



MANAGEMENT

FREQUENTLY ASKED QUESTIONS

FAMILY & MEDICAL LEAVE ACT of 1993 (FMLA)

When should Risk Management be notified of an employee's absence?

Agency policy dictates that Risk Management be notified once an employee misses three (3) or more consecutive days from work due to illness or injury. We will determine if the employee and the absence qualify for FMLA protection at that time.

What is FMLA?

The FMLA entitles eligible employees to take up to 12 workweeks of unpaid, job-protected leave in a 12-month period for specified family and medical reasons, or for any “qualifying exigency” arising out of the fact that a covered military member is on active duty, or has been notified of an impending call or order to active duty, in support of a contingency operation.

The FMLA also allows eligible employees to take up to 26 workweeks of job-protected leave in a “single 12-month period” to care for a covered servicemember with a serious injury or illness.

How do I request FMLA?

You may request FMLA by submitting a “To-From” memo to Risk Management, through your chain of command.

What should be included in my FMLA request?

Please include the dates of the request (if known), the reason for the request and the length of time requested. To protect your privacy, you do not need to provide specific details regarding your medical condition if requesting FMLA for personal health reasons.

If my spouse and I are both employed by the Sheriff's Office, how does FMLA affect us?

If leave is requested for the birth of a child, the law mandates that spouses employed by the same employer must share the available 12 weeks entitlement. For example, if a husband wants to take 3 weeks of FMLA for paternity leave, the wife will be entitled to the remaining 9 weeks for maternity.

Do I have to specifically request FMLA if I'm planning to take time off from work for an FMLA-qualifying reason?

No. Once the agency has acquired knowledge that the employee's absence is being taken for an FMLA-qualifying condition, the law mandates that the agency promptly notify the employee that the leave will be designated and counted toward the FMLA leave entitlement. An employee may **not** waive their rights under FMLA. (§825.208)

Do I have to use my accrued time while on FMLA?

No. FMLA is typically an unpaid leave and you have the option to take the time unpaid if you wish. However, agency policy allows the use of sick, personal and vacation hours – or any combination thereof – in order to receive a paycheck while on leave. **NOTE:** *No credit towards retirement time will be earned by an employee on leave of absence without pay or unpaid FMLA leave.*

If I have an FMLA-qualifying event while on approved vacation, do I need to let anyone know?

Yes, if you will be unable to return to work at the conclusion of your approved vacation due to the illness or injury.

WORKER'S COMPENSATION

I have an injury that I think is related to my job. What do I need to do?

You should **immediately** notify your supervisor and Risk Management of any injury you feel is work related. Regardless of whether the injury is eventually covered under work comp or not, we still need to know about it so the appropriate documentation can be completed in a timely manner.

Do I still need to complete a Notice of Injury if I choose not to seek treatment?

Yes. Every injury that occurs while on duty should be properly documented and the information forwarded to Risk Management – because what doesn't hurt today, may start hurting tomorrow!

If injured while on duty, where should I seek medical treatment?

Injuries requiring immediate medical attention should be referred to the nearest emergency room. For any injury that does *not* require immediate medical treatment, or occurs during “normal” business hours (8:00 – 4:00pm), please call the work comp triage line at Star Care clinic, 477 – 1617, to schedule an appointment with a provider.

When should I schedule my appointments for a work-related injury?

Any medical appointments required for an on-duty injury must be made during non-duty hours when possible. If it is necessary for you to miss work for an appointment, you must use any portion of your accrued time to cover the missed period of work.

GENERAL INFORMATION

My doctor has placed me on light (or modified) duty with restrictions. What do I do now?

You need to contact Risk Management immediately. We will place you in a suitable temporary position that adheres to your medical restrictions until you are released back to full duty.

What is the purpose of “green sheets”?

Green sheets are issued by Risk Management personnel and are confirmation that an employee has been medically cleared to return to work in either a modified duty or full duty capacity. An employee shall *not* be permitted to return to work from any disability status without a green sheet being issued. Supervisors, it is a violation of agency policy to allow an employee to return to work without a green sheet.

If I have exhausted all of my accrued time, how do I request Donated Time?

Requests for donation of time will be initiated via a “To – From” letter to your Bureau Commander, through the chain of command. Accrued leave hours may only be transferred to an employee that has exhausted all forms of accumulated leave time during a serious, extended illness. The employee receiving the time must be a member in good standing and a summary of the employee’s absence record for the previous two years will be provided to the Bureau Commander as part of the review process.