the child, and in this regard there is a medical report or recommendation.

9.3 B) *Transfer for reasons of own health, spouse or children*

The University may grant transfers to another locality for reasons of health and rehabilitation of the public employee, spouse or dependent children, subject to contradictory medical advice proving such situation and necessity.

9.3 c) *regime for the change of post*

The change of position shall be made within the same locality and group and, if not possible, to one of the lower group. In case the above cannot be applied and the change of location is necessary, the consent of the public employee will be required.

Until the appropriate determination is made, the tasks to be performed with the state of health will be adapted, for which he will remain in the same position and place or will be placed in another unit if the above is incompatible with his health.

The changes in posts regulated in this Article shall always apply independently of the procedures for the provision of jobs, and in any case preference should be given to the allocation of a post for health reasons over re-entry. This preference will be so until the vacancies are publicly called for a competitive examination, in which case the places in it may not be used for this purpose, except those that remain vacant at the end of the entire insolvency proceedings.

9.3 d) sectoral scope of application

In each sectoral area, due to their specificity, the measures deemed appropriate may be adopted in application of the scheme provided for in this paragraph.

In each specific sectoral area, training measures will be encouraged to promote the reconciliation of family and work life, as well as the participation of public employees with any type of disability.

Public employees may receive and participate in training courses during maternity leave, paternity leave, as well as during child-care or family leave.

ADDITIONAL PROVISIONS

FIRST:

If, within the existing agreements at the University of Zaragoza in each sector, there is a more favourable measure, the most beneficial will be applied to the public employee.

SECOND:

An Adaptation and Monitoring Commission will be set up in the area of PAS. Within the scope of the PDI, the Negotiating Commissions of the Pension Plan, the Conciliation Plan and the regional pay supplements have already been set up.

The functions of these Commissions in their respective sectoral areas shall be:

- Interpret the contents of the agreement.
- Monitor compliance with the agreement.
- Know and resolve the conflicts that arise from the interpretation and application of this agreement. To

submit to the relevant negotiating table the proposals to be drawn up by the Commission in the development of the agreement

THIRD:

The measures contained in this agreement shall apply to research personnel in training (regulated in R.D. 63/2006 of 27 January, BOE of 3 February 2006), in those cases that are applicable to them and are not incompatible with the legal regime established for this group.

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