

PLACER COUNTY

Personnel Department

Leave of Absence Information

This brochure is intended as a guideline to inform you of the types of leaves available with Placer County. Since each situation is unique, please consult with your supervisor and/or the Personnel Department about your particular needs.

WHAT ARE THE FAMILY MEDICAL LEAVE ACT (FMLA) AND THE CALIFORNIA FAMILY RIGHTS ACT (CFRA)?

FMLA and the CFRA are federal and state laws that typically run concurrently. These laws require Placer County, as an employer, to provide up to 12 weeks of unpaid leave to eligible employees for certain family and medical reasons.

WHAT TYPES OF LEAVE OF ABSENCE QUALIFY FOR FMLA/CFRA?

Leave is granted for the following reasons:

- Your own serious health condition that makes you unable to perform your job. A "serious health condition" under FMLA/CFRA includes an illness, injury, impairment, or physical or mental condition that involves inpatient care or continuing treatment; or
- To care for your newborn child, newly adopted child or newly placed foster care child; or
- To care for your spouse, son or daughter, or parent, who has a serious health condition.

WHO IS ELIGIBLE FOR FMLA/CFRA?

You are eligible for FMLA/CFRA if you have been employed with Placer County for a minimum of 12 months and have worked at least 1250 hours in the preceding 12 months (including extra help hours).

HOW SHOULD I NOTIFY PLACER COUNTY THAT I WOULD LIKE TO TAKE A LEAVE OF ABSENCE?

Submit to your supervisor as soon as possible:

- An original health care provider's note stating the expected date of return from leave of absence; and
- An original Employee Request for Leave form.

WHY DO I WANT TO REQUEST AN FMLA/CFRA LEAVE?

FMLA/CFRA allows for job and benefit protection for up to 12 weeks in a designated 12-month period.

WILL THE COUNTY NOTIFY ME IF I AM ELIGIBLE FOR FMLA/CFRA?

Once the Personnel Department receives notification of your leave from your department, we will verify your eligibility for FMLA/CFRA. We will also send you a request for a Medical Certification of a Serious Health Condition form. Your health care provider or your family member's health care provider, depending on the situation, must complete this document. The completed Medical Certification of a Serious Health Condition form must be returned to the Placer County Personnel Department by the date specified in the letter.

WHAT HAPPENS IF I DO NOT QUALIFY OR IF I RUN OUT OF FMLA/CFRA TIME?

In accordance with Placer County Code Chapter 3.04.390 and 3.04.530 and with department head approval, you may request a medical leave or a personal leave depending upon the individual circumstances.

WHEN DOES AN FMLA/CFRA LEAVE BEGIN?

Providing you, or an eligible family member have a serious health condition and meet the eligibility criteria as outlined above, the FMLA/CFRA leave begins on the fourth day absent from work due to this condition. FMLA/CFRA run concurrently in most cases.

WHAT IS A PREGNANCY RELATED LEAVE (PDL)?

Pregnancy Disability Leave (PDL) may be taken for up to 12 weeks, if you are unable to work due to a pregnancy related disability and have a note from a health care provider. FMLA/PDL run concurrently.

WHAT IS THE MAXIMUM FMLA/PDL/CFRA TIME?

The maximum leave is:

Fulltime: Up to 12 workweeks during a designated 12-month period; or

 Part-time: The equivalent of 12 regularly scheduled workweeks.

CFRA allows for parents (both mother and father) to bond with a newborn child, newly adopted child or newly placed foster care child for up to 12 weeks. However, this leave must be concluded within one year of the child's birth or placement in your home if adopted or if a foster child. If both parents work for Placer County this leave is limited to a total of twelve weeks shared between both employees.

HOW IS FMLA/CFRA TIME CALCULATED?

Placer County uses the 'rolling forward date' method to determine FMLA/CFRA eligibility and calculate the 12-week period. The first day of an eligible FMLA/CFRA leave is designated as your rolling date. This date becomes your permanent rolling date with Placer County and is used to determine eligibility and to calculate the 12-week period for future leaves. Provided you meet the eligibility requirements, you are entitled to a new FMLA/CFRA period every twelve months from your designated rolling date.

CAN I USE MY SICK LEAVE, VACATION AND CTO ACCRUALS WHILE ON FMLA/CFRA/PDL?

- You may use your sick leave while on a FMLA/CFRA/ PDL due to your own or an eligible family member's serious health condition. At the time you exhaust your sick leave, with your department head's approval, you may use vacation, floating holiday, CTO and/or Management Leave accruals.
- You will need to use vacation time on a FMLA/CFRA to bond with your healthy newborn, adopted, or foster care child. At the time you exhaust your vacation leave, with your department head's approval, you may use your floating holiday, CTO and/or Management Leave accruals.

CAN I DONATE VACATION TIME TO ANOTHER EMPLOYEE ON A MEDICAL LEAVE OF ABSENCE?

