

Issue Date: August 26, 2011

To: Managers, Supervisors, Personnel Liaisons and Attendance Clerks

Subject: **Family Medical Leave Act (FMLA) & California Family Rights Act (CFRA)**

Purpose This memorandum is to provide managers, supervisors, Personnel Liaisons (PL) and Attendance Clerks (AC) with an informational packet and the process for FMLA and CFRA requests.

FMLA Poster Employers are required to provide employees with a general notice about the FMLA through a poster, and either an employee handbook or upon hire. The poster is located on the Office of Human Resources (OHR) website at the following link:
<https://www.dol.gov/whd/regs/compliance/posters/fmlaen.pdf>.

When FMLA notification is required FMLA notification is required when an employee requests leave or if the supervisor becomes aware of the employee's need for leave.

When there is a need for leave The Attendance Clerk or Personnel Liaison should contact Medical Coordinator (MC) **via e-mail** of the request or need for leave, and provide the following:

- Employee name
- Division
- Daytime phone number
- Date leave is to commence
- Reason for leave (i.e., self, family member, birth of child etc.)

Eligibility The MC will advise of eligibility by returning the Notice of Eligibility and Rights and Responsibilities (DPA 752) to the Attendance Clerk (AC) or Personnel Liaison (PL).

Forms Once eligibility has been established one of the following must be provided to the employee:

- [DPA 754 \(Employee's Serious Health Condition\)](#)
- [DPA 755 \(Family Member's Serious Health Condition\)](#)
- [DPA 756 \(Military Family Leave\)](#)
- [DPA 757 \(Military Caregiver's Leave\)](#)

All forms are available on the OHR website at: [FMLA](#)

It is **mandatory** that a letter of acknowledgement is signed by the employee. The letter of acknowledgement is included in this package.

Forward the completed packet with medical certification to the MC immediately upon receipt. The MC will complete the Designation Notice (DPA 753) and return it to the AC/PL.

Unless otherwise instructed, the MC will always indicate that leave credits will be utilized.

Forms to be completed by the MC A copy of each of these forms will be sent to the Attendance Clerk or Personnel Liaison by the MC:

- [DPA 752 \(Notice of Eligibility and Right and Responsibilities\)](#)
- [DPA 753 \(Designation Notice\)](#)

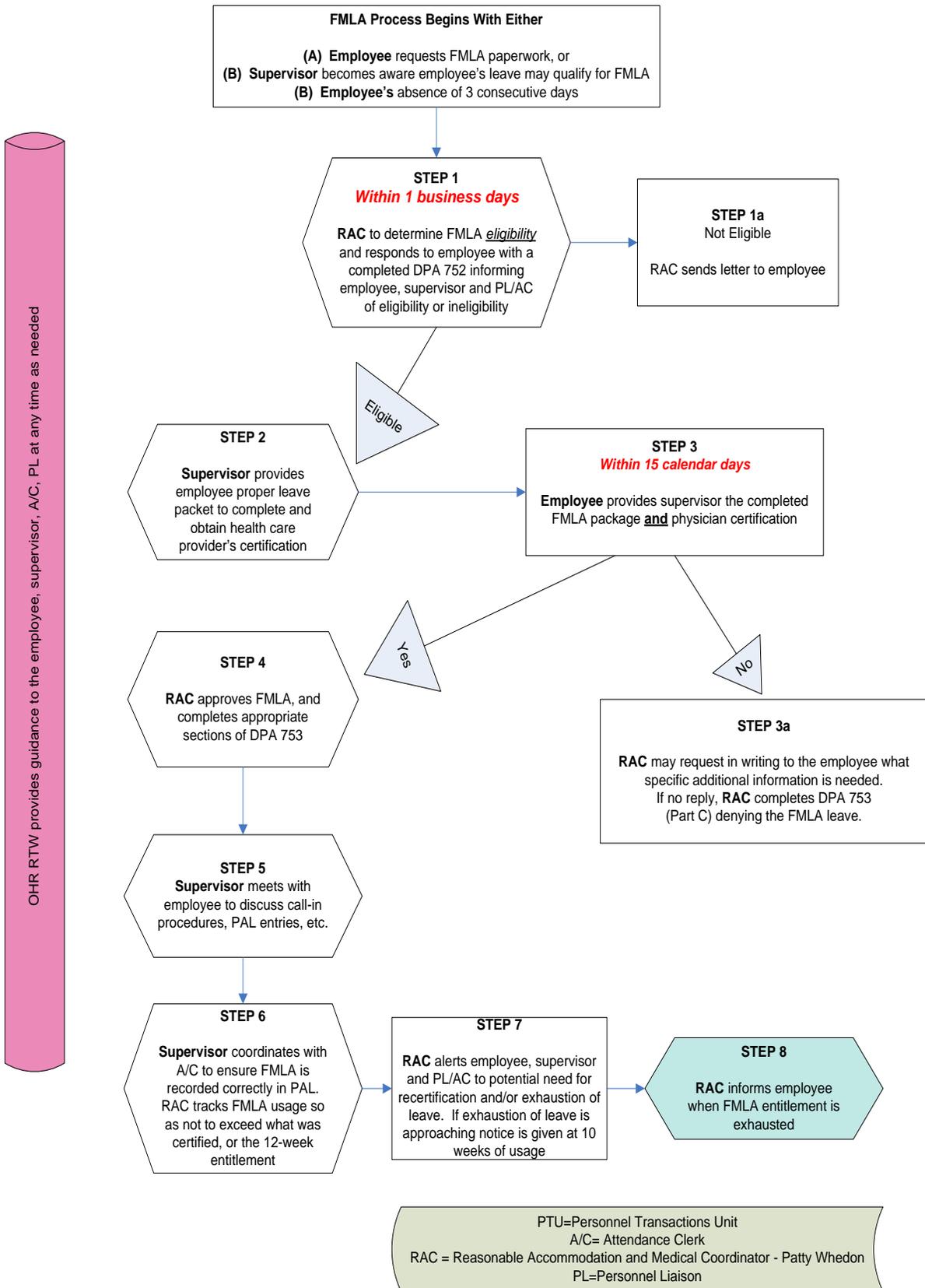
Supervisor's Role Once approved the supervisor should meet with the employee and advise of expectations with regard to notification of absences.

