



I. Family & Medical Leave Act Procedure

How to request FMLA leave

1. Employee contacts their department personal payroll administrator (PPA) to request FMLA leave paperwork. The requested paperwork will be forwarded to the employee within 5 business days of receiving notice of request.
2. The employee is required to notify the city if the leave is for a potentially qualifying FMLA event.
3. The PPA or designated person will provide the employee with information about the FMLA as well as forms necessary for processing an FMLA request. The applicable leave request form needs to be completed and returned to the PPA or designated person within the time frame outlined on the paperwork. In many situations, the form will need to be completed by a health care provider. Employee is responsible for the requested information to be returned to the PPA.
4. If the leave is foreseeable, the employee must provide at least 30 days' notice. If the leave is not foreseeable, the employee or the employee's spokesperson shall give notice as is practicable.

Approval and Usage of FMLA leave

1. After receiving the FMLA leave request paperwork in good order, the PPA will notify employee if the absences will be protected under the FMLA. Employee's supervisor, timekeeper, and human resources consultant will be notified of the leave approval.
2. The city may designate leave as FMLA leave when it has enough information confirming the absence is for a qualifying event.
3. Employee's short-term disability benefit, worker's compensation, vacation, personal leave, etc., will be used, as applicable, while on FMLA leave. If employee has no paid leave available, the FMLA leave will be unpaid.
4. When on unpaid leave, the employee is responsible for coordinating payment for benefit premium with Human Resources.
5. Employee using intermittent leave must follow call-in procedures for the work area. Employee must report FMLA time used with the [FMLA time tracker](#).
6. Employee may request a record of FMLA leave time used, but no more often than every 30 days and only if leave was taken during that period.
7. The FMLA leave may be retroactively designated with the appropriate notice to employee provided the city's failure to timely designate leave does not cause harm or injury to the employee. In all cases where leave would qualify for FMLA protections, the city and an employee can mutually agree that leave be retroactively designated as FMLA leave. For example, if the city was put on notice that an employee needed FMLA leave and failed to designate the leave properly, but the employee's own serious health condition prevented him or her from returning to work during that time period regardless of the designation, an employee may not be able to show that the employee suffered harm as a result of the city's actions. However, if an employee took leave to provide care for a son or daughter with a serious health condition believing it would not count toward his or her FMLA entitlement, and the employee planned to later use that FMLA leave to provide care for a spouse who would need assistance when recovering from surgery planned for a later date, the employee may be able to show that harm has occurred as a result of the city's failure to designate properly.

Returning to Work

1. If the approved continuous FMLA leave was for the employee's own serious health condition, a [release to work](#) form is required. Employee may not return to work from continuous leave until the release form has been received by human resources. If the intermittent approved FMLA leave is for the employee's own serious health condition, a release to work form may be required.



Denial or Postponement of Leave

1. If the required information is not received in good order in a timely manner, the leave request may be denied or postponed until the needed information is received.

Current References:

[FMLA time tracker](#)

[Release to Work](#)

Approved and passed this 31st date of December, 2016