PPEO and DSA represented permanent employees are entitled to voluntarily donate vacation hours to another employee on a leave for a long-term illness/injury of at least 4 weeks duration. The employee on leave must have exhausted all vacation, sick leave and CTO, or soon will have exhausted such balances, resulting in the employee being in an off-pay status. (Placer County Code Chapter 03.04.450) You may begin this process by contacting your union/association representative.

WHAT HAPPENS TO MY INSURANCE BENEFITS WHILE ON A MEDICAL LEAVE?

- Paid Status (using sick/vacation/CTO/Management Leave accruals)
 - Benefit premiums continue to be paid through the payroll process and all your benefits remain intact.

Unpaid Status (off payroll)

• While you are on FMLA/CFRA, Placer County will pay the employer share of health, dental and vision premiums for up to 12 weeks. You will be responsible for your normal employee share. The Personnel Department will notify you of premiums due.

Non-FMLA/CFRA Leave

o If you are on a non-FMLA/CFRA leave of absence, you may be responsible for both the employee and employer premiums. Please contact Personnel for premium costs.

If you fail to return to return to work after the FMLA leave, Placer County will recover its share of health plan premiums paid during a period of unpaid FMLA leave.

WHAT IS STATE DISABILITY INSURANCE (SDI)?

State Disability Insurance is insurance that covers employees for non-work-related illness and/or injuries. PPEO represented employees are covered by SDI and pay the cost of this benefit.

WHEN DO I QUALIFY FOR STATE DISABILITY INSURANCE (SDI)?

- State Disability Insurance (SDI) PPEO represented employees.
 - You must be disabled for seven calendar days before you are eligible for SDI benefits. You should apply for SDI benefits as soon as you know you will be out longer than seven calendar days.
 - Your sick leave can be coordinated with your SDI benefits so that that combined you are receiving your regular take home pay.
 - You must immediately notify your department supervisor/ payroll staff and submit proof of your application for SDI in order to coordinate your SDI benefits and sick leave benefits.
 - Until you notify and submit proof to your department of your application for SDI, your sick leave and vacation hours will be used to calculate your pay.
 - If you decide to apply for SDI and integrate sick leave with SDI benefits at a later date, you may not be allowed to receive retroactive benefits from Placer County.
 - At the time you exhaust your sick leave, with your department head's approval, you may use vacation, floating holiday, or CTO accruals.
 - SDI coverage is limited to one year and is administered by the State of California Employment Development Department. Contact Personnel to determine if you may be eligible for other benefit options.

DSA Represented Employees

• SDI is not available for DSA represented employees.

Management and Confidential Employees

• SDI is not available for Management and Confidential Employees. Depending on the length of your medical leave you may be eligible for the County sponsored Salary Protection Program. At the time you exhaust your sick leave, with your department head's approval, you may use vacation, floating

holiday, CTO and/or Management Leave accruals to integrate with the Salary Protection Program.

WHAT IS PAID FAMILY LEAVE (PFL)?

Effective July 1, 2004, eligible PPEO represented employees may take Paid Family Leave to provide care for ill parents, children, or a spouse and to bond with a newborn child, newly adopted child or newly placed foster care child. PFL provides up to six (6) weeks of paid benefits in a 12-month period and is administered by the State of California Employment Development Department. Only employees who are covered by SDI are eligible for this program.

WHEN DO I QUALIFY FOR PAID FAMILY LEAVE (PFL) BENEFITS?

PPEO represented employees

- You must be off work for seven calendar days before you are eligible for PFL benefits. You should apply for PFL benefits as soon as you know you will be out longer than seven calendar days.
- You may coordinate your leave balances with your PFL benefits so that that combined you are receiving your regular compensation.
 - Sick leave may be used with PFL if you are caring for an ill family member (as defined above).
 - Vacation leave may be used with PFL to bond with your newborn child, newly adopted child or your newly placed foster care child.
- You must immediately notify your department supervisor/ payroll staff and submit proof of your application for PFL in order to coordinate your PFL benefits.
- Until you notify and submit proof to your department of your application for PFL, your sick leave and vacation hours will be used to calculate your pay.
- If you decide to integrate your leave accruals with PFL benefits at a later date, you may not be allowed to receive retroactive benefits from Placer County.
- You may request the use of other leave time e.g., floating holiday and CTO with your department head's approval.

Management, Confidential, and DSA represented Employees

• PFL is not available. Depending on the nature of your leave you will need to use your sick leave, vacation, CTO, and/or and Management Leave accruals with department head approval.

WHAT IS WORKER'S COMPENSATION?

Workers' Compensation is mandated by statute to cover job related injury or illness and is coordinated by Risk Management, a division of the County Executive Office. FMLA/CFRA leaves normally run concurrently with a Workers' Compensation leave.

WHAT STEPS SHOULD I TAKE IF I BELIEVE I'VE BEEN INJURED ON THE JOB?

