

July 28, 2005

**ADMINISTRATION BUREAU MEMORANDUM NO. 05-2**

**SUBJECT:** Family and Medical Leave Act

Refer to Policy 746-2 Family and Medical Leave

For clarification purposes and to correctly reflect the department's commitment under the Policy 746-2, Family Medical Leave Act (FLMA) members are reminded:

Eligibility for Leave

Each member of the department who has worked at least 1250 hours during the 12 month period preceding the start of the leave is eligible for a total of 12 weeks of family and medical leave. Family and medical leave is available for a serious health condition of the member or the member's family.

Notice of Need for Family or Medical Leave

Upon learning for the need for family or medical leave, the member is required to submit a request for leave 30 days in advance. If the leave is not foreseeable, the member will request family leave as soon as practicable; within one or two working days.

All requests for leave must fully explain the reasons for the leave. A Form 1 P.D. is required for all instances of family or medical leave. The Form 1 P.D. should be submitted to the supervisor of the Benefits Section. If the member refuses or fails to give sufficient reasons for requesting FMLA leave or fails to provide proper medical certification, the request may be denied unless and until such information is provided.

Medical Certification

When leave is requested for the serious health condition of a member or when the member needs to care for a family member covered by FMLA, the department requires timely medical certification from the member or the family member's health care provider. Medical certification is also required if the member requests intermittent or reduced schedule leave to care for their own medical condition or a family member's serious health condition. Other documentation may be required, such as legal documentation for the adoption of a child or care of a foster child.

The department may require examinations by the member's doctor or a department approved medical care provider to confirm the necessity for the leave, as well as its duration. Medical certifications must be received fifteen calendar days from the date of the request. Certification of Physician or Practitioners, P.D. Form 162 P.D., is available in Benefits Section.

Health Insurance Coverage

Members will continue to receive health insurance coverage while they are on leave, provided they continue to pay their portion of the premium. If the member plans to be on unpaid leave, arrangements for the payment of the premium must be done in a timely manner to avoid the risk of cancellation of coverage. Contact the Benefits Section regarding payment of insurance premiums while on leave.

Return to Work

Members returning to work after a FMLA leave must obtain a medical certification from the member's health care provider documenting the member's ability to return to work. The certification must be forwarded to the Benefits Section.

Deputy Chief Nick Nichols  
Administration Bureau

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