



Protected Leaves & Absences ADMINISTRATION WORKSHEET

Integrated Disability Management

July 2019



FMLA/CFRA/PDL/PPL Administration Worksheet

Complete this worksheet to determine employee eligibility and entitlement and to document initial notifications and designation determinations. Copies of all issued and submitted documents related to an employee's FMLA/CFRA/PDL/PPL request are to be kept on file.

1) Begin the Process...

Starting Absence Date ____/____/____; Days/Hours Worked _____; >=12 Months Employment? YES NO

Is the employee Eligible? YES NO If no, STOP. Go to Initial Notification and Issue FMLA-2 & Designation Notice and Issue FMLA-4.

Has FMLA/CFRA/PPL been used during this 12-month period? YES NO If yes,

Current FMLA/CFRA/PPL Year From ____/____/____ Through ____/____/____;

Remaining Entitlement _____ Days/Hours

If Remaining Entitlement is Zero, STOP. Go to Initial Notification and Issue FMLA-2 & Designation Notice and Issue FMLA-4.

2) Initial Notification: Within five (5) working days of notification/request for a protected absence or leave provide the employee an Eligibility & Entitlement and Rights & Responsibilities notice and request certification or issue a denial with a copy to file. Employee has fifteen (15) calendar days to submit certification.

Eligibility & Entitlement and Rights & Responsibilities (FMA-2) Provided ____/____/____

Employee SHC: Certification (FMLA-1) Requested ____/____/____ Certification Due ____/____/____

Family SHC/Service member: Certification (FMLA-1) Requested ____/____/____ Certification Due ____/____/____

Parental Leave (Bonding): Evidence of Relationship (FMLA-8) Requested ____/____/____ EOR Due ____/____/____

Qualifying Military Exigency: Certification (FMLA-9) Requested ____/____/____ Certification Due ____/____/____

Employment/Worktime Requirements Not Met: Designation Not Approved (FMLA-4) Issued ____/____/____

No Entitlement Remaining: Designation Not Approved (FMLA-4) Issued ____/____/____

If certification is not received by the due date or a reasonable explanation provided, issue a Designation Not Approved notice with a copy to file.

Certification Not Received: Designation Not Approved (FMLA-4) Issued: ____/____/____

3) Upon Receipt of Certification: Within five (5) working days of submission, review documentation to ensure you have a complete and sufficient certification.

Certification Received ____/____/____

Select Appropriate Leave Reason:

Employee's Own Personal or Occupational (Workers' Compensation) Illness/Injury/Disability: FMLA/CFRA

Employee's Pregnancy-related Illness/Disability: PDL (No Worktime or Service Requirement for PDL)

Parental Leave: FMLA/CFRA and/or PPL (Birth; Newly Adopted/Foster Care) Birth/Placement Date ____/____/____

Illness/Injury/Disability-Employee's Family Member: FMLA/CFRA (relation _____)

Qualifying Exigency Leave-Employee's Family Member: FMLA (relation _____)

Covered Servicemember Leave-Employee's Family Member: FMLA (relation _____)

Reason and Family Member covered? YES NO If no, STOP. Go to Designation Notice and Issue FMLA-4. Copy to File.

Select Appropriate Leave Type:

Continuous: From ____/____/____ Through ____/____/____

More than 20 Working Days YES NO If Yes, Provide Formal Leave of Absence Packet.

Reduced Work Schedule: _____ Hours per day; _____ Days per week; From ____/____/____ Through ____/____/____

Medical Appointments/Treatment: Frequency _____ times per _____; Duration _____ per episode

