



HR EXPERTISE (HR KNOWLEDGE)

TRAINING

HUMAN
RESOURCES

POTENTIAL



Risk Management Medical Liaison Unit



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Protected Leave Options

Training Objectives

- **Employee leave options**
 - Family Medical Leave (FML)
 - California Family Rights Act (CFRA)
 - Pregnancy Disability Leave (PDL)
- **Supervisor responsibilities**
- **Types of disability pay options – supplemental income**

Family Medical Leave & California Family Rights Act

- **Coverage:**
 - FMLA - Federal
 - CFRA -State
- **Up to 12 weeks of unpaid leave within a 12-month period**
- **Eligibility**
 - County employee for the past 12 months and worked at least 1250 hours



FML & CFRA

- Care for Self when unable to perform essential job functions due to a serious health condition
- Care for Family Member with a serious health condition (Spouse, Registered Domestic Partner, Child, Parent, Sibling, Grandparent, Grandchild, ***NEW for 2023—“Designated Person”***)
 - Doctor’s certification required
 - Sick Leave, then other balances

FML & CFRA (con't)

- **Birth of a child and care for a newborn**
 - Birth of a child (Proof of birth required)
 - Newborns up to 1 year
 - Minimum of 2-week increments with shorter increments allowed on two separate occasions
 - Use any leave balances
- **Placement of a child for adoption or foster care**

FML & CFRA (con't)

Military Exigency (Immediate Deployment)

- A qualifying exigency for families of members of the regular armed forces when the covered military member is on active duty or called to active duty in support of a contingency operation in a foreign country.

Military Caregiver

- Care of a spouse, child, parent or next-of-kin covered service member with a serious illness or injury incurred in the line of duty on active duty.
- ✓ Up to 26 weeks within a 12-month period

How Often Can FML/CFRA Be Taken?

- **Up to 12 weeks can be used each year using a “rolling calendar”**
- **Can be used continuously or intermittently**
- **Intermittent leave needs to be tracked by the supervisor**

12 weeks = 480 hours (non-sworn)

510 hours (sworn)

Pregnancy Disability Leave

Leave Reasons

- Prenatal care
- Severe morning sickness
- Doctor-ordered bed rest
- Childbirth
- Recovery from childbirth
- Post-partum depression

Pregnancy Disability Leave

- **County protected leave**
 - State of California Fair Employment & Housing Act
- **Eligibility**
 - Pregnant employees
 - No minimum length of employment



How Often Can PDL Be Taken?

- **Up to 17 1/3 weeks per pregnancy**
- **Can be used continuously or intermittently**
- **Intermittent PDL needs to be tracked by the supervisor**

17 1/3 weeks = 693.2 hours (non-sworn)
736.5 hours (sworn)

Maternity Leave Timeline



Baby's expected birth date and beginning of **PDL** period. **PDL** may begin prior to birth date)

