

Frequently Asked Questions:

FMLA provides job protection. Even if the employee has sick, vacation, or PTO the city has a legal obligation to provide FMLA information and/or designate FMLA in some cases.

Q: Can I deny my employee's request to miss work for FMLA because I do not have coverage for the absence?

A: *No. Contact the Department of Safety's FMLA & ADA Leave Team if FMLA absences are impacting your business negatively.*

Q: What if my employee asks to make up time missed?

A: *All time missed due to a FMLA absence must be reported to the Department of Safety's FMLA & ADA Leave Team. At the supervisor's discretion, employees may make up the time elsewhere within the work week. Supervisors must be consistent in allowing employees to make up time for FMLA and non-FMLA related absences.*

Q: What do I do if I have an employee who is having problems performing their job due to a medical reason?

A: *Contact the Department of Safety's FMLA & ADA Leave Team right away. We will provide direction when an employee cannot perform the essential functions of the job.*

Possible FMLA Triggers - Call the Department of Safety's FMLA & ADA Leave Team:

- An employee is absent for more than three days due to their illness or injury or for the illness or injury of a parent, spouse or child.
- An employee is absent intermittently.
- An employee/family member is hospitalized overnight.
- An employee tells you she's pregnant
- An employee tells you they will need bonding time with a newly adopted child, new foster child, or the birth of a baby.
- An employee misses work for medical appointments.
- An employee tells you they will need to miss work to take a family member to treatments.
- Other reasons are also covered under FMLA. Contact the Department of Safety's FMLA & ADA Leave Team to see if the reason for your employee's leave is covered.

Contact Information

Department of Safety's FMLA & ADA Leave Team:

Email: safetyhrleave@denvergov.org

Phone: 720.913.6764

Fax: 720.913.7017

DERP: 303-839-5419 **web:** www.derp.org

FPPA: 303-770-3772 **web:** www.fppaco.org

Payroll: 720.913.5186

or payrolldivision@denvergov.org

Benefits: 720.913.5697 **or** benefits@denvergov.org

Benefits for Fire and Police Sworn: 720.913.6741

or safetybenefits@denvergov.org

Short-Term Disability: The Standard Insurance Company 800.368.2859

Workday: www.myworkday.com/denver



Family & Medical LEAVE OF ABSENCE

INFORMATION FOR SUPERVISORS



Family Medical Leave Act (FMLA)

What is FMLA?

The Family Medical Leave Act (FMLA) is a federal law that entitles eligible employees to take unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave.

What are common qualifying reasons for FMLA?

1. Your own serious health condition.
2. A family member's serious health condition.
3. Bonding for birth of a child, adoption or placement of a foster child.
4. Care of a military family member due to injury or deployment.

Who is eligible for FMLA?

An employee is eligible for FMLA when they have worked for the City and County of Denver for a total of 12 months and have worked 1250 hours in the 12 months prior to the leave request.



What is the FMLA entitlement?

FMLA allows 12 weeks of leave in a 12 month period. FMLA leave can be taken as a block of time or intermittently.

What do I enter in Kronos/Telestaff?

FMLA is unpaid. Employees may choose to use their accrued time – sick, vacation, PTO, etc. When the employee has an intermittent FMLA absence, the employee's timekeeper for their department must enter the paid leave on the employee's timecard and notify the Department of Safety's FMLA & ADA Leave Team. Keep in mind that overtime and comp time are accumulated per week, not per pay period. Therefore, if an hourly employee makes up time for pay purposes, they must do so in the same week of their intermittent absence. If the employee is out for a continuous block of time, the timekeeper for their department will enter the paid leave on the employee's timecard based on an agreed upon leave calendar and will enter any donated leave.

What do I do if I think my employee is abusing FMLA?

Notify the Department of Safety's FMLA & ADA Leave Team right away if you suspect FMLA abuse. The Department of Safety's FMLA & ADA Leave Team monitors patterns of usage and trends but may not be aware of every situation. The Department of Safety's FMLA & ADA Leave Team, scheduling unit, administrative team, supervisors and managers must work together to ensure employees use FMLA appropriately.

Do I need to tell my employees about FMLA if they have accrued paid time?

Yes, FMLA provides job protection. Even if the employee has sick, vacation, or PTO the city has a legal obligation to provide FMLA information and designate FMLA in some cases.

What should I do if my employee needs to take leave?

As soon as you become aware that an employee may need to take a leave of absence notify the Department of Safety's FMLA & ADA Leave Team. Notify the Department of Safety's FMLA & ADA Leave Team even if you believe the employee may not be eligible for FMLA. There may be other possible leave options.

What questions can I ask?

- You may ask:
 - » Is this absence FMLA related?
 - » What is your pay choice?
 - » How can I support you?
- You should never:
 - » Ask what is your medical condition?
 - » Ask for medical details or documents.
 - » Share employee's FMLA leave information with others.

