

# Employee's Serious Health Condition (HCOMP Faculty)



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Comprehensive leave guidance to help you along the way

# Employee Serious Health Condition

**This Employee's Serious Health Condition leaves packet applies ONLY for faculty in the following Health Sciences Compensation Plan titles:**

Assistant/Associate/Full Professor (Ladder)

Title codes: 001717, 001719, 001721

ASST PROF-HCOMP

ASSOC PROF-HCOMP

PROF-HCOMP

Assistant/Associate/Full Professor In Residence

Title codes: 001724, 001725, 001726

ASST PROF IN RES-HCOMP

ASSOC PROF IN RES-HCOMP

PROF IN RES-HCOMP

Assistant/Associate/Full Professor of Clinical X

Title Codes: 001455, 001454, 001453

ASST PROF OF CLIN-HCOMP

ASSOC PROF OF CLIN-HCOMP

PROF OF CLIN-HCOMP

Instructor/Assistant/Associate/Full Health Sciences Clinical Professor

Title Codes: 001731, 001732, 001733, 001734

HS CLIN INSTR-HCOMP (SON only)

HS ASST CLIN PROF-HCOMP

HS ASSOC CLIN PROF-HCOMP

HS CLIN PROF-HCOMP

Assistant/Associate/Full Adjunct Professor

Title Codes: 001728, 001729, 001730

ASST ADJ PROF-HCOMP

ASSOC ADJ PROF-HCOMP

ADJ PROF-HCOMP

Note: These are the primary UC Davis Schools of Health title/title codes used. For a full list of Health Sciences Compensation Plan membership eligible titles, please review

[APM 670-14.a.](#)

\*If you are not a member of the Health Sciences Compensation Plan as defined in [APM 670](#), appointed in a corresponding title/title code, please return to our website to choose the appropriate packet for your title/title code. If you are unsure of your title, click here: [Where to find your title in UC Path](#)

# PLEASE READ

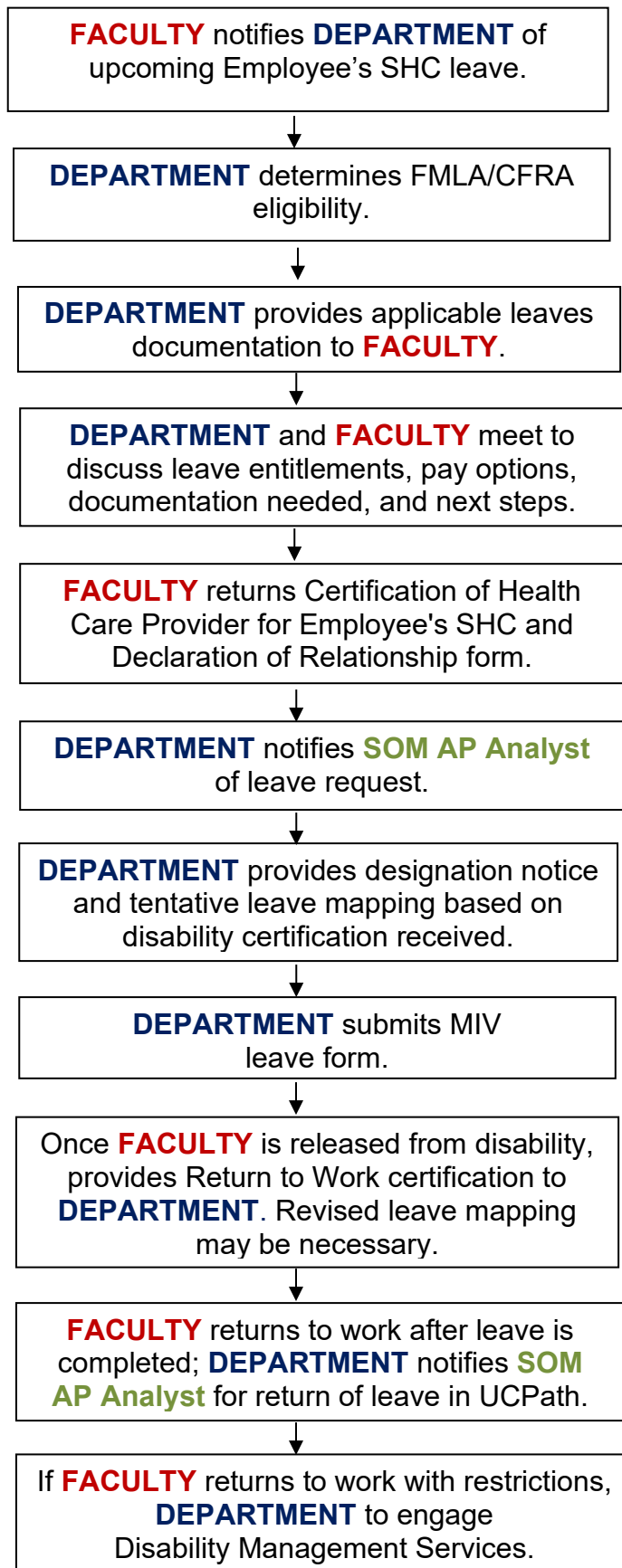
## **FAMILY AND MEDICAL LEAVE (FML) IS JOB PROTECTION, NOT PAY.**

This packet describes both your leave entitlements and income replacement options. It is important to understand these are not the same. Leave entitlements describe the types of “protected” leave to which you are entitled under University policy (incorporating federal and state laws, including FMLA, CRFA, etc.). “Protected” leaves are time you can be away from work (unpaid) and for which the University is not permitted to respond with an adverse employment action (e.g., discipline, termination, etc.). Income replacement describes the policies and procedures under University policy whereby you can continue to receive income notwithstanding that you are not working (i.e., on leave).

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# Employee's Serious Health Condition (SHC) Leave Process



# Leave Entitlements: Employee's SHC

The following leave entitlement information applies to eligible Employee's Serious Health Condition leaves in academic faculty and non-faculty titles. Compensation for this leave is discussed on the following page, Pay Options: Employee's Serious Health Condition.

A serious health condition is defined as an illness, injury, impairment, or physical or mental condition that involves either inpatient care or continuing treatment by a health care provider, in which the employee cannot perform the essential function(s) of their job. Both physical and mental health conditions qualify for FMLA/CFRA leave.

**Family and Medical Leave (FML)** is a job and benefit protected leave provided under any of the following statutes:

- **Family and Medical Leave Act (FMLA, Federal entitlement)** – provides eligible employees with up to twelve (12) workweeks of unpaid, job-protected leave per calendar year for a serious health condition.

Eligibility - at least 12 months of cumulative University service and 1,250 hours worked in the 12 months immediately preceding the commencement of the leave. Hours worked include overtime but not holiday, vacation, sick leave, or other paid leaves.

- **California Family Rights Act (CFRA, State entitlement)** – provides eligible employees with up to twelve (12) workweeks of unpaid, job-protected leave per calendar.

Eligibility - at least 12 months of cumulative University service and 1,250 hours worked in the 12 months immediately preceding the commencement of the leave. Hours worked include overtime but not holiday, vacation, sick leave, or other paid leaves.

For Employee's Serious Health Condition leaves, FMLA/CFRA run concurrently. The start of FMLA/CFRA is dependent on the information provided by the physician on a Certification of Health Care Provider for Employee's Serious Health Condition form or comprehensive doctor's note.

Note: If a doctor's note is obtained in place of the Certification of Health Care Provider for Employee's Serious Health Condition form, it must contain all the pertinent information that would be included on Certification of Health Care Provider for Employee's Serious Health Condition form. Doctor's notes with incomplete information will be returned to the employee for an updated note which may cause a delay with the employee's FMLA/CFRA designation.

Additional information:

FMLA/CFRA protected leaves entitle eligible employees of covered employers to take unpaid, job-protected leave with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave.

UC Davis administers FMLA/CFRA on a calendar year basis.

