

**CSU, Sacramento Disability Leaves Office  
Family Medical Leave Procedures**

- A. Generally, the Disabilities Leaves Manager (DLM) acquires knowledge that an employee is taking ( or will be taking) leave for an FMLA-qualifying reason in one of the following ways:
1. The employee or the employee's spokesperson (family member, significant other, or friend) contacts the DLM to discuss leave options related to absence (current or impending) due to:
    - a. Birth of a child for purposes of bonding (including pregnancy disability, maternity, or paternity leave)
    - b. Placement of a child in the employee's family for adoption or foster care;
    - c. Serious health condition of the employee's child, parent or spouse; or
    - d. Employee's own serious health condition.
  2. The employee's supervisor or department's attendance clerk notifies the DLM that an employee is/will be off work due to one of the reasons listed above – and does not have or may not have enough of his/her own leave credits to cover period of absence.
  3. Occasionally, the DLM will hear from a HR manager that an employee will be out for three days or more due to a possible FML –qualifying reason.
- B. In all of the above scenarios, it is the responsibility of the Disability Leaves Manager.
1. Inform the employee of their entitlement to FML;
  2. Obtain medical certification from the employee documenting that they have an FML – qualifying condition;
  3. Based on medical certification and/or information received from the employee that the reason for their leave is FML – qualifying.

The Disability Leaves Manager informs the employee verbally on the phone of their entitlement and follows up within two business days with an FML notification letter mailed to the employee's home.

The DLM follows up by contacting the employee's department to see if the employee continues to be on medical leave. If the employee is still on medical leave, the DLM follows up within two business days with an FML notification letter mailed to the employee's home. If the employee has already returned to work, the leave cannot be designated as FML and leave is not counted toward the employee's entitlement.

- C. The notification letter designating the employee's leave as FML informs the employee that
1. FML is an unpaid leave that runs concurrently with the use of their own leave credits (sick leave, vacation, CTO, PH and Paid Maternity/Paternity/Adoption Leave), Industrial Disability Leave (IDL), Non-Industrial Disability Insurance (NDI), and Catastrophic Leave used for a qualifying purpose;
    - a. An employee may use sick leave for their own illness (per CFRA);
    - b. Sick leave for care of sick family member may be used by mutual agreement between employee and the appropriate administrator;
    - c. Employees must use all vacation, CTO, and PH before FML can be taken as an unpaid leave (CSEA employees are only required to use vacation and PH);
  2. the first date that is being counted toward their FML entitlement;
  3. in the case of exempt employees, FML provides an exclusion to the Fair Labor Standard Act and they can report leave credit usage in partial day increments if intermittent FML is medically supported;
  4. in the case of pregnant employees, the FML entitlement will not begin until the Government Code Pregnancy Leave is exhausted. GCPL runs for a maximum of 4 months or until they are no longer disabled by their pregnancy, whichever comes first;
  5. that medical certification to verify the FML – qualifying leave is required within 15 calendar days and includes a Health Care Provider Medical Certification Form (Form WH-380, developed by the U. S. Department of Labor and modified to meet the requirements of California Family Rights Act) for this purpose; and
  6. that a medical release will be required in order for the employee to return to work following their leave and that a Work Status Form is included for this purpose.
- D. If an exempt employee will be using intermittent FML. The DLM notifies Payroll so that they know why an exempt employee is reporting leave usage in less than full-day increments.
- E. Employee files related to medical leaves are maintained in the Disability Leaves Office.
1. FML letters are placed in the employees' personnel files with a summary of the days counted toward FML.
  2. Medical certification is placed in confidential medical files, accessible only to DLM staff and other HR Staff on a business-need-to-know basis.