



FMLA & PDL

What is FMLA?

The Family and Medical Leave Act (FMLA) allows **ELIGIBLE** employees who have met minimum service requirements (i.e. 12 months employed by the City with a minimum of 1,250 hours worked in the preceding 12 months) to take up to 12 weeks of **UNPAID** leave per year for FMLA qualifying events.

What is Pregnancy Disability Leave (PDL)?

PDL allows all female employees regardless of service time, up to an additional 16 weeks of medically certified Pregnancy Disability Leave. Part-time employees meeting the time-of-service requirements are eligible for PDL leave on a pro-rata basis. Employees requesting Pregnancy Disability Leave (PDL) are not required to use accrued vacation that is available.

Who is Eligible For FMLA?

- ⇒ To be eligible for FMLA leave, employees must have been employed by the City for at least 12 months and have a minimum of 1,250 hours worked during the 12 month period immediately preceding the leave.
- ⇒ City employees, who are **SPOUSES**, are limited to a **COMBINED** total of 12 weeks of leave due to the birth or placement of a dependent child.

Examples of FMLA Qualifying Events

- ⇒ Birth of an employee's child
- ⇒ Placement of a child with the employee for adoption or foster care
- ⇒ If an employee is needed to care for a dependent child, spouse, or parent who has a serious health condition
- ⇒ When the employee is unable to perform the normal functions of his/her job due to a serious health condition

Will I Receive Pay Under FMLA?

- ⇒ Employees will not receive pay under FMLA, however, the City allows employees to continue their pay by using State Disability Insurance (SDI) benefits (**General, Refuse, and Confidential employees only**) accrued sick leave, compensatory time and/or vacation leave during approved FMLA absences.
- ⇒ Unless you are receiving SDI benefits, all accrued sick, compensatory time and/or vacation leave must be used prior to going on "Leave Without Pay".

Frequently Asked Questions On FMLA

How Does FMLA Protect Employees?

- ⇒ FMLA protects your job when you are absent from work on approved FMLA leave. This means that NO "negative" employment actions (i.e. warning, suspension, termination) will be taken against you as result of such FMLA approved absences.
- ⇒ FMLA **DOES NOT** protect you from disciplinary action for performance or conduct not related to FMLA approved absences.

Do I Have the Option of Designating Leave as FMLA?

- ⇒ Employees do not have the "option" as to whether or not to use FMLA. This is for your benefit as well as the City. If your absence meets the FMLA qualification requirements, your leave will be designated as FMLA leave.

Am I Entitled to FMLA Leave?

- ⇒ Consult with your immediate Supervisor or Human Resources, and complete a FMLA Request Form, which is available online at:
<http://www.riversideca.gov/human/benefits/>
- ⇒ A "medical certification" form from your health care provider will be required.
- ⇒ Whenever possible, the designation of leave as FMLA leave should be made "up front" before your leave begins.

Can I Take Intermittent Leave Under FMLA?

- ⇒ FMLA allows for "intermittent" leave; (i.e. leave for doctors' visits, appointments, etc.).
- ⇒ FMLA allows for a reduced work schedule, if necessitated by a "qualifying condition" under FMLA.
- ⇒ Absences due to "intermittent" FMLA leave or a reduced work schedule will be tracked along with other FMLA leave.
- ⇒ "Intermittent" leave after birth or placement of a healthy child for adoption or foster care is at the discretion of your Department.

Will I Continue to Receive City Benefits?

- ⇒ Your benefits will continue under FMLA and the City will continue to pay its share of the employee's health and/or dental insurance premiums for the 12 week period of unpaid FMLA leave.
 - ⇒ However, employees must continue to pay their share of the health and/or dental insurance premiums under the same conditions that applied before the leave began.
- ⇒ If additional leave is required after the 12 weeks under FMLA have expired, employees may request additional leave under the "Leave of Absence Without Pay" Personnel Policy (V-6)". Employees must pay all medical and/or dental premium costs.

Am I Ready to Return to Work?