Begin by informing your supervisor or manager. Let him or her know what the circumstances are, and whether you have any constructive ideas about preventing future occurrences. It is important that Risk Management also be informed at the same time. Contact (530) 886-2611 or (530) 886-2610, which is an accident reporting line. Placer County has a panel of pre-approved clinics for work-related injuries and illnesses, as well as a "Return to Work" program.

HOW DOES WORKERS' COMPENSATION COORDINATE WITH OTHER LEAVES OF ABSENCE?

PPEO represented employees

- If you have a Workers' Compensation claim that is pending determination, it is to your benefit to file for SDI.
- You may coordinate your sick leave accruals with your Workers Compensation benefits so that combined you are receiving your regular take home pay.
- At the time you exhaust your sick leave, with your department head's approval, you may use vacation, floating holiday, or CTO accruals.
- FMLA and CFRA run concurrently with your Workers Compensation leave.

DSA represented safety personnel

- Pending approval, you may be eligible for Labor Code 4850 benefits for job related injury or illness.
- FMLA does not run concurrently with 4850 benefits.

• Please contact Risk Management for additional information.

Management and Confidential Employees

- You may coordinate your sick leave accruals with your Workers Compensation benefits so that combined you are receiving your regular compensation. Depending on the length of your medical leave you may be eligible for the County-sponsored Salary Protection Program.
- At the time you exhaust your sick leave, and with department head approval, you may use vacation, floating holiday, CTO and/or Management Leave accruals to coordinate with the Salary Protection Program.
- FMLA and CFRA run concurrently with your Workers Compensation leave.

WHAT IF I NEED TO EXTEND MY LEAVE?

You should submit to your supervisor as soon as possible:

- A new health care provider's note stating the expected date of return; and
- ◆ An employee Request for Leave form
- Extension requests may be submitted in a maximum of six (6) month increments

WHAT DO I DO WHEN I AM READY TO RETURN TO WORK?

When you are ready to return to work from a medical leave of absence, you will need to provide your supervisor with a note from your health care provider releasing you to return to work. You should notify your immediate supervisor, preferably five days prior to your expected return to work date, so scheduling and work assignments can be arranged effectively.

WHAT IF I AM TEMPORARILY RELEASED TO RETURN TO WORK PART TIME AND/OR HAVE WORK RESTRICTIONS?

An alternative work schedule or assignment may be arranged depending on the nature of your job, departmental requirements and your needs. You should contact your supervisor as soon as you are aware that you can return to work to see if the department can accommodate this type of arrangement.

WHAT OTHER TYPES OF LEAVE ARE AVAILABLE?

- Military If you are ordered to active military duty you are entitled to 30 calendar days, or a total of 173.33 hours, paid Military Leave in a fiscal year. The County Board of Supervisors adopted special provisions for employees called to active duty as a result of the Worldwide Terrorist Crisis. Those employees should contact the Personnel Department.
- Personal You may be granted a personal leave without pay for a period of not less than 30 days and not longer than two years, granted in six-month increments, and approved by the department appointing authority and the Personnel Director.

WHAT HAPPENS TO MY INSURANCE BENEFITS WHILE ON A MILITARY OR PERSONAL LEAVE?

Military

• While you are on paid military leave your benefits will continue as usual. If your leave extends longer than 30 days, you may use your vacation time to continue your pay and benefits. However, if you are in an unpaid status, you will be responsible for the full payment of your benefit premiums if you wish to continue your coverage. Employees on military leave under Placer County's World Wide Terrorist Ordinance will have their benefits continued for up to two (2) years.

Personal

• You may use your vacation leave, CTO and/or Management Leave to continue to receive pay and cover benefits. However, if you are in an unpaid status, you will be responsible for the full payment of both your and the County's share of the benefit premiums if you wish to continue your benefits.

DEFINITIONS

- **Serious Health Condition (SHC)** SHC includes an illness, injury, impairment, or physical or mental condition that involves inpatient care or continuing treatment
- Parent biological parent of an employee or an individual who stands or stood in loco parentis to an employee when the employee was a child, this term does not include parents-in-law
- **Spouse** a husband or wife as defined or recognized under California state law for purposes of marriage
- Child includes a biological, adopted or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis who is under 18 years of age or 18 years of age or older and incapable of self care because of mental or physical disability
- Health Care Provider defined as a health care provider of medicine, osteopathy, podiatrist, dentist, clinical psychologist, optometrist, chiropractor (limited to treatment consisting of manual manipulation of the spine to correct a subluxation visible by x-ray), nurse practitioner, nurse-midwife and clinical social worker who are authorized to practice medicine or surgery by the state in which the health care provider practices; Christian Science practitioner listed with the First Church of Christ, Scientist, in Boston; any health care provider from whom an employer or group health plan's benefits manager will accept certification of the existence of a serious health condition to substantiate a claim for benefits; and a health care provider who practices in a country other than the United States, who is licensed to practice in accordance with the laws and regulations of that country
- Rolling Forward Date The date leave is first established becomes the rolling forward date, which is used to calculate eligibility and the FMLA/CFRA period. Once this date is determined, this remains the employee rolling date during employment with Placer County.



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