- A “rolling 12-month period” will be used to calculate hours worked in determining if an employee is eligible for an FMLA/CFRA leave.
- FMLA/CFRA eligibility is re-calculated at the start of every calendar year, which includes FMLA/CFRA leaves in process.
- Any FMLA/CFRA leave used in the calendar year will decrease your total FMLA/CFRA allotment for that calendar year.
- If an employee takes less than the full amount of leave allowed, they do not need to re-qualify (regarding the number of hours worked) to take additional leave for the original reason within the 12-month period. If the additional leave is for a different reason than the original leave, the employee must re-qualify.

Employees not currently eligible for FMLA/CFRA leave entitlements may work with their respective departments to coordinate the necessary time away for their Employee’s Serious Health Condition leave. Note: personal leaves are not protected under FMLA or CFRA.

**\*Certification by a health care provider.** Under the FMLA, the definition of health care provider includes, but is not limited to the following: doctor of medicine or osteopathy, physician assistant, nurse practitioner, podiatrist, dentist, nurse-midwife, clinical psychologist, clinical social worker, optometrist, chiropractor, Christian Science practitioner, and any provider covered under the employer group health plans, including foreign countries. Other health care providers may be acceptable, please contact AP for guidance.

# Leave Laws

The following is a guide regarding federal and California state disability leave laws as they relate to an employee's serious health condition. Please be advised you must confer with your Academic Personnel (AP) department analyst regarding your eligibility for protected leave under the Family and Medical Leave Act (FMLA) and the California Family Rights Act (CFRA).

Type of Leave	Duration	Benefit	Eligibility Requirements and Use
<b>Family and Medical Leave Act (FMLA)</b>	Up to 12-weeks per calendar year	<ul style="list-style-type: none"> <li>• Job protected leave</li> <li>• Eligible for benefit continuation of employer contribution for medical/dental/vision</li> </ul>	<p>Eligibility requirements:</p> <ol style="list-style-type: none"> <li>1. 12 mos. cumulative UC service</li> <li>2. 1250 actual hours worked in the prior 12 mos.</li> </ol> <p>Runs concurrently with CFRA for any period of incapacity due to employee's serious health condition.</p>
<b>California Family Rights Act (CFRA)</b>	Up to 12-weeks per calendar year	<ul style="list-style-type: none"> <li>• Job protected leave</li> <li>• Eligible for benefit continuation of employer contribution for medical/dental/vision</li> </ul>	<p>Eligibility requirements:</p> <ol style="list-style-type: none"> <li>1. 12 mos. cumulative UC service</li> <li>2. 1250 actual hours worked in the prior 12 mos.</li> </ol> <p>If you were eligible for FMLA at the time of your leave, you will be eligible for 12 weeks of protected leave due to employee's serious health condition.</p> <p>Runs concurrently with FMLA for any period of incapacity due to employee's serious health condition.</p>



While the Family and Medical Leave Act (FMLA) and California Family Rights Act (CFRA) are unpaid entitlements during an employee's serious health condition leave, faculty members may have several options to receive compensation while on leave. The following pay option information applies to Health Sciences Compensation Plan (HCOMP) member faculty employee's serious health condition leaves.

## Health Sciences Compensation Plan Member Benefits:

- **Medical 90/90 Leave Pay Benefit** (Medical 90/90 pay) – provides up to 90 days of full pay and 90 days of partial pay for personal illness for applicable Health Sciences Compensation Plan members only.

The Medical 90/90 pay benefit consists of 90 days of full pay (X, X'+ Y) and 90 days of partial pay (total base, X + X' only) at the faculty member's total negotiated salary rate, prorated based on appointment percent at the time of leave (excluding clinical incentives and bonuses). During this period, no duties shall be required by the University.

The Medical 90/90 pay benefit may be applied as block pay, consecutive calendar days (includes weekends and holidays), or used intermittently. For intermittent pay, faculty members should consult with their department's Academic Personnel analyst to determine eligibility, and discuss the documentation required and hours tracking necessary for intermittent leave. Note, intermittent leave is calculated and tracked on an hourly basis and will be applied to this pay benefit as applicable.

Eligibility – available upon hire; granted to a faculty member, who is a member of a UC Davis Health Sciences Compensation Plan. Use of the Medical 90/90 pay benefit requires medical certification placing the faculty member on an ongoing or intermittent leave.

Additional Information:

**THE MEDICAL 90/90 PAY BENEFIT IS AVAILABLE ONCE EVERY TEN-YEAR PERIOD, WHILE IN A COMPENSATION-PLAN-ELIGIBLE-TITLE.** The start of the 10-year period for the Medical 90/90 pay benefit begins on the faculty member's first day of employment as an HSCP member, and resets on their 10-year anniversary. Note: Appendix A of the Health Sciences Compensation Plan clarifies that HSCP faculty members are eligible for a maximum of 6 months of salary replacement in a "rolling" one-year period (one year immediately preceding the date of leave).

The Medical 90/90 pay benefit is intended to bridge the gap between the 180 day waiting period for voluntary long-term disability but can be used for shorter unrelated illnesses as well. Faculty may use this benefit consecutively with Disability benefits (which afford partial pay), accrued vacation time, and any FMLA/CFRA unpaid leave to cover any long-term personal illness.

- **New York Life (NYL) Med Comp Disability Pay Benefit (NYL Pay)** – provides our eligible HSCP faculty pay up to 60% of the Y negotiated salary, capped at \$15,000/month. This disability pay benefit can be used while on block or intermittent leave, and in combination with your partial earnings (intermittent schedule) and/or 2<sup>nd</sup> Medical 90 partial pay benefit (X and X' only) or while on leave without pay status.

The NYL Pay benefit has a 90-day waiting period before coverage is provided. Waiting periods may be satisfied using your 1<sup>st</sup> Medical 90/90 Leave Pay Benefit (full pay for 90 days) or vacation pay, as applicable and available.

Please contact your Dean's office AP analyst for further information on benefit details, eligibility, and for how to file a claim.

### Other Pay Option Benefits:

- **Vacation Pay (Vacation)** – Faculty may use accrued vacation for full pay to cover any combination of their serious health condition leave not covered by the Medical 90/90 pay benefit.
- **Sick Leave** – Faculty do not accrue sick leave and are unable to use previously accrued sick leave (from a former position) for leaves. \*As of January 1, 2025, academic faculty will have paid sick leave available to them. This leave packet will be updated in the new year with more information.
- **Disability** - While disability pay is an option for an Employee's Serious Health Condition leave, the Medical 90/90 pay benefit provides a greater benefit to the faculty member, and therefore is typically used prior to disability benefits. An exception to this typical practice might be if there is an extended disability period, lasting longer than the covered 180-day period.
  - **Basic Disability** – UC provided benefit for full, mid-level and core benefit employee. The Basic Disability plan covers up to 55% of your eligible monthly earnings to a maximum of \$800 per month up for to 24 weeks.
  - **Voluntary Short-Term Disability (VSTD)** – Employee elected/paid benefit and supplements Basic Disability coverage. VSTD offers 60% of your eligible earnings, with a maximum benefit of \$15,000 per month.
  - **Voluntary Long-Term Disability (VLTD)** - Employee elected/paid benefit for long-term disability. VLTD offers 60 percent of your eligible earnings, with a maximum benefit payment of \$15,000 per month, and benefits can last until your Social Security normal retirement age.

Note, all disability plans have waiting periods that need to be satisfied before they go into effect. Please see [University of California, Guide to UC Disability Benefits for additional](#)

[information](#). You may also contact [benefits@ucdavis.edu](mailto:benefits@ucdavis.edu) to get additional information on disability pay options including how to file, etc.

- **Catastrophic Leave Donations** – Faculty that have exhausted all paid leave options due to a catastrophic illness or catastrophic event, and are on approved leave without pay, may be eligible for catastrophic leave donations from the general pool and/or direct donations from the UC Davis Catastrophic Leave Sharing Program. Faculty should work with their department AP analyst, if interested.

Information on program eligibility, availability, and requirements can be found here: [Catastrophic Leave Sharing Program](#).

Additional Information:

If a faculty member has used all applicable pay options and still has protected leave available, they may choose to continue their leave without pay.

