

Supervisor's Guide: FMLA/OFLA Protected Leave

City of Springfield - Human Resources

FMLA/OFLA Contact: Ali Rich (541) 726-2242 – arich@springfield-or.gov

As a supervisor, it is important for you to know how to recognize and respond to an employee's request or need for leave that may be eligible and protected under the Family Medical Leave Act (FMLA) and/or Oregon Family Leave Act (OFLA). Not all employees realize their leave is covered/protected by FMLA/OFLA or realize they need to request protected leave for certain types of absences- It is your job as the supervisor to recognize these situations, notify Human Resources and let the employee know they may need to request protected leave. Your job isn't to ask about the medical issue, determine eligibility or administer FMLA/OFLA leave, but it is your job as the supervisor to recognize a possible "protected leave" situation, notify Human Resources and also let your employee know they have a right to protected leave.

Possible/common situations that should trigger "FMLA/OFLA" in your mind:

- Employee has been absent (not planned/vacation types of absences) from work for 3+ calendar days- on the 4th day we should start asking "is this possibly FMLA/OFLA protected leave?"
- Employee/Family member has a serious health condition- illness, surgery, off the job injury, hospital stay, treatment, chronic conditions, long-term conditions.
- Pregnancy disability- absences for prenatal care/recovery from child birth
- Parental Leave after baby is born (can be intermittent with supervisor approval)
**Females can take up to 12 weeks for pregnancy disability (requires medical certification) AND 12 weeks of parental leave.*
- Bereavement- protected bereavement leave is available beyond the city paid bereavement- two weeks total
- Military – qualifying exigency due to covered service members: call to active duty, leave from deployment or to care for ill or injured covered service member
- Employee is a victim of domestic violence, sexual assault or stalking

Requesting Protected Leave:

- Employee can enter their own leave request into PeopleSoft Self Service:
- Main Menu> Self Service> Benefits> Request Protected/HR Leave
- Supervisor/department admin can enter the leave request into PeopleSoft:
- Main Menu> SPR Custom > Human Resources > Leave Benefit Request- Click on the "add a new value" tab.
- Supervisor or Employee can contact HR to request leave- Ali Rich (541) 726-2242
- Request should be entered 30 days prior to the leave if possible, if not possible as soon as need for leave is known
- If actual leave dates are not known at the time of the leave request, a best estimate should be entered; the request can be updated

Coding the Time Card:

While out on protected leave, employees are able to use any of their accrual banks. The default is sick (SFO) but per city policy they may elect to use any of their leave banks. Check with your employee regarding the accrual bank they would prefer to use. Be sure when recording the time, protected leave is coded using the appropriate leave code.

FMLA/OFLA: (most common)

- Sick – SFO
- Vacation – VFO
- Comp Time Taken – CFO
- Floating Holiday – FFO
- City Paid Holiday – HFO
- Leave without Pay - LFO

OFLA Only:

- Sick – SOF
- Vacation – VOF
- Comp Time Taken- COF
- Floating Holiday – FOF
- Leave without pay - LOF

FMLA Only:

- Sick – SFM
- Vacation – VFM
- Comp Time Taken – CFM
- Floating Holiday- FFM
- Leave without Pay- LFM

Short Term Disability Time Card Coding: (If the employee has applied for Short Term Disability)

- The first 14 days after leave begins, all hours should be coded to employees own accrued leave- SFO, VFO, FFO, etc
- On the 15th day (when STD benefits become payable), hours per day should be coded as follows:
1.6 hours own accrued leave using the short term disability leave codes: SST, VST, FST, etc.
6.4 hours (7.4 for Officers) Leave Without Pay- Short Term Disability- LST
Example: 1.6 hours SST, 6.4 hours LST for an 8 hour employee (more than 8 hours a day will be coded differently)

Return to Work:

If the doctor takes the employee off from work, the employee must bring in a Doctor's release prior to returning to full duty or to a modified duty assignment. NO RELEASE = NO WORK.

All doctor's notes, medical releases, and work agreements need to be sent to Ali Rich in HR

When Protected Leave Ends:

Job protection ends but employee may apply for extended leave: Up to 60 days requires department head approval, up to 1 year requires City Manager approval. The employee may also want to look at job accommodation options and begin this process with the City.