- ⇒ A medical release will be required from the employee's health care provider prior to returning to work

Please see HR's Personnel Policy (V-4) for more information.



SICK LEAVE BENEFIT



What is Sick Leave?

- ⇒ Sick leave represents paid time off granted to employees who are out of work due to an illness or injury.

Who is Eligible for Sick Leave?

- ⇒ All regular full-time employees except as provided for elsewhere, who have been continuously employed by the City, shall accumulate eight (8) hours of sick leave credit for each full month of employment.
- ⇒ General Unit employees hired on or after August 7th, 1990, shall earn 4 hours of sick leave per month of employment for the first two (2) years of employment.
- ⇒ Fire Unit employees working fifty-six (56) hours per work week shall earn 12 hours of sick leave per month of employment.
- ⇒ Temporary or seasonal employees shall not accrue sick leave benefits.
- ⇒ Crossing Guard employees accrue 1.85 hours of sick leave per pay period, subject to a maximum accrual of 40 hours.

Sick Leave Benefit Highlights

When is Sick Leave Usage Allowed?

- ⇒ For ALL Bargaining Units and Employee Groups, sick leave shall be allowed only on account of actual illness, preventive health care, or injury not arising out of and in the course of employment. If sick leave on account of illness or injury exceeds three (3) working days, the employee, prior to return to work, shall submit a statement of such disability illness or injury from the employee's health care provider.

Family Sick Leave:

- ⇒ **City Council, Executives, General Unit, Police Units, Management, and Confidential Groups:** All full-time employees may use their annual sick leave in the case of family illness of the spouse, child, mother, father, registered domestic partner or the child of a registered domestic partner.
- ⇒ **Fire and Fire Management Unit:** Employees in the Fire and Fire Management Unit may use up to one-half of their annual sick leave accruals in the case of a family illness to a total of three shifts (72 hours).
- ⇒ **IBEW, IBEW Supervisory, and Refuse:** All full-time employees may use their annual sick leave in the case of family illness of the spouse, child, mother, father, registered domestic partner or the child of a registered domestic partner; family members mentioned above must reside in the same household.

Sick Leave Payoff:

- ⇒ Except as provided in the City's Fringe Benefits and Salary Resolution (FBSR) Section 7, upon retirement or disability retirement pursuant to City ordinance, or under the Public or State Employees' Retirement System or pursuant to the provisions of any applicable agreement between the City and a state retirement system, or upon death, accumulated and unused sick leave credit shall be paid according to FBSR Section 7; Table 5, Sick Leave Payoff.

Employee Leave Donation Plan Highlights

- ⇒ **What is the Employee Leave Donation Plan?** The Employee Leave Donation Plan allows ALL bargaining units and employee groups the opportunity to donate accrued vacation to an eligible/approved employee's sick leave account.
- ⇒ Employees **MAY NOT** donate sick leave, compensatory time, holiday accruals, or any other form of compensation through this plan. Additional hours that are purchased back with State Disability Insurance (SDI) shall not add to an employee's approved leave time, but rather shall reimburse the employee for time already used.
- ⇒ Any benefitted City employee who has completed at least six (6) months of continuous service may donate a minimum of two (2) hours. The donor must maintain a minimum of two (2) weeks or 80 hours of vacation time for their own use.
- ⇒ The recipient employee must have exhausted all of their own paid leave (sick leave, vacation, compensatory time, or floating holiday), and be facing a financial hardship.
- ⇒ The total amount of hours donated to any individual shall not exceed 520 hours received in any calendar year.

All leave benefit summaries do not supersede any City Policy. Please review HR's website at: <http://www.riversideca.gov/human/> for detailed information on FMLA & sick leave benefits, Employee Leave Donation Plan, and the Fringe Benefits and Salary Resolution.

City employees may also contact Adriana Parga (Employee Relations Specialist) at (951) 826-2118 or email AParga@riversideca.gov regarding questions on FMLA & sick leave benefits as well as the Employee Leave Donation Plan

We hope that you'll find our weekly updates helpful. Stay tuned for more information!

Information provided courtesy of the Human Resources Benefit Division