#### **Non-Health Sciences Compensation Plan Faculty**

Please review the applicable leave packet for non-HSCP members.

The following forms and documentation apply to Employee's Serious Health Condition (SHC) leaves for academic faculty titles.

- **[Notice of Eligibility and Rights & Obligations Form \(DEPARTMENT\)](#)**

When an employee first requests a leave for a reason that may qualify for FMLA leave/CFRA, or the department receives information of a possible qualifying event, the employer must notify the employee whether they are eligible for FMLA/CFRA leave. If the employee is eligible, the employer must notify the employee in writing about employee rights and responsibilities under the FMLA.

The Notice of Eligibility and Rights and Obligations Form should be provided to the employee **within five (5) days** of the department learning of a possible qualifying event or receipt of the leave request from the employee.

- **[Certification of Health Care Provider for Employee's Serious Health Condition Form \(FACULTY\)](#)**

Medical certification to support employee's request for disability leave due to a serious health condition. Providing this completed form is required to obtain (or retain) the benefit of FMLA/CFRA protections for the employee's leave.

The Certification of Health Care Provider for Employee's Serious Health Condition Form should be provided to the employer **within fifteen (15) days** of receipt of the Notice of Eligibility and Rights & Obligations Form.

If the employee is not FMLA/CFRA eligible, please use the following [Certification of Healthcare Provider for Employee's Serious Health Condition Form \(non-FMLA\)](#).

- **[Designation Notice Form \(DEPARTMENT\)](#)**

Once the employer has enough information to know whether a leave request qualifies as FMLA/CFRA leave, the employer must notify the employee in writing whether the employee's time off from work will be designated FMLA/CFRA leave, and the amount of time that will count against the employee's entitlements.

The Designation Notice Form should be provided to the employee **within five (5) days** of the employer receiving sufficient information regarding qualification of leave.

- **[Employee's Serious Health Condition Leaves Map \(DEPARTMENT\)](#)**

A leave mapping offers the employer and employee a full picture glance of leave entitlements, pay, and anticipated length of leave.

- **[Return to Work Certification Form \(FACULTY\)](#)**

Prior to returning to work following an employee's serious health condition leave, written authorization from the employee's health care provider is required to return the employee from disability. An employee may not return to work without first submitting a Return to Work Certification stating the employee is able to work, and listing functional

limitations, if any, that will impact the employee's ability to perform their typical duties.

If a doctor's note is obtained in place of the Return to Work Certification form, it must contain all pertinent information – employee's release to return to work effective date, functional limitations, if any, and the date the employee is released to perform their full duties without limitations.

Note: Functional limitations differ from reasonable accommodations. The health care provider must provide the medical limitations that impact the employee's ability to perform their job functions, so the University is able to review those limitations to work with the employee through the interactive process to ascertain appropriate and reasonable accommodation(s) for their medical limitations.

Additional Information:

There may be instances when more than one Return to Work Certification is needed. For example, when a physician releases an employee back to work on an intermittent/reduced schedule leave (e.g. Employee is released to work 4 hours per day for four weeks, then may return to work at full time capacity). The employee will need to obtain a final release to work/from disability prior to returning to their full time duties. If you are unsure when/if a new or revised Return to Work Certification is required, please contact your Dean's office AP Analyst.

The Return to Work Certification Form must be provided to the employer **at least three (3) days prior** to the employee's first day back at work

- [Family and Medical Leave Benefits Fact Sheet](#)

This University of California fact sheet offers general guidance on how Family and Medical Leave works, eligibility requirements, how to arrange for a leave, what happens to your benefits during a leave and how to make the transition back to work.

## **MEDICAL, DENTAL, AND VISION BENEFITS**

If you are on UC pay status, all UC-sponsored benefits continue.

If you are off UC pay status and on one of these types of approved leaves, UC contributions for your medical, dental and vision will continue: Family and Medical (FMLA) and/or California Family Rights Act (CFRA) leaves. However, you may be responsible to pay your contribution for your medical benefits. Please see [UC's Leave Without Pay Fact Sheet](#) for more information.

The [UC Davis Quick Guide to UC Benefits Continuation While on Leave Fact Sheet](#) is another resource for departments and faculty. It shares information on what to expect while on leave and who to contact for benefit related questions.

## HELPFUL CONTACTS

If you are on leave for your own serious health condition or disability for more than 90 days, you may wish to contact the Benefits Office to discuss benefit options available to you.

If you have been on leave for your own serious health condition or disability and would like to explore accommodations to return to work, you may wish to contact Disability Management Services.

## CONTACT INFORMATION

UC Davis Health Benefits: [benefits@ucdavis.edu](mailto:benefits@ucdavis.edu) (UC Davis Health or Campus)

UC Davis Health Disability Management Services (DMS): [dmshelp@ucdavis.edu](mailto:dmshelp@ucdavis.edu)

### Resources:

[Academic Personnel Manual Leave Policies](#)

[School of Medicine Academic Leaves Page](#)

[Academic Affairs Leave Page](#)

[University of California, Guide to UC Disability Benefits](#)

[MIV Leave Form Entry Job Aid](#)

[Catastrophic Leave Sharing Program](#)

### Tools:

[FMLA/CFRA Eligibility Spreadsheet](#)

[Leaves Calculator](#)

This checklist should help you stay organized and ensure that you're taking the necessary steps for your leave of absence.

**THREE MONTHS PRIOR TO LEAVE:**

- Have you notified your department of your own serious health condition leave needed?**
  
- Has the department provided you with the following documents within five days of receiving notice of your leave?**
  - Notice of Eligibility and Rights & Obligations Form
  - Certification of Health Care Provider Form
  - University of California Family and Medical Leave Fact Sheet
  
- Have you met with your department AP analyst to discuss leave entitlements and pay options?**
  - Possible leave entitlements – [FMLA](#) / [CFRA](#) (it is recommended to familiarize yourself with these federal and state entitlements prior to meeting)
  - Possible pay entitlements – applicable Health Sciences Compensation Plan member benefit (Medical 90/90, NYL Pay), Disability, Vacation, Leave Without Pay
  - Department will also provide initial leave mapping based on leaves dates discussed

**TWO MONTHS PRIOR TO LEAVE:**

- Have you provided your department with a completed Certification of Health Care Provider for Employee's Serious Health Condition form?**
  
- Has the department provided you with the following documents within five days of receiving sufficient information regarding qualification for leave?**
  - Provides Designation Notice
  - Provides Return to Work Certification
  - Provides updated leave mapping if needed, based on medical certification received

**ONE MONTH PRIOR TO LEAVE:**

- Have you discussed/finalized your proposed leave schedule with your department AP analyst and notified them of any changes/updates from your initial leave request?**
  - If yes, please provide the necessary documentation for these changes.
  
- Have you signed off your department's submitted My Info Vault (MIV) leave form(s)?**
  - Definition: My Info Vault is an online database that houses academic personnel research, creative activity, teaching, and service data, and creates and routes electronic dossiers for academic peer review. It also allows for the creation and routing of academic leave of absence requests
  - Department drafts and submits MIV leave form for review/approvals
  - Faculty signs off on department-submitted MIV leave form(s)

### **WHEN YOU GO OUT ON LEAVE:**

- Keep in touch with your department AP analyst to inform them of any changes in your approved leave schedule.**
  - Provide updated disability paperwork to the department if the disability dates are different from the original anticipated disability dates provided earlier in the process.
  - Note, accurate disability dates are important to ensure you receive the most comprehensive leave possible.

