



# Leave of Absence

Employee Relations



# Scenario 1

Laura is a permanent employee with your agency. Laura has been on bed rest for six weeks using her available sick and annual leave. The facility has also tracked her time as FMLA, for the six-week period. Laura has now exhausted all available leave and is going off payroll for the birth of her child and will be out of work for an additional eight weeks.



# Scenario 1

- **FMLA** for the remainder of her available 12 weeks. Once she expires her 12 weeks of FMLA, the additional two weeks that she is under the care of the physician would be a **Medical Leave of Absence**.
- FMLA Requesting Documentation Letter; The Notice of Eligibility Rights and Responsibilities informing the employee of her FMLA rights and advising employee that paperwork is due back within 15 days (**DOP-L9**); Physician Statement (**DOP-L3**) and or Certification of Health Care Provider for Employee Serious Health Condition (**DOP-L5**); Application for Leave for Federal Family and Medical Leave, State Parental Leave, and/or Medical Leave of Absence Without Pay (**DOP-L4**); **Donated Leave Application**, and **FMLA Poster**.



# Scenario 1

- **Physician's Statement/Certification of Health Care Provider Form** indicating the time that the employee will be out of work which must include an estimated return to work date. Once you obtain the medical documentation from the employee you are to provide the **Designation Notice (DOP-L10)** informing the employee their leave is approved under FMLA provide the specific time that will be counted against their FMLA entitlement. Completed **Donated leave application**, must be completed by physician showing the period of incapacity and return to work date. The donated leave form must be completed and submitted to DAS before the employee returns to work
- **LV-FMLA- Self Medical Tracking**, at the end of 12 weeks of FMLA then it will be **LV-MLWOP-Medical LWOP**



# Scenario 1

- Leave of Absence Coversheet, FMLA/Medical Leave of Absence letter to employee, Physician Statement/Certification of Health Care Provider for Employee's Serious Health Condition/FMLA Paperwork (Notice of Eligibility & Designation Notice) and completed donated leave application. Time sheet showing last day employee worked and their last day paid.



# Scenario 2

Chris is a permanent employee with your agency. Chris has been out of work due to surgery and will be out of work for six months. Chris was paid all available sick and annual leave and has exhausted his 12 weeks of FMLA, and he is now off payroll.

# Scenario 2

- **Medical Leave of Absence**, if employee had not been on a medical leave within the previous 12-month period
- FMLA Requesting Documentation Letter; The Notice of Eligibility Rights and Responsibilities informing the employee of her FMLA rights, and advising employee that paperwork is due back within 15 days (**DOP-L9**); Physician Statement (**DOP-L3**), and or Certification of Health Care Provider for Employee Serious Health Condition (**DOP-L5**); Application for Leave for Federal Family and Medical Leave, State Parental Leave, and/or Medical Leave of Absence Without Pay (**DOP-L4**); **Donated Leave Application**, and **FMLA Poster**.

# Scenario 2

- **Physician's Statement/Certification of Health Care Provider Form** indicating the time that the employee will be out of work which must include an estimated return to work date. Once you obtain the medical documentation from the employee you are to provide the **Designation Notice (DOP-L10)** informing the employee their leave is approved under FMLA provide the specific time period that will be counted against their FMLA entitlement. **Completed donated leave application**, must be completed by physician showing the period of incapacity and return to work date. The donated leave form must be completed and submitted to DAS before the employee returns to work.
- LV-MLWOP-Medical LWOP
- Leave of Absence Coversheet, Medical Leave of Absence letter to employee, Physician Statement/Certification of Health Care Provider for Employee's Serious Health Condition/FMLA Paperwork (Notice of Eligibility & Designation Notice) and completed donated leave application. Time sheets showing last day employee worked and their last day paid.



# Scenario 3

John is a probationary employee with your agency. In an altercation between two inmates, John is injured. John elects not to use his sick and annual leave during his recovery.

# Scenario 3



- Workers Compensation
- Leave of Absence Coversheet, TTD letter from Encova approving TTD Benefits. Time sheet showing last day worked, and when TTD began
- Worker's Comp. for Annual Leave

# Scenario 4

Jacob is a probationary employee and has provided Military Orders that he will be on active duty for a period of 400 days, beginning May 2, 2022. Jacob has not used Military Part A, or Part B in the calendar year. Do you pay Jacob Military Part A or B, or both? Is Jacob eligible for Military pay in 2023? When does Jacob have to report back to work after he completes his orders?

