

# Time and Leave for Superintendents and Supervisors

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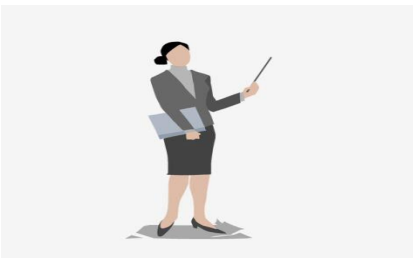
**Human Resource Services**

**1219 Boylan Hall**

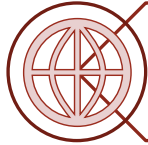
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# Disclaimer

- ❖ **The presentation is intended as general information only and does not carry the force of legal opinion.**
- ❖ **HRS is providing this information as a Supervisor/Superintendent resource. This information and related materials are presented to give Supervisors/Superintendents a better understanding of the Time and Leave process and procedures.**
- ❖ **We will make every effort to keep this information current and to correct errors brought to our attention.**



# Agenda



Type of Leaves



Sick and Medical Documentation



Supervisor Rights and Responsibilities



Employee Responsibilities



HRS Responsibilities



**TYPE  
OF  
LEAVES**

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Family Medical Leave Act (FMLA)

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Authorized Medical Leave

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Unauthorized Leave

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Paid Family Leave (PFL)

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Workers' Compensation

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Jury Duty

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Bereavement

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# Family Medical Leave Act (FMLA)

Job protection  
paid or unpaid  
during a leave  
of absence for  
up to 12 work  
weeks during a  
12-month  
period

Allows an  
employee to  
maintain  
health benefits  
for up to 12  
work weeks

Employee can  
take  
continuous or  
intermittent  
leave

# FMLA- Eligibility Requirements

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- Must have been employed by the University for at least 12-months cumulatively; not necessarily consecutive
- Must have worked 1250 hours in the 12-month period immediately preceding the start of leave
- Annual leave and sick leave does not count toward the 12-month calculation (only hours worked)

Note: Staff members reach 1250 hours as follows:

- If employee works 35 hours a week – 36 weeks
- If employee works 40 hours a week – 31.5 weeks



# FMLA- Time and Leave Usage

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- In the case of serious illness or injury CUNY requires employees to exhaust all paid sick leave, annual leave or other paid leave, before taking unpaid FMLA leave
- If employee is caring for a family member annual leave must be charged before an unpaid FMLA leave can be granted
- Health benefits will continue during an unpaid FMLA leave only during the 12-weeks duration

# FMLA- Medical Documentation

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- After more than three (3) consecutive days being absent the employee is required to provide medical documentation
- More than five (5) days of sick absence requires that employee contact Time and Leave unit to discuss leave options
- Medical Documentation must be given to the Time and Leave unit (not department Supervisor)




# Authorized Medical Leave

Allows an employee to maintain health benefits if in paid status

Employee can take continuous medical leave paid or unpaid

Requires status updates every 30 days for Health Care Provider

# Unauthorized Medical Leave



Unpaid leave of  
absence

All accrued time  
has been  
exhausted

No health  
coverage

Sufficient  
documentation  
has not been  
submitted



# Paid Family Leave

Offers job protection on leave up to 12 work weeks during a 12-month period

Allows an employee to maintain health benefits for 12 work weeks

Employee can take continuous or intermittent leave

- Paid time off to care for the following:

- Bond with a newly born, adopted or fostered child
- Care for a family member with a serious health condition
- Assist loved ones when a family member is deployed in a foreign country on active military service

# PFL- Eligibility Requirements

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- Employees who work 20 hours or more per week are eligible after 26 weeks of employment
- Employees who work less than 20 hours per week are eligible after 175 days of employment

## Paid Family Leave – Cont.

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- PFL benefits are not paid by CUNY, but by **Standard Insurance**
- Pension contributions are not made, and time is not accrued while on PFL since you're paid by The Standard
- Employee must apply no less than 30 days prior to the expected leave of absence
- Employee may take up to 12 weeks of leave
- Employee will receive up to 67% of their average weekly salary
- Employee will maintain health benefits during this leave
- All employees pay a percentage of an employee's gross wages which changes annually

# Paid Family Leave- Intermittent

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- Intermittent leave can be taken as brief leaves over 12 months amounting to 12 weeks
- Must be taken as a series of full days over the leave period up to 12 weeks
- Employees indicate the intended intermittent leave dates
- Leave dates are subject to change at the employee's request



# Workers' Compensation



Covers  
occupational  
related illness  
or injury

Offers job  
protection

Limited  
compensation  
for serious  
permanent  
injury or life  
loss

## Jury Duty

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Full-time employees receive compensation for jury duty

Proof of summons must be submitted to HRS at the end of service



# Bereavement Leave

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Employees get four (4) days of bereavement leave for immediate family.

Verification is required and reviewed by HRS

# Supervisor Responsibilities

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- Notify HRS when an employee is absent for more than (3) days
- Ensure that time is accurately recorded in TMS
- Notice a pattern of time and leave abuse and document
- Counsel employees when time is being abused
- Document time and leave issues
- Manage time appropriately to avoid exceeding annual leave caps

# Supervisor Rights

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- Ask the employee to change their annual leave request to fit the needs of the department
- Question a pattern of sick time abuse, document and report it to HRS
- Create a work schedule for the department to fit the department needs

# Employee Responsibilities

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- Provide HRS advanced notice if employee anticipates taking FMLA leave
- Provide sufficient updates for medical leaves
- Submit fitness-for-duty certification to HRS prior to returning to work
- Maintain accurate and timely record on timesheet
- Manage time appropriately to avoid exceeding the annual leave cap
- Must request time off in a timely manner and adhere to department time and leave rules

# HRS Responsibilities

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- Acknowledge receipt of FMLA forms
- Provide updates to supervisor/superintendent
- Maintain health insurance during period of FMLA up to 12 weeks
- Restore the employee to same or equivalent job and benefits
- Maintains confidential records
- Update employee leave status

# CONTACT US

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# Questions?

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