### **BEFORE YOU RETURN TO WORK:**

- Have you provided your department with a Return to Work Certification at least 3 days prior to your return to work date?**
  - If you will be on a modified work schedule after your return and require a reasonable accommodation to facilitate your return to work:
    - Discuss this with your HR representative.
    - Provide medical documentation from your health care provider that outlines your work restrictions (if any) and the duration of your restrictions. You will then need to work with your supervisor on evaluating any accommodations and/or completing the transitional work plan form. More information about the [Return to Work \(RTW\) program](#)

### **WHEN YOU RETURN TO WORK**

- Check in with your department AP analyst on the first day back to “sign in”, so they can ensure you are returned from leave in UC Path.**
- Contact the Benefits Office**
  - Call Benefits to verify that all enrollments remain active  
Contact information for Benefits:  
[benefits@ucdavis.edu](mailto:benefits@ucdavis.edu)  
Main Phone: 530-752-1774 (voicemail only - for those without email)  
Email (strongly preferred). Please include your phone number and UCPath ID



The following checklist is intended to help you stay organized and ensure that you are taking the necessary steps for your faculty's leave of absence. The SHORT checklist is helpful for quick reminders of next steps. The DETAILED checklist asks the same questions as the short checklist but provides additional guidance on what is needed for each step.

**SHORT**

- Did the employee request leave, or did the department learn of a possible qualifying event for the employee, for one of the following reasons?
- Is the employee eligible for FMLA leave?
- Has the department provided the necessary documents to the employee within five (5) days of receipt of leave?
- Has the department and employee meet to discuss leave entitlements and pay options?
- Has the department received the applicable Certification Form within fifteen (15) days of issuance of Notice of Eligibility and Rights & Obligations form?
- Has the department notified their SOM AP analyst of the leave request?
- Has the department provided the necessary documents within five (5) days of employer receiving sufficient information regarding qualification of leave?
- Has the department submitted the leave request in MIV?
- Does the department need to track this leave?
- Has the employee notified the department of any changes/updates from their initial leave request?
- Is the employee's leave ending soon?
- Has the department received a Return to Work Certification at least three (3) days prior to the employee's first day back at work?
- Is DMS engaged in the employee's return to work? If so, maintain regular communication with them and the faculty member for interactive process.
- Has the department maintained employee's confidential medical leave documentation as a separate file from the employee's personnel file?

## **DETAILED**

### **Did the employee request leave, or did the department learn of a possible qualifying event for the employee, for one of the following reasons?**

- Employee's own serious health condition
- Serious health condition of spouse, domestic partner, child, parent, parent-in-law, grandparent, grandchild, sibling
- Birth, adoption, or foster placement of child
- Military "qualifying exigency"
- Serious Injury or illness of a covered service member

### **Is the employee eligible for FMLA leave?**

- Has the employee worked at least 12 months for the company (need not be consecutive)?
- Has the employee worked at least 1,250 hours in the preceding 12 calendar months?
  - Hours actually worked include overtime but do not include holiday, vacation, sick leave, or other paid leaves.
- Has the employee already used FMLA leave this calendar year? If so, do they still have FMLA leave available?
- If not FMLA/CFRA eligible, does the employee have other leave options?

### **Has the department provided the following documents to the employee within five (5) days of receipt of leave?**

- Notice of Eligibility and Rights & Obligations Form
- Certification of Health Care Provider Form (whichever is most appropriate for leave type)
  - Declaration of Relationship form is needed for family member serious health condition leave (in addition to cert) and for parental bonding leaves.
- University of California Family and Medical Fact Sheet

### **Has the department and employee met to discuss leave entitlements and pay options?**

- Possible leave entitlements – FMLA / CFRA
- Possible pay entitlements – applicable Health Sciences Compensation Plan member benefit (Medical 90/90, Disability, Vacation, Leave No Pay)
- Provide initial mapping of leave based on desired dates provided by employee.

### **Has the department received the applicable Certification Form within fifteen (15) days of issuance of Notice of Eligibility and Rights & Obligations form?**

- Have you reviewed the form for completeness?
  - For incomplete certification or if clarification is needed, retain a copy and return original certification to the employee with explanation of deficiencies and request new certification to be submitted within seven days.
- Is the medical certification/leave for a qualifying reason?

- Has the department notified their SOM AP analyst of the leave request?**
  - Sends an email to their assigned SOM AP analyst advising of the forthcoming MIV leave request and provides a copy of the medical certification received.
  
- Has the department provided the following documents within five (5) days of employer receiving sufficient information regarding qualification of leave?**
  - Provides Designation Notice to employee
  - Provides Return to Work Certification
  - Provides updated leave mapping if needed, based on medical certification received.
  - If intermittent leave, advise employee's manager/supervisor of approved time away due to FMLA leave.
  
- Has the department submitted the leave request in MIV?**
  - Drafts and submits MIV leave form for review/approvals
  - Sends corresponding leave documentation to their dean's office AP analyst for review of the employee's completed MIV leave request
  
- Does the department need to track this leave?**
  - Departments should track intermittent leave usage.
  - Departments should track usage of usage of 5 days Comp plan leave pay per calendar year.
  - Department should track usage of their Medical 90/90 pay benefit (once every 10 years).
  
- Has the employee notified the department of any changes/updates from their initial leave request?**
  - If yes, has the employee provided the necessary documentation for these changes?
  - Does the department need to update the existing leave form in MIV for proper leaves tracking?
  - Has the department notified appropriate personnel of these changes, if needed?
  
- Is the employee's leave ending soon?**
  - Send an email 1-2 weeks in advance of anticipated leave end date to check in with the employee to:
    - Confirm return date or possible leave extension.
    - Confirm/remind the employee of required Return to Work Certificate need, when applicable.
      - Pregnancy disability
      - Employee's own serious health condition
  
- Has the department received a Return to Work Certification at least three (3) days prior to the employee's first day back at work?**
  - Have you reviewed the form for completeness?
    - If release is unclear or incomplete, department should request additional information.

- Are there restrictions listed?
  - If yes, does department need to engage Disability Management Services (DMS)?
- Sends email to their dean's office AP analyst with confirmation of employee's return to work and provides corresponding Return to Work.

**Is DMS engaged in the employee's return to work? If so, maintain regular communication with them and the faculty member for interactive process.**

**Has the department maintained employee's confidential medical leave documentation as a separate file from the employee's personnel file?**

- Medical leave records should be maintained for 3 years.

# Frequently Asked Questions

**Q: How do I request an Employee's Serious Health Condition leave?**

A: Contact your supervisor and department analyst so they can provide information on your eligibility and options.

**Q: What is the difference between leave entitlement and paid leave benefits?**

A: Leave entitlements describe the types of "protected" leave to which you are entitled under University policy (incorporating federal and state laws, including PDLL, FMLA, CRFA, etc.). Income replacement, or paid leave benefits, describes the policies and procedures under University policy whereby you can continue to receive income notwithstanding that you are not working (i.e., on leave).

**Q: Am I required to use my Medical 90/90 pay benefit when going out on an approved Employee's Serious Health Condition leave?**

A: No, when you use your Medical 90/90 pay benefit is up to you. If you would prefer to use accrued vacation, file for disability, or take unpaid leave, that is totally your discretion.

**Q: What if I have used all my Medical 90/90 pay benefit and have an upcoming leave?**

A: Your Medical 90/90 pay benefit is available only once in a 10-year period. If you have exhausted that pay benefit, you can look into other possible pay options such as basic or voluntary short/long term disability, vacation pay, or leave without pay. Please reach out to your department analyst to start that conversation.

**Q: Who should sign my medical documentation (e.g. disability certification, return to work certification, etc.)?**

A: Medical documentation should be signed by your health care provider.

Under the FMLA, the definition of health care provider includes, but is not limited to the following: doctor of medicine or osteopathy, physician assistant, nurse practitioner, podiatrist, dentist, nurse-midwife, clinical psychologist, clinical social worker, optometrist, chiropractor, Christian Science practitioner, and any provider covered under the employer group health plans, including foreign countries. Other health care providers may be acceptable, please contact AP for guidance.

**Q: Is it appropriate for an employer to contact an employee while on leave?**

A: Depending on the reason for FML, it's usually fine to ask a quick question (e.g., about the status of a project or where a file might be), if you can't figure that out otherwise. It's also fine to periodically check in, provide reminders, and/or request medical documentation.

It is not acceptable to reach out to an employee to request they perform any kind of work.

When unsure, reach out to your SOM AP Analyst.

