

<p>1. What do I need to do when I learn an employee needs to take an extended leave?</p>	<p>Refer the employee to the intranet or provide <a href="#">Leave Application</a>. Ask them to fill out the form. Facilitate identifying the appropriate departmental signatures. Forward signed application to Timekeeper or Department Designee for submission to HR. Schedule time with timekeeper for assistance with the leave schedule.</p> <p>Keep timekeeper and/or HR Liaison informed of any employee situation that is related to <u>protected leave</u> (i.e. EE requesting time for surgery, bonding with baby, ongoing need for time off related to a serious medical condition for themselves or a family member) or <u>unpaid time off</u> that <u>exceeds 2 weeks</u>.</p>
<p>2. How will I know if my employee should apply for an extended leave?</p>	<p>As a supervisor, you are responsible for recognizing when an absence may be a qualifying reason under State and/or Federal Leave regulations. Three general areas that may indicate the need for an extended leave:</p> <ul style="list-style-type: none"> <li>• An unplanned absence of 3 or more consecutive days</li> <li>• Employee informing you of an upcoming qualifying reason that will require extended time off</li> <li>• A pattern of intermittent absenteeism that you have learned is related to a qualifying reason</li> </ul>
<p>3. What are “qualifying reasons”?</p>	<ul style="list-style-type: none"> <li>• An employee’s own serious medical condition*</li> <li>• To care for a child, spouse, or parent with a serious medical condition*</li> <li>• For the birth of a child* or the placement of a child for adoption or foster care</li> <li>• To care for an injured covered service member who is a child, spouse, parent, or next of kin. **</li> <li>• To take time off due to a military exigency of a child, spouse, or parent. **</li> <li>• For active or inactive Military Duty*</li> </ul> <p style="text-align: right;">*requires medical certification **requires proof of relationship</p>
<p>4. What do I need to tell the employee?</p>	<p>Ensure the employee understands his/her role in keeping you informed of any leave extensions needed, work restrictions, and/or their planned return from leave. Communicate the importance of reading and responding to any communications from HR while on leave.</p>
<p>5. Is there any action I need to take while my employee is on leave?</p>	<p>Work with your departmental timekeeper to determine if you or the timekeeper will complete the employee’s timecard. Ensure you have the approved leave schedule that indicates which time reporting codes to use during the absence.</p>

<p>6. How will I know if my employee’s leave is protected or unprotected and what does that mean?</p>	<p>Upon HR review of the Leave Application, you will receive an e-mail indicating what portion of the time off is being designated as protected and/or unprotected.</p> <p>For the unprotected time, the department has the ability to approve, deny, and/or suggest alternative timing. If you or the Departmental Director want to know this prior to signing the application, please call HR to assist with a eligibility/entitlement calculation.</p> <p>Protected leave:</p> <ul style="list-style-type: none"> <li>• Job and benefit protection under State and Federal Law(PDL/CFRA/FMLA)</li> </ul> <p>Unprotected leave:</p> <ul style="list-style-type: none"> <li>• An absence that may be for a qualified reason, but the employee does not meet eligibility for protected leave or may have exhausted protected leave entitlement.</li> <li>• Once protected leave is exhausted, additional leave changes to unprotected status.</li> <li>• Any other leave the City may approve that does not fall under any type of protected leave.</li> </ul>
<p>7. What if I approve <u>unprotected</u> time off, but now need the employee back to work ASAP?</p>	<p>Per city policy, you are able to cancel the leave by giving written notice to the employee at least 30 days in advance.</p>
<p>8. What do I need to do when the employee returns to work?</p>	<p>Fill out and submit a <a href="#">Return from Leave Form</a> to HR upon employee returning to work without restrictions. This is very important for those employees on unpaid leave for reactivation of payroll status and benefit reinstatement as applicable.</p>
<p>9. What if my employee does not return to work on the day he/she had indicated on the Leave Application?</p>	<p>Please reach out to Office of Employee Relations to determine next steps. Keep HR informed if the employee will not be returning to work or requires an extension.</p>
<p>10. Who do I reach out to if I have questions related to an employee’s leave?</p>	<p>Contact HR with any questions or request for assistance. If you want to understand if and what portion of the leave will be protected (required approval) and what portions are unprotected (requested but, not guaranteed), please do not hesitate to reach out to HR.</p> <p>For any questions unanswered by the policy and/or FAQ, please reach out to:</p> <p style="text-align: center;"><b>Human Resources- Benefits Division</b>  Phone (408) 535-1285   Fax (408)999-0862  <a href="mailto:HRBenefits@sanjoseca.gov">HRBenefits@sanjoseca.gov</a></p>

<p><b>Disclaimer:</b></p>	<p>The information in this document presents an overview of certain aspects of the city policy and state and federal regulations and is intended for informational purposes only. <i>If there is a difference between the document and the policies in a MOA, City Policy, or State/Federal Regulation, the MOA, City policy, State/Federal Regulations will govern.</i> Information contained herein may include programs/benefits that are not applicable to all employees. For more information, contact the Employee Benefits Division at 408-535-1285 or <a href="mailto:hrbenefits@sanjoseca.gov">hrbenefits@sanjoseca.gov</a>.</p>
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