Leave of Absence and Time off Work:
Agenda

• Introduction
• Leave of Absence and Time off Work
  – UC Leaves
  – FMLA Quick Review
  – Leave and Time off Work Information
• Disability Org Unit
• Leave Donation Policy
## UC Leaves of Absence

<table>
<thead>
<tr>
<th>Leave with Pay</th>
<th>Leave without Pay</th>
<th>May run concurrent w/ FMLA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Med/sick (EE or FAM)</td>
<td>Med/sick (EE or FAM)</td>
<td>✓</td>
</tr>
<tr>
<td>Adoption*</td>
<td>Adoption</td>
<td>✓</td>
</tr>
<tr>
<td>Childrearing*</td>
<td>Childrearing</td>
<td>✓</td>
</tr>
<tr>
<td>OIL (FOP)</td>
<td>AAUP-Article 19 Childrearing</td>
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<tr>
<td>Military</td>
<td>Military</td>
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<tr>
<td>Personal (AAUP)</td>
<td>Personal</td>
<td></td>
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<tr>
<td>Administrative</td>
<td>Administrative</td>
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</tr>
<tr>
<td>Special (AAUP)</td>
<td>Special (AAUP)</td>
<td>✓</td>
</tr>
<tr>
<td>Academic/Sabbatical</td>
<td>Professional</td>
<td></td>
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<tr>
<td></td>
<td>Educational</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Disability/Extended Medical</td>
<td>✓</td>
</tr>
<tr>
<td></td>
<td>Union</td>
<td></td>
</tr>
</tbody>
</table>

*If taken with vacation pay*
Leave of Absence Information

- Time off work is not a UC leave until the 15th consecutive calendar day of absence.
  - Dept./org unit is responsible for reporting time away from work beginning on the first day of absence.
  - If absence is 15 consecutive calendar days or longer
    - UC Leave provisions apply
    - UC Leave is effective on the first day of absence
    - Time MUST be reported accurately
  - If absence is LESS than 15 consecutive calendar days
    - Employee is not placed on UC Leave
    - Time away from work must still be reported
    - May count as an FMLA event
Family and Medical Leave Act (FMLA)

- Federal legislation
- Provides unpaid JOB PROTECTION; it is not a ‘Leave’
- FMLA does not stand alone!
- When applicable, FMLA will run concurrent with time off work and/or a UC leave
- UC policies/collective bargaining agreements regarding use of sick time are more generous than FMLA eligibility
  - e.g., certain employee groups may use sick time for domestic partners; domestic partners not covered under FMLA

- What about work-related injuries and illnesses?
  - Handled in the same manner as any time off work or leave issue
FMLA - Time off Work

• Dept./org units must:
  – Make timely FMLA eligibility determination (5 business days after the employee “puts UC on notice”)  
  – Send notice if the employee is not eligible for FMLA or provisionally designate medically related absence as FMLA  
  – Send communications regarding Leave to employee within required timeframes; continue to communicate leave status changes to employee (e.g., paid to unpaid, etc.)  
  – Report time off and process leaves in UC systems
Return to Work Information

• Employees MUST report to University Health Services (UHS) when:
  – Returning from their own medically-related absence of five (5) consecutive work days or more
  – Medical attention is required while the employee is absent for medical reasons
  – The employee works in a health care area
  – The employee has been exposed to a contagious disease

• Employee must submit a certificate to UHS from the healthcare provider; include
  – (Employee Name) may return to work on (date) with or without restrictions
  – If restrictions are stated they must be SPECIFIC and indicate how long they are in effect

• Employee is evaluated and released/not released by UHS to return to work
Return to Work Information

- Employees returning from an absence of five consecutive work days of sick time or a medical leave to care for an immediate family member
  - DO need to submit a Certification of Health Care Provider form to UHS stating the nature of the condition and the necessity for the employee’s presence for care
  - DO NOT need to report to UHS upon their return
Questions?

• If you need more information or have specific issues, contact Gloria Woods at 66951

• One-on-one visit to your work area

• Customized presentations (practice exercises based on specifics provided)
Disability Org Unit Overview

- **What is it?**
  - Unit designation for disabled employees who have exhausted all paid time and who are unable to return to work

- **Who is eligible?**
  - Employees who have exhausted all paid time and whose probable date of return is six months or more from the date all pay is exhausted (unpaid status date)*

- **When should employee be placed in Disability Org Unit?**
  - Six months following date of entry into unpaid status OR SOONER IF probable date of return is unknown*

* Or as outlined in the applicable collective bargaining agreement
Disability Org Unit Overview  (cont.)

• Who places employee in Disability Org Unit?
  – Human Resources in consultation with the department or Org Unit

• When can I fill the employee’s position?
  – When employee is placed in Disability Org Unit

• Who is responsible for the employee?
  – Human Resources in conjunction with ‘primary department or Org Unit’
Leave Donation Policy

- Leave Donation Policy Updates
  - Process and forms streamlined
    - Recipient application
    - Donor application
  - Policy updated and clarified
    - Recipient must be in no pay status for 80 consecutive work hours; (donated time, if any, will be retroactive)
    - Leave Donation is for medical leave only; childrearing or adoption leave is not eligible
  - For additional information: link to Leave Donation Policy