Intermittent: Frequency _____ times per _____; Duration _____ per episode

- 4) Designation Notice: Within five (5) working days of receipt of documentation provide employee with a Designation notice with a copy to file.
- Designation Issued ____/____/____
 - Leave Reason Does Not Apply to FMLA/CFRA/PDL/PPL: Designation Not Approved (FMLA-4)
 - Incomplete/Insufficient Certification: Designation Not Approved (FMLA-4). Employee has seven (7) calendar days to provide complete/sufficient information. Certification Due ____/____/____
 - Complete & Sufficient Certification: Designation Approval Notice (FMLA-3)
- 5) During Leave: Once approved for a particular qualifying, job-protected reason, employees are required to reference that leave reason or the FMLA/CFRA/PDL/PPL when reporting absences or requesting additional leave.
- Is employee complying with the usual and customary call-in and reporting procedures?
 - Communicate the requirement to coordinate planned absences in advance.
 - Ensure the employee complies with the District requirement of completing the Absence Certification (60.III or 60.Non-III) forms when requesting or certifying any absences.
 - Are the employee's absences consistent with certification?
 - Use the Tracking Worksheet (FMLA-6 form) to record absences and track usage.
 - Compare reported absences to the certification. If the employee's absences are significantly exceeding the estimated frequency and duration on the certification, recertification may be appropriate.
- 6) End of Leave: The employee's job-protected leave will end the earliest of end of certification, end of current FMLA/CFRA year, or exhaustion of entitlement.
- Has the employee's current certification ended prior to exhaustion of entitlement and/or the current FMLA/CFRA year?
 - If the employee indicates additional leave is needed, proceed to Step 2 and request certification. The employee is still eligible and entitled and there is no need to issue the FMLA-2 form at this time.
 - If the employee has not indicated additional leave is needed, the leave has ended.
 - Has the employee's current FMLA/CFRA year ended?
 - If the employee indicates additional leave is needed and an eligibility check is required, proceed to Step 1.
 - If the employee indicates additional leave is needed and an eligibility check is not required, but a certification is required, proceed to Step 2 and request certification. There is no need to issue the FMLA-2 form at this time.
 - If the employee indicates additional leave is needed, there is a valid certification on file, and an eligibility check is not required, proceed to Step 4. Complete the Supervisor section and issue the Designation Approved (FMLA-4 form) for the new FMLA/CFRA year.
 - If the employee has not indicated additional leave is needed, the leave has ended.
 - Has the employee exhausted the 12 workweeks of FMLA/CFRA/PPL (18 workweeks of PDL) job-protected leave entitlement?
 - If so, within five (5) working days of the exhaustion complete the Supervisor section and issue the Exhaustion of Protected Absence (FMLA-5 form).

FMLA/CFRA/PDL/PPL Administration Worksheet INSTRUCTIONS

1) Begin the Process...

The employee must have an Absence Start Date in order to determine FMLA/CFRA eligibility.

The employee must meet the eligibility requirement based on the Absence Start Date of each qualifying reason.

FMLA/CFRA Eligibility: At least 12 months of District employment at any time within the 7 years prior to the starting absence date AND at least 130 days (1250 hours for units A, E, G, & Classified Substitutes) within the 12 months immediately preceding the starting absence date. Utilize the [FMLA/CFRA Eligibility Job Aid](#) to determine the worktime requirement.

PDL Eligibility: There is no service or worktime requirement; however, employees who are eligible for FMLA/CFRA and continue to be absent due to disabilities related to pregnancy after exhausting the 18 workweeks of PDL, will continue to be job-protected for up to an additional 12 workweeks under CFRA.

PPL Eligibility: At least 12 months of District employment at any time within the 7 years prior to the starting absence. There is no worktime requirement; however, PPL runs concurrent with FMLA/CFRA when employees meet the worktime requirement. Only classified and certificated employees are eligible for PPL.

FMLA/CFRA Entitlement: Employees are entitled to up to 12 workweeks in a 12-month period measured forward from the first starting absence date that establishes the current FMLA/CFRA year. Utilize the [FMLA/CFRA Year Job Aid](#) to determine the current FMLA/CFRA year.

PDL Entitlement: Employees are entitled to up to 18 workweeks per pregnancy.

PPL Entitlement: Employees are entitled to up to one 12-workweek period during any 12-month period. PPL runs concurrent with FMLA/CFRA and is reduced by any FMLA/CFRA time used in the same FMLA/CFRA year.

2) Initial Notification: Within five (5) working days of notification/request for a protected absence or leave provide the employee an Eligibility & Entitlement and Rights & Responsibilities notice and request certification or issue a denial with a copy to file. Employee has fifteen (15) calendar days to submit certification.

Complete the Supervisor section and issue the [FMLA-2 form](#), Eligibility & Entitlement and Rights & Responsibilities notice for each qualifying reason and/or event to fulfill the District's legal obligation of providing an Eligibility notice, including an employee's rights and responsibilities.

DO NOT request certification but do complete the Supervisor section and issue the [FMLA-4 form](#), Designation Not Approved if the employee is not eligible and/or not entitled to FMLA/CFRA/PDL/PPL.