Pregnancy Disability Leave (**PDL**) ends & **FML/CRFA** begins

FML/CFRA ends & Return to work

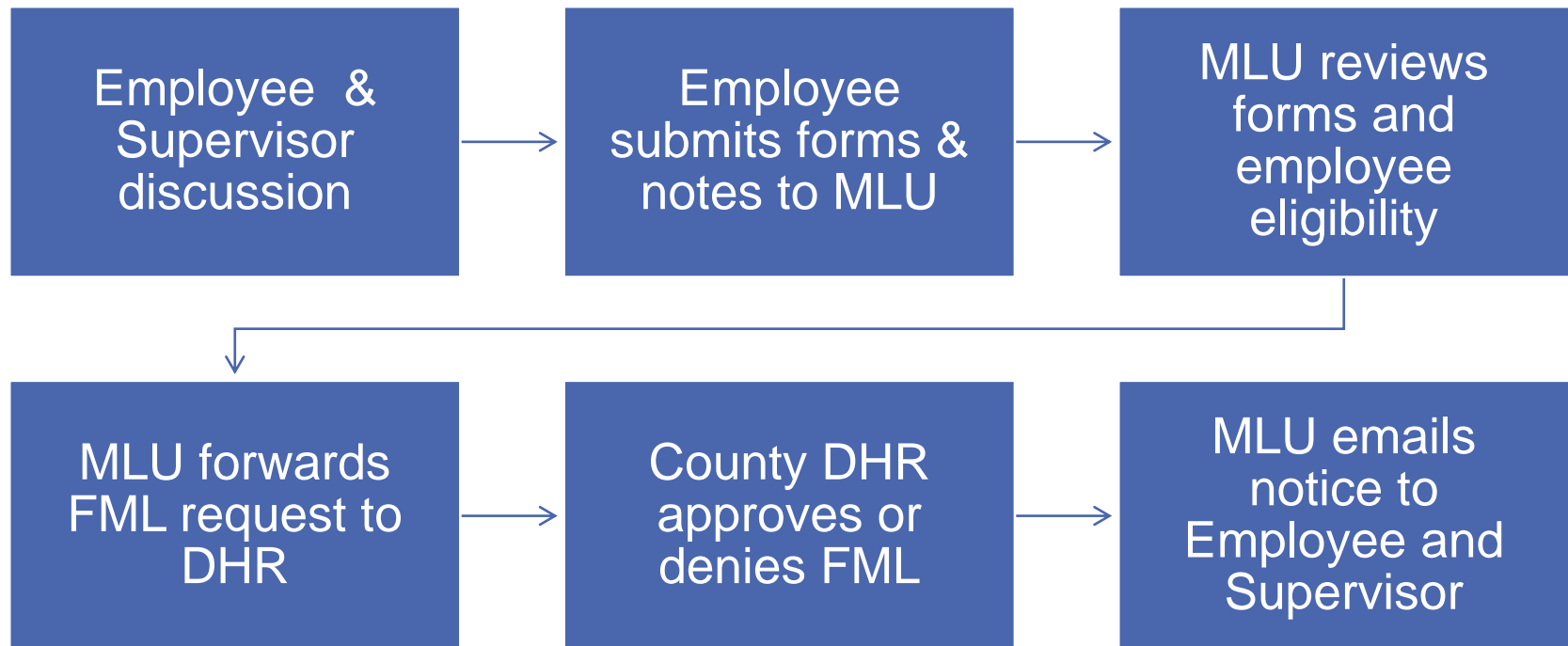
PDL (up to 17 1/3 weeks)	FML/CFRA (up to 12 weeks)
PDL - 6 weeks off after a natural birth - 8 weeks off after a C-section birth	FML/CFRA – 12 weeks must be used within 1 year of baby's birth date - if used intermittently, must be used minimum of 2 week increments with shorter increments allowed on two separate occasions.
<ul style="list-style-type: none"> •Period of pregnancy disability leave (can last up to 17 1/3 weeks) •Unpaid leave but benefits and job are protected •Sick leave must be used •Vac and Comp can be declined if approved by a qualified disability provider 	<ul style="list-style-type: none"> •Period of bonding with child •Unpaid leave but benefits and job are protected •Any employee paid leave balances can be used •Employees receiving benefits from a qualified disability plan or on bonding have the option to decline use of County Leave balances.

← EE may apply for *SDI* *(State of California EDD) or voluntary STD (Lincoln) which can provide income supplement →

← EE may apply for *Paid Family Leave** (State of California EDD) or voluntary PFL (Lincoln Financial) which can provide income supplement →

* Only certain job classes pay into the SDI program

FML/CFRA & PDL Process



Kronos Coding

- Supervisors must make sure that employee timecards are correct each pay period.
- If employee exhausts balances, then it may affect retirement, step increases and holiday pay.
- While on leave, accruals go in an “earned but not credited” bucket.



Return From Leave



- Supervisors must notify MLU when employees return to work
- If an employee wants to return to work earlier than stated on the doctor's note, the employee must provide a revised note before he/she returns to work.

Supervisor's Responsibilities

- **Discussion with employee about their leave requests and options**
- **Communicate with employees while on leave**
- **Track Intermittent Leave**
 - Know duration and frequency
 - Bonding = 2-week increments
- **Contact MLU when employee returns**
 - Full or light duty? Accommodation necessary?
 - Sworn Qualification Period
 - LD status does not excuse employee from qualifying
 - Must get qualification before returning to work

Supplemental Pay Plans

- **Sworn**

- CA Law Enforcement Association (CLEA) – DSA
- AFLAC

- **Professional Staff**

- State Disability Insurance (SDI)
- Paid Family Leave (PFL)

- **Management/Unclassified Classifications**

- Long Term Disability

- **Voluntary Benefits – Lincoln Financial**

- Short Term Disability
- Long Term Disability

- **Catastrophic Leave**





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MLU Self-Service

QUESTIONS

A group of ten hands, each holding up a large, three-dimensional blue letter. The letters are arranged in a row to spell out the word "QUESTIONS". The hands are of various skin tones and are wearing dark-colored business suits with white cuffs. The background is plain white.