



# GLENN COUNTY PERSONNEL DEPARTMENT

*Linda Durrer, Personnel Director*

525 West Sycamore Street

Willows, California 95988

(530) 934-6451 FAX 934-6452

Email: [gcpersonnel@countyofglenn.net](mailto:gcpersonnel@countyofglenn.net)

Website: [www.countyofglenn.net](http://www.countyofglenn.net)



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## Glenn County Family and Medical Leave

**Overview:** Glenn County will grant eligible employees with leaves of absence pursuant to federal, state, and local laws. The Family Medical Leave Act and the California Family Rights Act allow eligible employees to take up to 12 weeks (480 hours) in a 12 month period of unpaid job protected leave for family and medical reasons with continuation of group health insurance under the same terms and conditions as if the employee had not taken leave.

**Applicable to:** All Glenn County Employees who meet the minimum eligibility requirements.

*According to the CFRA, there are specific criteria for an employee to be eligible for California family and medical leave. An employee must have worked for a covered employer for at least 12 months and must have worked for 1,250 hours in the 12 months before the start of the leave. The employee must also work at a worksite where 50 or more employees are employed by the employer within 75 miles of that worksite. The same eligibility requirements also apply to the federal FMLA.*

**Guidelines:** An employee may take FMLA/CFRA leave for any of the following reasons:

- An employee's own serious health condition;
- The birth of a child and to care or bond with such child;
- The placement of a child with the employee for adoption or foster care;
- To care for an immediate family member with a serious health condition (spouse, registered domestic partner, child, or parent).

Leave may be taken intermittently or as a continuous block of time.

FMLA may run concurrently with other leaves, including industrial leave.

**Procedure:** If the need for leave is foreseeable, the employee must give 30 days prior notice. If the leave is not foreseeable, the employee must give notice as soon as practicable. If an employee qualifies for more than one statutory leave, all applicable leaves will run concurrently.

Glenn County uses the 12-month measuring backward method to establish the 12 month period. For example, if an employee begins 12 weeks of leave on March 1, he/she is not eligible for another 12 weeks of leave until March 1 of the following year. All requests for leaves of absence will not be unreasonably denied.

Intermittent Leave or a reduced schedule under FMLA allows an employee to take leave in separate blocks of time, rather than taking one continuous leave.

**Guidelines for intermittent FMLA are:**

- All time must be taken for one single qualifying reason
- Leave must be medically necessary (no voluntary treatments or procedures)
- Leave is subject to authorization under medical certification which specifically describes the conditions, duration, frequency, and medical necessity for intermittent leave or a reduced schedule (For example, a doctor may authorize four days per month for cancer treatments or a schedule reduced to three hours per day.)
- If an employee's absences are longer or more frequent than originally authorized, or if there are safety concerns regarding the employee's ability to perform his/her duties due to the serious health condition, the County can request reauthorization and/or schedule an interactive process meeting
- If the employee has taken intermittent leave for this medical reason prior to formal FMLA designation, the County may designate some of the leave retroactively (when allowed by FMLA)
- Employee must adhere to usual time off request procedures
- Employee may be required to schedule planned treatments in a manner that does not unduly disrupt County operations
- Employee may be reassigned to an alternative position for which he/she is qualified that has equivalent pay and benefits, and that better accommodates the employee's intermittent leave or reduced schedule
- Unscheduled, sporadic absences that do not follow the terms of the medical authorization may not be protected under FMLA and may be subject to disciplinary action
- Employees will be charged for the actual amount of leave taken, in 15 minute intervals

**Employee taking FMLA/CFRA, the employee must:**

- Make notification to his/her Supervisor/Department Head or designee;
- Complete a Leave Request Form;
- Submit a completed Certification of a Serious Health Condition or Certification by Health Care Provider for Family Member's Serious Health condition. The form must be completed in its entirety by the employee's physician or qualifying family member's physician within 15 calendar days of the request for leave. (*Incomplete certifications will be returned to the employee for follow up with the physician.*)
- If the leave is due to placement of a child for adoption or foster care, the employee will be required to provide a copy of the signed Adoption Order (Adopt 215) or placement authorization form in lieu of the Certification of a Serious Health Condition form;
- Complete a Coordination of Benefits Authorization Form;
- Five calendar days prior to the employees estimated return to work date, the employee will be required to submit a completed Return to Work Form. This is not applicable if the leave is for bonding or leave to care for a qualifying family member.

It is the employee's responsibility to complete these forms timely. Failure to provide sufficient information needed to determine eligibility for protected leave may delay

and/or cause the request for protected leave to be denied.

**Supervisor/Department Head:** Upon receiving a Leave of Absence Request Form, the Supervisor/Department Head or designee shall confirm the employee's eligibility for FMLA/CFRA. Once eligibility has been confirmed, the Supervisor/Department Head or designee shall immediately prepare a Preliminary Designation Notice or Leave of Absence Designation Notice and provide the employee with the following documents and forms for completion:

- Certification of a Serious Health Condition Form
- Certification by Health Care Provider for Family Members Serious Health Condition Form
- Leave Request Form
- Coordination of Benefits Authorization Form
- Return to Work Authorization Form with attached job description
- Department of Fair Employment and Housing – CFRA Brochure
- United States Department of Labor – FMLA Fact Sheet #28
- Employment Development Department – SDI Brochure
- Employment Development Department – PFL Brochure

Once the Certification of a Serious Health Condition has been submitted, the Supervisor/Department Head or designee shall complete a Leave of Absence Designation Notice or Preliminary Designation Notice and provide a copy to the employee within five calendar days of the commencement of the employee's leave. A Personnel Action Form shall be completed documenting the FMLA/CFRA leave of absence and forwarded to the Personnel Office for processing.

Copies of all leave of absence documentation should be attached (Leave of Absence Request Form, Certification of Health Care Provider, etc.).

**Personnel Department:** The Personnel Department will review, process, log, and track all leaves of absence.

The provisions of this Personnel Rule shall not supersede any state law, federal law, or current collective bargaining agreement between an employee organization and Glenn County.