**Q: How do I return to work after my leave?**

A: You will need to have your provider fill out a Return to Work Certificate and provide to your employer at least three (3) days prior to your first day back at work.

**Print Form**

**NOTICE OF ELIGIBILITY AND RIGHTS & RESPONSIBILITIES (R12/22)**  
**Family and Medical Leave Act (FMLA), California Family Rights Act (CFRA), & California Pregnancy Disability Leave Law (PDLL)**

In general, to be eligible for Family and Medical Leave (FML), an employee must have worked for the University of California for at least 12 months and have worked at least 1,250 hours in the 12 months preceding the leave. These eligibility requirements do not apply to Pregnancy Disability Leave taken under PDLL.

**Part A – NOTICE OF ELIGIBILITY**

To: Ray Sin April 8, 2024  
Employee Date

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From: Bess Twishes  
University Representative

On April 4, 2024, you informed the University that you needed leave beginning on May 13, 2024 and with an anticipated end date of August 31, 2024 for:

- Your own serious health condition.
- The need to care for one of the following family members due to their serious health condition:  
 spouse;  domestic partner;  designated person;  child;  parent;  parent-in-law;  
 grandparent;  grandchild;  sibling.
- Pregnancy Disability Leave (PDL). This leave may be used when you are disabled by pregnancy, childbirth, or a related medical condition. It may also be used for prenatal care.
- Parental bonding leave following the birth of a child, or placement of a child with you for adoption or foster care.
- Military caregiver leave to care for a family member who is a Covered Servicemember with a serious injury or illness. You are the Covered Servicemember's:  
 spouse;  domestic partner;  child;  parent;  next of kin.
- A qualifying exigency related to the following family member's active duty or call to active duty status with the Armed Forces:  
 spouse;  domestic partner;  child;  parent;  parent-in-law.

**This Notice is to inform you that:**

- You are eligible for FML and have FML entitlement remaining and available to use for the applicable period under the following statute(s):  FMLA;  CFRA;  PDLL. (See Part B below for Rights and Responsibilities.)
- You are eligible for FML but you have already exhausted the applicable FML leave entitlement for the applicable period.

You are **not** eligible for FML under FMLA and/or CFRA because:

- You have not met the 12-month length of service requirement. As of the first date of requested leave, you will have worked approximately \_\_\_\_\_ months towards this requirement.
- You have not met the 1,250-hours-worked requirement.

If you have any questions, contact Bess Twishes or view the

FMLA, CFRA, and/or PDLL posters located in your home department and online, as well as applicable policies and/or collective bargaining agreement provisions.

**Part B – RIGHTS AND RESPONSIBILITIES FOR TAKING FML** (To be completed only if the employee is eligible and has not exhausted the applicable leave entitlement.)

As explained in Part A, you meet the eligibility requirements for taking FML and still have FML leave entitlement available in the applicable period. **However, in order for us to determine whether your absence qualifies as FML, you should return the following information to us by** April 23, 2024. When certification is requested, employees have at least 15 calendar days from receipt of this notice to provide it. Under certain circumstances, additional time may be provided. If sufficient information is not provided in a timely manner, your leave may be denied.

- Sufficient certification to support your request for FML. A certification form that sets forth the information necessary to support your request is enclosed.
- Sufficient documentation to establish the required relationship between you and your family member. The required declaration form is enclosed.
- Other information needed: \_\_\_\_\_

**If your leave does qualify** as FML, you will have the following **responsibilities** while on leave (only checked boxes apply):

- Contact UC Path at 855-982-7284 to make arrangements to either (a) maintain your health benefits during your leave by continuing to make your share of the premium payments or (b) opt out of your health benefits during your leave. You have a minimum of 30 days to make premium payments. If payment is not made timely, your group health insurance may be cancelled, provided we notify you in writing at least 15 days before the date that your health coverage will lapse, or, at our option, we may pay your share of the premiums during your FML, and recover these payments from you upon your return to work.
- You will be required to use the following paid leave during your FML absence: your available  **sick leave**,  **vacation**, and/or  **other leave**. Your entire FML absence, including any period during which you are using paid leave, will be counted against your FML leave entitlement. Note: This requirement to use paid leave does not apply to any part of an FML absence during which employees are using Pay for Family Care and Bonding (PFCB).
- While on leave you will be required to furnish us with periodic updates of your status and intent to return to work every: \_\_\_\_\_ *[Indicate interval of periodic updates, as appropriate for the particular leave situation].*
- If the circumstances of your leave change, and you are able to return to work earlier than the date indicated in Part A of this form, you need to notify your supervisor at least two workdays prior to the date you intend to report for work.

**If your leave does qualify** as FML, you will have the following **rights** while on leave:

- You have a right under the FMLA and/or the CFRA for up to 12 workweeks of unpaid leave in the calendar year (January-December) if you are taking leave for any FML qualifying purpose other than Military Caregiver Leave.
- You have a right under the FMLA for up to 26 workweeks of unpaid leave in a single 12-month period to care for a Covered Servicemember with a serious injury or illness (Military Caregiver Leave). This single 12-month period commenced or will commence on: \_\_\_\_\_.
- You have a right under the PDLL for up to four months of unpaid leave per pregnancy.
- Your FML leave will be designated and counted against your applicable statutory FML leave entitlement(s) and will be job-protected leave as required under the applicable statute.
- Your health benefits must be maintained during any period of unpaid leave under the same conditions as if you continued to work.
- If you return directly from a leave under the PDLL, you will be reinstated to the same position or, if the same position is not available, to a comparable position. (If your leave extends beyond the end of your FML leave entitlement(s), you do not have statutory return rights.)
- If you return directly from any statutory FML leave other than a leave under the PDLL, you must be reinstated to the same or an equivalent job with the same pay, benefits, and terms and conditions of employment on your

return from FMLA-protected and/or CFRA-protected leave. (If your leave extends beyond the end of your FML leave entitlement(s), you do not have statutory return rights.)

- You may be required to reimburse the University for its share of health insurance premiums paid on your behalf during any unpaid portion of your FML if you do not return to work following FML for a reason other than: 1) the continuation, recurrence, or onset of a serious health condition that would entitle you to FML; 2) the continuation, recurrence, or onset of a Covered Servicemember's serious injury or illness which would entitle you to FML; or 3) other circumstances beyond your control.
- If we have not informed you above that you must use paid leave while taking your unpaid FML leave entitlement, you may have the right under the applicable policy or collective bargaining agreement to use Pay for Family Care and Bonding (PFCB) and/or the following paid leave during your FML absence: **sick leave**, **vacation leave**, and/or **other leave**. Applicable conditions related to the use of PFCB and paid leaves are referenced or set forth below. If you do not meet the requirements for using PFCB and/or paid leave, you remain entitled to take unpaid FML leave. Your entire FML absence, including any period during which you are using PFCB or paid leave, will be counted against your FML leave entitlement.

For conditions applicable to PFCB and sick/vacation/other leave usage please refer to \_\_\_\_\_ available at: \_\_\_\_\_

Applicable conditions for use of paid leave: \_\_\_\_\_

**Once we obtain the information from you as specified above, we will inform you, within 5 business days, whether your leave will be designated as FML and count towards your FML leave entitlement. Meanwhile, WE HAVE PROVISIONALLY DESIGNATED YOUR LEAVE AS FML. If you have any questions, please do not hesitate to contact:** Bess Twishes at 916-555-5556, btwishes@ucdavis.edu

**DEPARTMENT SIGNATURE**

NAME (PRINT)

Bess Twishes

SIGNATURE

*Bess Twishes*

DATE

04/08/2024

**Print Form**



**CERTIFICATION OF HEALTH CARE PROVIDER FOR  
EMPLOYEE'S SERIOUS HEALTH CONDITION**  
Family and Medical Leave Act (FMLA) & California Family Rights Act (CFRA)

**PURPOSE of FORM:** The below-named employee of the University of California has requested a leave of absence for his/her health condition which may qualify as a protected leave under the FMLA and/or CFRA. This medical certification form will provide the University with information needed to determine if the employee's requested leave is for a qualifying reason under the FMLA and/or CFRA. Section II must be fully completed by the health care provider.