# Scenario 4

- Military Leave
- Application for Leave of Absence without pay ( DOP-L2)
- Leave of Absence Coversheet, Military Orders, Time Sheet showing last day worked, and last day paid.
- The employee is not eligible for the new calendar year (2023) allotment until the service member is released from federal active duty and returns to work or paid status
- Employee must return to work no later than 90 days after completion of service.
- LV- Military LWOP- After using 240 hours of Part A, and 240 hours of Part B

# Scenario 5

Amy is a permanent employee with your agency. Amy follows proper call-in procedures stating that she is sick and is absent from work ten consecutive days. Amy is paid her available sick and annual leave but goes off payroll during her absence. Amy returns to work and does not provide a physician's statement supporting her absence.

# Scenario 5

- Unauthorized Leave
- FMLA Requesting Documentation Letter; Notice of Eligibility Rights and Responsibilities informing the employee of her FMLA rights (**DOP-L9**) advising employee that paperwork is due back within 15 days; Physician Statement (**DOP-L3**), and or Certification of Health Care Provider for Employee Serious Health Condition(**DOP-L5**); Application for Leave for Federal Family and Medical Leave, State Parental Leave, and/or Medical Leave of Absence Without Pay (**DOP-L4**); **Donated Leave Application**, and **FMLA Poster**.
- Leave of Absence Coversheet, **Unauthorized Leave of Absence** letter to employee, Time Sheet showing last day worked, and last day paid.
- ULWOP- Unauthorized PY



# Scenario 6

John is a new employee only hired five months ago. John had an accident at home, breaking his arm. John has exhausted all his available sick and annual leave and is now off payroll.



# Scenario 6

- Personal Leave of Absence
- FMLA Requesting Documentation Letter advising employee the paperwork is due back within 15 days; The Notice of Eligibility Rights and Responsibilities informing the employee that he does not qualify for FMLA (DOP-L9); Physician Statement (DOP-L3), and or Certification of Health Care Provider for Employee Serious Health Condition (DOP-L5); Application for Leave for Federal Family and Medical Leave, State Parental Leave, and/or Medical Leave of Absence Without Pay (DOP-L4); **Donated Leave Application**, and FMLA Poster.



# Scenario 6

- **Physician's Statement/Certification of Health Care Provider Form** indicating the time that the employee will be out of work which must include an estimated return to work date. **Completed donated leave application**, must be completed by physician showing the period of incapacity and return to work date. The donated leave form must be completed and submitted to DAS before the employee returns to work
- Leave of Absence Coversheet, Personal leave of absence letter to employee, and Physician's Statement/Certification of Health Care Provider for Employee Serious Health Condition (L5) FMLA Paperwork, Time Sheet showing last day worked and last day paid
- LV- Personal Unpaid

# Scenario 7

Jim is a permanent employee. You have received allegations of employee misconduct. An investigation must be completed regarding the allegations of employee misconduct.

# Scenario 7

- Suspension Pending Investigation
- Leave of Absence Coversheet, **Suspension Pending Investigation** letter to employee, Time Sheet showing last day worked and last day paid.
- LV- Suspension- If employee elects to use annual leave while on suspension, you will key two entries, LV- Suspension, and Annual Leave each day until Annual leave is exhausted.

# Scenario 8

Tina has been with your agency for 10 years. Tina has notified you that she is needed to provide care to her mother due to a serious health condition, and she will need to provide care to her mother for a period of six months. Tina has exhausted her 80 hours of Family Sick Leave, and all available annual leave and now is off payroll.

# Scenario 8



- FMLA first 12 weeks (3 months), then would need to apply and be approved for a Personal Leave of Absence
- FMLA Requesting Documentation Letter; Notice of Eligibility Rights and Responsibilities informing the employee of her FMLA rights and advising employee that paperwork is due back within 15 days (**DOP-L9**); Physician Statement (**DOP-L3**) and or Certification of Health Care Provider for Family Member's Serious Health Condition (**DOP-L6**); Application for Leave for Federal Family and Medical Leave, State Parental Leave, and/or Medical Leave of Absence Without Pay (**DOP-L4**); **Donated Leave Application**, and **FMLA Poster**.

# Scenario 8



- **Physician's Statement/Certification of Health Care Provider Form** indicating the time that the employee will be out of work which must include an estimated return to work date. Once you obtain the medical documentation from the employee you are to provide the **Designation Notice (DOP-L10)** informing the employee their leave is approved under FMLA and provide the specific time that will be counted against their FMLA entitlement. Completed **donated leave application**, must be completed by physician showing the period of incapacity and return to work date. The donated leave form must be completed and submitted to DAS before the employee returns to work
- Leave of Absence Coversheet, Leave of Absence letter to Employee, (Certification of Health Care Provider for Family Members Serious Health Condition (L-6)/ FMLA Paperwork (Notice of Eligibility & Designation Notice) Time sheets showing last day employee worked and their last day paid.
- LV-FMLA Eligible Family Tracking- first 12 weeks; If Personal leave of absence is approved, will key LV- Personal Unpaid

**Questions?**

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