Complete the Supervisor section and issue the [FMLA-1 form](#), Health Care Provider Certification; [FMLA-8 form](#), Evidence of Relationship Information Sheet; or [FMLA-9](#), Certification of Qualifying Exigency when an employee is eligible and entitled. Set yourself a reminder to follow up with the employee in fifteen (15) calendar days. Reasonable extensions are permissible.

If certification is received, proceed to step 3 and review for completeness and sufficiency. If certification is not received, complete the Supervisor section and issue the [FMLA-4 form](#), Designation Not Approved for non-receipt of certification.

3) Upon Receipt of Certification: Within five (5) working days of submission, review documentation to ensure you have a complete and sufficient certification.

Determine whether leave is for a qualifying reason.

Administrators/Supervisors cannot contact providers directly about insufficient certification. The employee has the burden to provide complete and sufficient certification supporting the need for FMLA/CFRA, PDL, or PPL. A complete and sufficient medical certification need only include: Medical Facts, Amount of Leave Needed, and Health Care Provider Verification. You are only entitled to sufficient responses to questions on the certification.

Medical Facts (Health Care Provider Certification):

Confirm the health care provider indicated a serious health condition exists.

Employee's serious health condition must create periods of incapacity that prevent the employee from performing one or more of the essential job functions.

Family member's serious health condition must require care from the employee.

Determine Leave Type (Amount of Leave Needed).

A start and end date are required for continuous leaves and reduced work schedules. A schedule is required for reduced work schedules.

An estimated frequency and duration is required for medical appointments/treatment and intermittent absences/leaves.

For absences of 20 consecutive working days or less, certification remains at the employee's site.

For absences of more than 20 consecutive working days, a District formal Leave of Absence is required. Certificated employees complete [form 1065](#). Classified employees complete [form PC 5006](#).

Health Care Provider Verification:

Make sure contact information has been provided and the certification is signed by a licensed professional who can certify FMLA/CFRA/PDL/PPL.

In accordance with the Genetic Information Non-Disclosure Act of 2018 (GINA), and HIPAA privacy laws, medical information received is to be kept completely **confidential and separate** from the employee's personnel file.

- 4) Designation Notice: Within five (5) working days of receipt of documentation provide employee with a Designation notice with a copy to file.

Complete the Supervisor section and issue the [FMLA-4 form](#), Designation Not Approved, if the leave reason does not apply or the family relationship is not covered under FMLA/CFRA/PDL/PPL.

Complete the Supervisor section and issue the [FMLA-4 form](#), Designation Not Approved, if certification is incomplete. Communicate deficiencies to employee and request completed certification be returned within 7 calendar days. Reasonable extensions are permissible.

Complete the Supervisor section and issue the [FMLA-3 form](#), Designation Approval notice if the certification is complete and sufficient.

- 5) During Leave: Once approved for a particular qualifying, job-protected reason, employees are required to reference that leave reason or the FMLA/CFRA/PDL/PPL when reporting absences or requesting additional leave.

Set the expectation that the employee provide advance notice if the need for leave is foreseeable or as soon as reasonably possible if the need for leave is unforeseeable. This includes any scheduled medical appointments or procedures.

Set the expectation that the employee comply with usual and customary call-in and reporting procedures in accordance with their work location and Collective Bargaining Agreement and complete the required Absence Certification ([60.III](#) or [60.Non-III](#)) forms.

Set the expectation that the employee make a reasonable effort to schedule planned medical treatment so as to not unduly disrupt the District's operations.

Use the [FMLA-6 form](#), Tracking Worksheet to accurately track the employee's absences.

Request additional medical (recertification) if the employee's absences significantly exceed the frequency and duration estimated on the complete and sufficient certification on file.

- 6) End of Leave: The employee's job-protected leave will end the earliest of end of certification, end of current FMLA/CFRA year, or exhaustion of entitlement.

Complete the Supervisor section and issue the [FMLA-5 form](#), Exhaustion of Protected Absence if the employee exhausts 12 workweeks of FMLA/CFRA/PPL (18 workweeks of PDL) entitlement.

If the employee exhausts entitlement before the end of the FMLA/CFRA year, the employee will not be entitled to additional job protected time until the first absence after the current FMLA/CFRA year had ended and only if the employee meets the eligibility requirements.