**INSTRUCTIONS to EMPLOYEE:** You are required to submit a timely, complete, and sufficient medical certification to support your request for FMLA and/or CFRA leave due to your own serious health condition. Providing this completed form is required to obtain (or retain) the benefit of FMLA and/or CFRA protections for your leave. Failure to provide a complete and sufficient medical certification to the University may result in a delay or denial of your leave request.

**This form should be completed and returned within 15 calendar days of our request for this information.** If you cannot return the completed form within the stated deadline, please contact Bess Twishes with the reasons for the delay and the date when the certification will be provided.

You may return the form in person, by mail, or by fax. The fax number is (916) 555-5552.

You should include a fax cover sheet marked "CONFIDENTIAL" and address your fax to:

"ATTENTION: Bess Twishes."

**SECTION I: To be completed by THE UNIVERSITY**

EMPLOYEE'S NAME		EMPLOYEE'S JOB TITLE	
Ray Sin		Professor of Clinical Pediatrics	
EMPLOYEE'S REGULAR WORK SCHEDULE			
M-F, 8am to 5 pm; some weekends and on call hours			
NAME OF UNIVERSITY REPRESENTATIVE		UNIVERSITY REPRESENTATIVE MAILING ADDRESS	
Bess Twishes		1112 UC Davis Avenue, Sacramento, CA 95817	
TELEPHONE	FAX	E-MAIL	
(916) 555-5556	916-555-5552	btwishes@ucdavis.edu	

Check if job description listing essential functions is attached

**SECTION II – To be completed by HEALTH CARE PROVIDER**

**INSTRUCTIONS to the HEALTH CARE PROVIDER:** Your patient (our employee) has requested leave under the FMLA and/or CFRA. Please answer, fully and completely, all applicable parts. Several questions seek a response as to the frequency or duration of a condition, treatment, etc. Your answer should be your best estimate based upon your medical knowledge, experience, and examination of the employee. Be as specific as you can; terms such as "indefinite," "unknown," or "indeterminate" may not be sufficient to determine FMLA/CFRA coverage. **Limit your responses to the condition for which the employee is seeking leave.** Be sure to sign and date the form on page 3.

**IMPORTANT: DO NOT DISCLOSE ANY UNDERLYING DIAGNOSIS WITHOUT THE PATIENT'S CONSENT.**

**THE GENETIC INFORMATION NONDISCRIMINATION ACT OF 2008 (GINA):** The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, we are asking that you not provide any genetic information when responding to this request for medical information. "Genetic information" as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

**HE CALIFORNIA GENETIC INFORMATION NONDISCRIMINATION ACT OF 2011 (CaGINA):** The California Genetic Information Nondiscrimination Act of 2011 (CaGINA) prohibits employers and other covered entities from requesting, or requiring, genetic information of an individual or family member of the individual except as specifically

allowed by law. To comply with CalGINA, we are asking that you not provide any genetic information when responding to this request for medical information. "Genetic Information," as defined by CalGINA, includes information about the individual's or the individual's family member's genetic tests, information regarding the manifestation of a disease or disorder in a family member of the individual, and includes information from genetic services or participation in clinical research that includes genetic services by an individual or any family member of the individual. "Genetic Information" does not include information about an individual's sex or age.

PROVIDER'S NAME Dr. Polly Ester	
BUSINESS ADDRESS 1516 Cotton Way, Sacramento, CA 95817	
TELEPHONE 916-555-5551	FAX 916-555-5558

**PART A: MEDICAL FACTS**

(1) Approximate date condition commenced: <u>04/01/24</u>	Probable duration of condition: From: <u>04/01/24</u> To: <u>08/31/24</u>
(2) Page 3 describes what is meant by a "serious health condition" under both the FMLA and CFRA. Does the employee's condition qualify as one of the types of serious health conditions described? If yes, which type of <u>serious health condition</u> listed on Page 3 applies: <input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
(3) Use the information provided by the University in Section I to answer these questions. If no job description has been provided, please answer these questions based upon the employee's own description of his/her job functions. Is the employee <u>able</u> to perform work of any kind? If yes, is the employee <u>unable</u> to perform one or more of the essential functions of his/her position due to the condition? (Answer "yes" if intermittent or reduced schedule leave is medically necessary.)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No

**PART B: AMOUNT OF LEAVE NEEDED**

(4) Will the employee be incapacitated for a single continuous period of time due to his/her medical condition, including any time for treatment and recovery?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If yes, estimate the beginning <u>and</u> ending dates for the period of incapacity:	FROM <u>05/13/24</u> TO <u>08/31/24</u>

**Answer questions 5 and/or 6 only if the employee requires leave on an intermittent or reduced schedule basis.**

(5) Will it be medically necessary for the employee to leave work intermittently or work a reduced schedule as a result of the medical condition (other than for episodic flare-ups which are addressed in question #6 below)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If the employee needs reduced schedule leave, estimate the part-time or reduced work schedule the employee needs: Employee should work no more than: _____ Hours per Day   _____ Days per Week   From: _____ through: _____	
If the employee needs intermittent leave, estimate the frequency of need for intermittent leave and the duration of incapacity (e.g. 1 episode every 3 months lasting 1-2 days): Frequency: _____ Times per _____ week(s)   month(s)   Duration: _____ Hours or _____ Day(s) per episode	
(6) Will the medical condition cause episodic flare-ups that will make it medically necessary for the employee to leave work intermittently or work a reduced schedule?	<input type="checkbox"/> Yes <input type="checkbox"/> No

If yes, based upon the patient's medical history and your knowledge of the medical condition, estimate the frequency of flare-ups, the likely duration of incapacity that the patient may have as a result, and the period during which the flare-ups may occur (e.g., 1 episode every 3 months lasting 1-2 days during the specified period):

Frequency: \_\_\_\_ Times per  week(s)  month(s) | Duration: \_\_\_\_ Hours or \_\_\_\_ Day(s) per episode

Flare-ups may occur from: \_\_\_\_\_ through: \_\_\_\_\_

**Part C: SIGNATURE**

SIGNATURE OF HEALTH CARE PROVIDER

DATE

*Polly Ester, M.D.*

04/22/24

## Serious Health Conditions

A “serious health condition” means an illness, injury (including, but not limited to, an on-the-job injury), impairment, or physical or mental condition that involves either inpatient care or continuing treatment, including, but not limited to, treatment for substance abuse.

- Inpatient Care means a stay in a hospital, hospice, or residential health care facility, any subsequent treatment in connection with such inpatient care, or any period of incapacity. A person is considered an inpatient when a health care facility formally admits them to the facility with the expectation that they will remain at least overnight and occupy a bed, even if it later develops that such person can be discharged or transferred to another facility and does not actually remain overnight.
- Incapacity means the inability to work, attend school, or perform other regular daily activities due to a serious health condition, its treatment, or the recovery that it requires.
- Continuing Treatment means ongoing medical treatment or supervision by a health care provider.

A serious health condition involves one or more of the following:

### 1. Inpatient Care (as defined above)

### 2. Absence Plus Treatment

A period of incapacity of more than three (3) consecutive calendar days (including any subsequent treatment or period of incapacity relating to the same condition), that also involves:

- (a) Treatment two or more times by a health care provider, by a nurse or physician’s assistant under direct supervision of a health care provider, or by a provider of health care services (e.g., physical therapist) under orders of, or on referral by, a health care provider; OR
- (b) Treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider (e.g., a course of prescription medication, or therapy requiring special equipment, to resolve or alleviate the health condition). This does not include taking over-the-counter medications or activities that can be initiated without a visit to a health care provider (e.g., bed rest, exercise, drinking fluids).

### 3. Pregnancy (which is covered as a serious health condition under FMLA but not under CFRA)

A period of incapacity due to pregnancy, childbirth, or related medical conditions. This includes severe morning sickness and prenatal care.