Recording Time The supervisor should coordinate with the PL or AC to ensure time is recorded accurately in the Project Accounting and Leave (PAL).

MC Responsibility The MC will track usage of FMLA and inform employee, supervisor and PL or AC when usage has reached 10 weeks and upon exhaustion of leave.

FMLA/CFRA PROCESS FOR EMPLOYEE'S SERIOUS HEALTH CONDITION

Friday, January 28, 2011





ACKNOWLEDGEMENT OF RECEIPT

DATE:

EMPLOYEE:

I acknowledge receipt of a Family Medical Leave Packet.

The Family Medical Leave packet was provided to me on the above stated date by

(Insert name of person providing packet)

I understand that it is my responsibility to provide my supervisor with the completed packet should I request Family Medical Leave.

I understand that by receiving this packet there is no representation that I am eligible or that I qualify for leave.

I understand that if I have questions or concerns at any time about Family Medical Leave I will consult my immediate supervisor, my supervisor's manager or the Office of Human Resources Medical Coordinator at (916) 376-5424.

EMPLOYEE PRINTED NAME

EMPLOYEE SIGNATURE

DATE

SIGNATURE OF PACKET PROVIDER

DATE

FREQUENTLY ASKED QUESTIONS

Q: What types of conditions are considered “serious health conditions”?

A: A serious health condition under the FMLA includes an illness, injury, impairment, or physical or mental condition that involves the following:

- Inpatient care in a hospital or medical care facility, or
- Continuing treatment by a health care provider. Examples include pregnancy and childbirth, cancer, appendicitis, pneumonia and Alzheimer’s disease. This list is **NOT** meant to be inclusive of all conditions.

Q: What is considered a family member?

A: Under the FMLA a family member is considered to be a child, parent or spouse who has a “serious health condition”. Under CFRA registered domestic partners are entitled to most of the same rights. The domestic partnership must be registered with the State of California.

Q: What is Military Family Leave?

A: In 2008 FMLA was amended to provide for up to 12 weeks of job-protected leave for a covered spouse, son, daughter or parent to deal with “qualified exigencies” caused by the call to active duty of members of the National Guard, military reserves and some retirees. An exigency could be due to short notice deployment, military events or to arrange for childcare and school activities arising from the deployment of an active duty military member.

Q: What is Military Caregiver’s Leave?

A: Military Caregiver’s Leave provides up to 26 weeks of FMLA protected leave in a 12 month period by an eligible spouse, parent, son, daughter or next of kin to care for a member of the Armed Forces who has a serious illness or injury incurred in the line of duty while on active duty.