

Family Medical Leave

352.1 PURPOSE AND SCOPE

To set forth guidelines for the Family Rights Act. This policy applies to all designated employees.

352.1.1 DEFINITIONS

Family Medical Leave Act (FMLA) – Entitles eligible employees of covered employers 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. Eligible employees are entitled to:

- Twelve workweeks of leave in a 12-month period for:
 - the birth of a child and to care for the newborn child within one year of birth; the placement with the employee of a child for adoption or foster care and to care for the newly placed child within one year of placement;
 - to care for the employee’s spouse, child, or parent who has a serious health condition; a serious health condition that makes the employee unable to perform the essential functions of his or her job;
 - any qualifying exigency arising out of the fact that the employee’s spouse, son, daughter, or parent is a covered military member on “covered active duty;” OR
- Twenty-six workweeks of leave during a single 12-month period to care for a covered service-member with a serious injury or illness if the eligible employee is the service-member’s spouse, son, daughter, parent, or next of kin (military caregiver leave).

California Family Rights Act (CFRA) - Allows California workers to take up to twelve (12) weeks of unpaid leave in order to care for a sick child, spouse or parent. It requires every employer with 50 or more workers to provide leaves of absence to care for a newborn or adopted child or a seriously ill child, spouse, or parent.

To be eligible for CFRA leave, an employee generally has to meet 3 requirements: have worked for the employer for more than 12 months, have worked at least 1,250 hours in the 12 months prior to their leave.

Pregnancy Disability Leave (PDL) - California law guarantees job-protected leave to eligible employees who are disabled by pregnancy, childbirth, or a related medical condition, and separately guarantees job-protected leave to eligible employees to bond with a new child (via birth, adoption, or foster care placement known as CFRA leave). Employees also have federal rights to leave for a pregnancy-related disability or to bond with a new child, which are provided for by the FMLA. When both state and federal laws apply, the employee receives the benefit the more protective law.

352.2 AUTHORITY AND REFERENCES

- Fair Employment Housing Council (FEHC) Regulations.

Riverside County Probation Department

Policy Manual

Family Medical Leave

352.3 POLICY

California Family Rights Act shall be used in accordance with the provisions of Fair Employment Housing Council regulations.

352.4 PROCEDURE

An FMLA packet will be provided to an employee by the division secretary or designee and/or the Liability Management and Standards Compliance unit upon request of a leave of absence. The employee will submit the appropriate forms and required documentation.

Date last reviewed: 12/29/2021

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Created: 06/01/1992

Attachment(s):

1. [Riverside County Family Medical Leave and Other Information](#)
2. [California Family, Medical, and Pregnancy Disability Leave](#)