### 4. Chronic Conditions Requiring Treatment

A chronic condition that:

- (a) Requires periodic visits for treatment by a health care provider, or by a nurse or physician’s assistant under direct supervision of a health care provider;
- (b) Continues over an extended period of time (including recurring episodes of a single underlying condition); and
- (c) May cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.).

### 5. Permanent/Long-Term Conditions Requiring Supervision

A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective. The person must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider. Examples include Alzheimer’s, a severe stroke, or the terminal stages of a disease.

### 6. Multiple Treatments (Non-Chronic Conditions)

Any period of absence to receive multiple treatments (including any period of recovery therefrom) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three (3) consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), or kidney disease (dialysis).

**DESIGNATION NOTICE (R12/22)****FAMILY AND MEDICAL LEAVE ACT (FMLA), CALIFORNIA FAMILY RIGHTS ACT (CFRA),  
AND CALIFORNIA PREGNANCY DISABILITY LEAVE LAW (PDLL)**To: Ray SinDate: April 26, 2024

We have reviewed your request for Family and Medical Leave (FML) and any supporting documentation that you have provided.

We received your most recent information on April 24, 2024 and decided:**PART A: To Be Completed if FML Request is Approved.**

Your FML request for the following reason(s) is approved:

- Your own serious health condition.
- The need to care for one of the following family members due to their serious health condition:  
 spouse;  domestic partner;  designated person: \_\_\_\_\_;  child;  
 parent;  parent-in-law;  grandparent;  grandchild;  sibling.
- Pregnancy Disability Leave (PDL). This leave may be used when you are disabled by pregnancy, childbirth, or a related medical condition. It may also be used for prenatal care.
- Parental bonding leave following the birth of a child, or placement of a child with you for adoption or foster care.
- Military caregiver leave to care for a family member who is a Covered Servicemember with a serious injury or illness. You are the Covered Servmember's:  
 spouse;  domestic partner;  child;  parent;  next of kin.
- A qualifying exigency related to the following family member's active duty or call to active duty status with the Armed Forces:  
 spouse;  domestic partner;  child;  parent;  parent-in-law.

All leave taken for the above reason(s) will be designated as FML and counted against your entitlement under the following statute(s) until exhausted:  FMLA;  CFRA;  PDLL.**For block leaves:**Start date: 5/13/24 Anticipated End Date: 8/31/24 Return to Work Date: 9/01/24**For Reduced schedule leaves or leaves on an intermittent basis:**

Start date: \_\_\_\_\_ Anticipated End Date: \_\_\_\_\_

**You are required to notify the University as soon as practicable if the dates of your scheduled leave change or are extended. If there was no firm end date for your leave, you should notify the University as soon as practicable when a firm end date is established. Based on the information you have provided to date, we are providing the following information about the amount of time that will be counted against your FML leave entitlement:**

- Provided there is no deviation from your anticipated leave schedule, the following number of hours, days, or weeks will be counted against your FML leave entitlement under the following statute(s):
- FMLA 12 Weeks \_\_\_\_\_ Days \_\_\_\_\_ Hours.
- CFRA 12 Weeks \_\_\_\_\_ Days \_\_\_\_\_ Hours.
- PDLL \_\_\_\_\_ Weeks \_\_\_\_\_ Days \_\_\_\_\_ Hours.

- Because the leave you will need will be unscheduled, it is not possible to provide the hours, days, or weeks that will be counted against your FML leave entitlement at this time. You have the right to request this information once in a 30-day period (if leave was taken in the 30-day period).

**If more than one statute is checked above, please note:**

- **For an FML leave other than Pregnancy Disability Leave:** If both the FMLA and CFRA boxes are checked above, you will be concurrently using your entitlements under those statutes until you have either completed your leave or exhausted one or both of those entitlements.
- **For a Pregnancy Disability Leave (whether or not immediately followed by Parental Bonding Leave):** During the first 12 workweeks of your Pregnancy Disability Leave, you will be concurrently using your PDLL and FMLA entitlements until you have either completed your Pregnancy Disability Leave or exhausted your FMLA entitlement. If your Pregnancy Disability Leave continues after that point, you will only be using your PDLL entitlement until you have either completed your Pregnancy Disability Leave or exhausted your PDLL entitlement. If you take Parental Bonding Leave immediately following Pregnancy Disability Leave and you have not yet exhausted both your FMLA and CFRA entitlements, you will be concurrently using your FMLA and CFRA entitlements during your Parental Bonding Leave until you have either completed your leave or exhausted one or both of those entitlements.

**Please be advised (check if applicable):**

- You have requested to use paid leave during your FML. Your entire FML absence, including any period during which you are using paid leave, will count against your FML leave entitlement.
- You have requested to use Pay for Family Care and Bonding (PFCB) during your FML. If your leave qualifies for the PFCB option and you have PFCB entitlement available, your entire FML absence, including any period during which you are using PFCB, will count against your FML leave entitlement.
- We are requiring you to use paid leave during some or all of your FML. Your entire FML absence, including any period during which you are using paid leave, will count against your FML leave entitlement.
- You will be required to provide the enclosed Return to Work certification to be restored to employment. If such certification is not timely received, your return to work may be delayed until certification is provided. If the job description is attached, the Return to Work certification must address your ability to perform those essential functions that you were unable to perform as a result of your serious health condition.
- A job description listing the essential functions of your position is attached to the Return to Work Certification.

**PART B: To Be Completed if FML Request Is Not Approved**

Your FML request is **Not Approved** because:

- Your leave is not for an FML-qualifying reason.
- You have not provided the necessary information to support your request for FML.
- You have exhausted your FML leave entitlement for the applicable period.

**DEPARTMENT SIGNATURE**

NAME (PRINT)

Bess Twishes

SIGNATURE

*Bess Twishes*

DATE

4/26/24

**ENTITLEMENTS:**

FMLA 5/13/24 - 8/4/24 > FMLA/CFRA run concurrently  
 CFRA 5/13/24 - 8/4/24

8/5/24-8/31/24 is unprotected department approved leave.

# 2024

**PAY OPTIONS:**

Employee's SHC Comp Plan Pay

Med 90 pay at full salary: 5/13/24 - 8/10/24

Vacation: 8/11/24 - 8/16/24

Med 90 pay at partial salary: 8/17/24 - 8/31/24\*

\*75 days remaining of Med 90 Pay at partial salary

January						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

February						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29		

March						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

April						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

May						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

June						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

July						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

August						
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				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

September						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

October						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

November						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

December						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Date out: May 13

Return date: September 1

# RETURN TO WORK CERTIFICATION For Family and Medical Leave (FML)

### SECTION I – To be completed by THE EMPLOYER

EMPLOYEE'S NAME (LAST, FIRST, MIDDLE INITIAL)

Sin, Ray

EMPLOYEE'S DEPARTMENT

Pediatrics

DEPARTMENT CONTACT

Bess Twishes

DEPARTMENT CONTACT'S MAILING ADDRESS

1112 UC Davis Avenue, Sacramento, CA 95817

PHONE

(916) 555-5556

FAX

916-555-5552

E-MAIL

btwitches@ucdavis.edu

### SECTION II – To be completed by HEALTH CARE PROVIDER

NAME OF HEALTH CARE PROVIDER

Dr. Polly Ester

ADDRESS

1516 Cotton Way, Sacramento, CA 95817

PLACE ADDRESS STAMP HERE:

**PLEASE COMPLETE THE FOLLOWING AND RETURN THE FORM TO THE EMPLOYEE  
OR TO THE DEPARTMENT CONTACT LISTED ABOVE PRIOR TO THE RETURN TO WORK DATE**

Important: Please limit your answers below to the serious health condition for which the Employee has been on leave.

**THE GENETIC INFORMATION NONDISCRIMINATION ACT OF 2008 (GINA):** The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, we are asking that you not provide any genetic information when responding to this request for medical information. 'Genetic information,' as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

1. Is the employee now able to perform those essential functions of their job that they could not previously perform because of the serious health condition for which the employee has been on leave?

