

UC Davis Personnel Policies for Staff Members

Leaves

Section 43, Leave of Absence

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Responsible Department: Human Resources

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43.A. GENERAL

Note 1--Assistance. A booklet on family and medical leave (FML) and pregnancy disability leave (PDL) is available on the Web at <http://www.hr.ucdavis.edu/Pubs>. Call Employee & Labor Relations for help and sample form letters. Call Workers' Compensation for help on work-incurred illness or injury.

Note 2--Forms. A Family and Medical Leave Forms Kit is available on the Web at <http://www.hr.ucdavis.edu/Forms> (campus) or <http://hr.ucdmc.ucdavis.edu/Forms/forms.htm> (UCDHS). The kit contains:

Staff Leave Request. The employee uses the top half of this form to request leave. The department uses the bottom half to approve and designate leave.

Notice to Employee. The department gives this to the employee when he or she requests leave.

Certification. The employee gives this to a health care provider to obtain certification of the need for leave.

Return to Work Certification. If the leave was for the employee's own serious health condition and the leave was for 2 weeks or longer, the employee must present this upon return to work.

Intermittent Leave Tracking. The department uses this to monitor a reduced or intermittent work schedule.

Note 3--Response to Leave Request. The supervisor must approve or deny the request within 2 work days. If the certification is lacking, the supervisor provisionally approves the leave, contingent on receiving it within 15 days.

Note 4--Poster. All departments must display the Family and Medical Leave Act (FMLA) poster (WH 1420). It is available on the Web at <http://www.hr.ucdavis.edu/Elr/Pol/Posters>.

43.B. PREGNANCY DISABILITY LEAVE

Note 1--Concurrent Leaves. Leaves under the Federal and State FML laws are concurrent, with one exception. PDL is concurrent with Federal FML, but not with State FML. Under State law, the employee takes PDL while disabled, then up to 12 weeks of State FML to care for the newborn.

43.C. FAMILY AND MEDICAL LEAVE

Note 1--Serious Health Condition. This term means an illness, injury, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a health care provider.

Note 2--Compensatory Time. If compensatory time off is used during a leave, that part of the leave is not counted as part of the FML. However, it is counted as part of a PDL.

Note 3--Designating Leave. When an employee is eligible for FML, the leave should be designated as FML, even if the entire period is covered by the employee's sick or vacation leave accruals. An FML absence cannot be retroactively designated unless the University was unaware of the FML-covered reason at the time the leave began.

Note 4--Acting in the Place of a Parent. When an employee cares for and financially supports a child, but is not the biological, foster, or adoptive parent, the employee may be entitled to FML because he or she is acting in place of a parent.

43.D. SUPPLEMENTAL FAMILY AND MEDICAL LEAVE

Note 1--Request and Certification. The employee must request this leave before the end of the FML, and provide a new medical certification and return-to-work date.

43.E. WORK-INCURRED INJURY AND ILLNESS LEAVE

Note 1--Designating Leave. If a work-incurred injury or illness is also an FML "serious health condition," the leaves run concurrently. The supervisor must provide the Employee Notice and designate the leave using the Leave of Absence form.

43.F. PERSONAL LEAVE

Note 1--Authority. On campus, department heads are delegated the authority to approve a personal leave of up to 6 months. The leave may be extended, up to a total of 12 months, by the department head (campus) or Associate Director--Human Resources (UCDHS).

43.H. EFFECT ON BENEFITS

Note 1--Benefits Office. An employee shall contact the Benefits Office before (a) starting a leave, (b) changing to leave without pay, and (c) returning from leave. The Benefits Office will give information on benefits coverage during leave, how to pay employee premiums if required, and how to re-enroll upon return. The employee can obtain disability claim forms from the Benefits Office.

Note 2--Checklist. A Family and Medical Leave Benefits Checklist is available from Employee Benefits, or on the Web at http://atyourservice.ucop.edu/forms_pubs/checklists_factsheets/fam_med_leave.pdf.

UCD PROCEDURE 43.1--FAMILY AND MEDICAL/PREGNANCY DISABILITY LEAVE

See 43.A, Note 2, to obtain the forms. Call Employee & Labor Relations for help and sample form letters. At UCDHS, Human Resources makes the payroll/personnel system entries.

- a. The employee asks for leave.
- b. The supervisor gives the employee the Employee Notice and Leave Request forms, and requests certification of the need for leave.
- c. The employee calls the Benefits Office to review the effect of the leave on benefits plans, and obtain disability claim forms if eligible.
- d. The employee fills out the top half of the form, attaches the certification, and gives it to the supervisor.

- e. The supervisor and the employee plan the use of accrued leave.
- f. The supervisor fills out the bottom half of the form and gives it to the employee within 2 work days of the request. If certification is lacking, the supervisor checks the "provisional approval" box on the form. The employee has 15 days to provide it.
- g. If the employee is using paid leave, the department uses the LVWP bundle in the payroll/personnel system to begin a leave with pay.
- h. The employee begins the leave.
- i. Conversion to Leave Without Pay. If the employee uses up his or her paid leave, the department uses the LVNP bundle to convert to leave without pay.
- j. The Benefits Office sends a letter to the employee on group insurance premium payments.
- k. Conversion to Supplemental FML. If desired, the employee may request supplemental FML by filing a new leave request and medical certification. If approved, the department uses the LVNP bundle to change the leave type.
- l. Conversion to Personal Leave. If the department chooses, it can grant personal leave. The department uses the LVNP bundle to change the leave type.
- m. The employee returns to work. If the leave lasted more than 2 weeks and was for the employee's own health condition, the employee must present the Return to Work Certification.
- n. If the employee returned to work on the scheduled return date, no payroll/personnel system transaction is necessary to put the employee back on pay status.
- o. The supervisor tells the employee to contact the Benefits Office to check enrollments.
- p. Medical certifications must be maintained as confidential medical records in a file separate from the employee's personnel file. The department must maintain FML and PDL records for 3 years.