- No.
- Yes.
- Yes, with restrictions

2. Employee released to return to work effective: 9/1/24 [indicate date]

3. If the Employee is released to work but is restricted in their ability to perform the essential functions of their job as a result of the serious health condition for which the employee has been on leave, please describe those restrictions:

n/a

4. The foregoing restrictions are:

- Permanent
- Temporary, until: \_\_\_\_\_ [indicate date]

### SIGNATURE

SIGNATURE OF HEALTH CARE PROVIDER

*Polly Ester, M.D.*

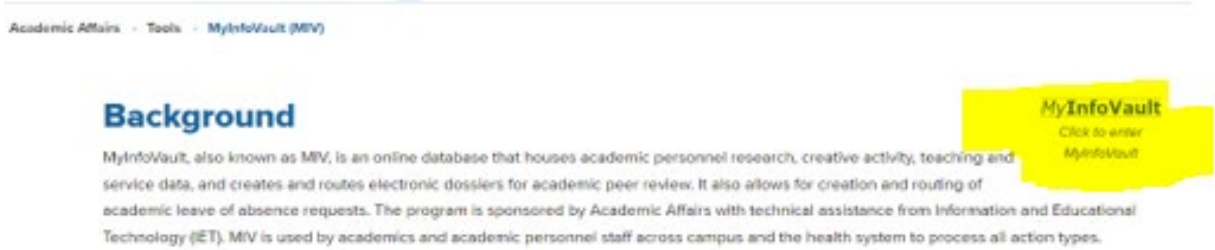
DATE

8/23/24

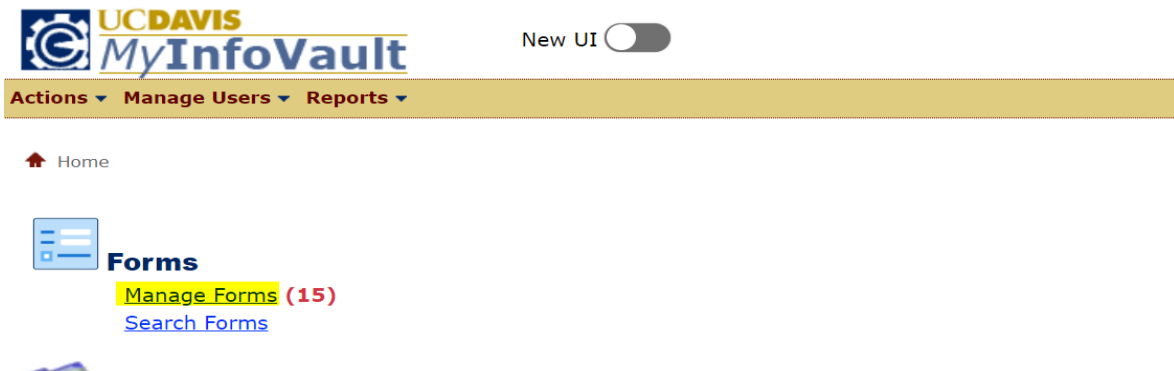


# Instructions: How to submit an FMLA/CFRA eligible Employee's SHC leave form in MIV (one form)

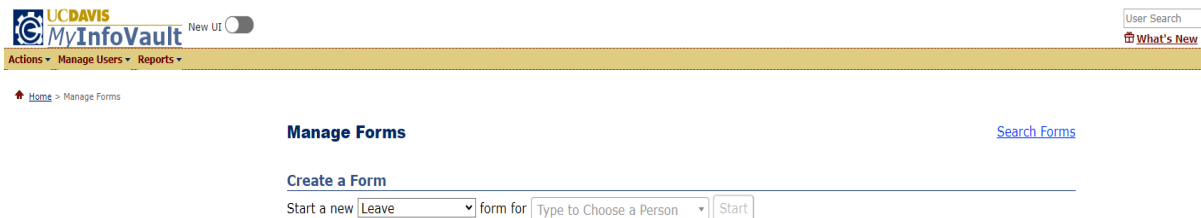
1. Log into My Info Vault (MIV), <https://myinfovault.ucdavis.edu>



2. Select "Manage Forms"



3. Start a new leave and select faculty's name and select start



4. Select type of leave "Personal Illness" and leave type "Employee's Serious Health Condition"

What kind of leave are you requesting?	Please select the leave type
Personal Illness	Employee's Serious Health Condition (SHC)

5. Select designation as “FMLA/CFRA”

Select the designation for this leave

6. Select Paid or Unpaid option and Block or Intermittent/Reduced Schedule option

Will this be a Paid or Unpaid leave?

as

7. Select whether faculty is part of the compensation plan

Is the applicant part of the medical school compensation plan?

8. Select Yes or No on whether faculty will receive other sources of income while on leave

Will you receive other sources of income while on leave?

9. Enter Pay Period Begin and End Date (leave dates), as well as Return Date

Pay Period Begin Date

Pay Period End Date

Pay Period Return Date

10. Enter the Service Period Begin and End Date (should be the same as Pay Period dates)

Service Period Begin Date

Service Period End Date

11. Select whether this request is an extension of a previous leave (usually no)

Is this an extension of a previous leave?


12. Enter “Employee Serious Health Condition” as the specific purpose of the proposed leave

What is the reason for or specific purpose of proposed leave?

Do not include private health information covered under HIPAA, such as diagnoses, treatment plans, or FMLA forms.

13. Leave documentation is optional (Do not include medical certification completed by health care provided)

Please upload your Leave Documentation



Drag and drop a file here or click

14. Select Yes or No whether the faculty is a Principal Investigator

Are you a Principal Investigator?

15. If Yes, select whether a substitute will be selected

<b>Is applicant a Principal Investigator?</b>	Yes
<b>Will a substitute be selected?</b>	No

16. Fill in on how the faculty’s work will be covered on leave. Usually “Clinical Gen Pool Coverage”, or “Clinical coverage covered by colleagues”

How will your work be covered while you are on leave?

17. If applicable, include details on how faculty’s classes will be distributed for coverage. Select N/A if not applicable

If leave is granted, how will the applicant's classes be distributed?

18. Select the box next to “Please Acknowledge”

I certify that the FMLA/CFRA/PDLL paperwork has been properly filed in the department.

Please Acknowledge

19. Please include a full breakdown of leave designations and dates in “Additional Comments”

Additional Comments

**\*Sample completed leave forms attached.**

**SAMPLE: This document was created for a FMLA/CFRA eligible faculty member.**

## Employee's Serious Health Condition (SHC)

<b>First name Last name</b>
Employee ID: 10200000

[View form as PDF](#)

<b>Leave Type:</b>	Employee's SHC
<b>PPS Leave Type:</b>	Family and Medical Leave with Pay
<b>FMLA/CFRA/PDLL Status:</b>	FMLA/CFRA
<b>FMLA/CFRA paperwork filed?</b>	Yes

<b>Pay Status:</b>	Paid — Block Full Pay
<b>Proposed salary distribution for applicants in the medical school compensation plan:</b>	The faculty member will receive the following pay during their leave: Medical 90/90 pay (1st 90) for full pay from 5/13-8/10/24 Vacation pay for full pay from 8/11-8/16/24 Medical 90/90 pay (2nd 90) for partial pay, X+X' only, 8/17-8/31/24
<b>Other Income:</b>	None

<b>Pay Period Begin Date:</b>	05/13/2024	<b>Pay Period End Date:</b>	08/31/2024
		<b>Pay Period Return Date:</b>	09/01/2024
<b>Service Period Begin Date:</b>	05/13/2024	<b>Service Period End Date:</b>	08/31/2024
<b>Is this leave an extension of a previous leave?</b>	No		

<b>Purpose of leave:</b>	Employee's Serious Health Condition
<b>Leave documentation:</b>	

**Is applicant a Principal Investigator?** No

**How will applicant's work be covered during the leave?** Clinical coverage covered by colleagues

**Distribution of applicant's classes if leave is granted:** N/A

**Additional Comments:** 05/13/2024 - 08/04/2024 = FMLA/CFRA  
08/05/24 - 08/31/24 = Unprotected department approved leave, as FMLA/CFRA exhausted.  
Returning 09/01/24