






# REQUEST A LEAVE OF ABSENCE

## Overview

Contact the Leaves Analyst, Alejandra Rodriguez, via email at [alejandrarodriguez@peralta.edu](mailto:alejandrarodriguez@peralta.edu) for assistance with the following types of leaves: Pregnancy Disability Leave (PDL), Family Medical Leave Act (FMLA), California Family Rights Act (CFRA), Extended Illness, Differential Leave, California Pregnancy Family Leave (PFL), and leave under the California Disability Insurance (DI).

Application Process	Leave Types	Leave Interaction	Income Replacement	Q&A
				

## Application Process

Employees are responsible for applying for medical leave and submitting any necessary documentation within the deadlines.

The reason for medical leave is confidential, and employees are not required to share diagnosis details with their managers other than necessary information regarding the duration of the leave.

Employees who need to take a short amount of time off work (less than two weeks) can report their time off using the timesheet and do not need to request long-term medical leave. However, if an

employee is on sick leave for greater than five (5) days, it is up to the manager to request a certification to return to work.

## How do I Apply?

The chart below lists the steps to apply for medical leave or leave extensions.

Notification & Document Requirements	HCM Medical Leave eForm	Returning to Work or Extensions of Approved Leave
<ul style="list-style-type: none"><li>● Employees can request medical leave at least 30 days before being off work or ASAP for urgent cases.</li><li>● Employees must provide a certification from a health care provider within 15 days after the employer's request.</li><li>● Certifications can include the <a href="#">FMLA forms</a> listed on the WHD website or a doctor's note for employees who have Kaiser.</li><li>● Certifications from a foreign healthcare provider must be translated into English.</li><li>● Employees off work for 30 days or more must notify the Benefits Office of their intent two (2) weeks before the expiration of the leave.</li></ul>	<p>Apply for a medical leave of absence:</p> <ol style="list-style-type: none"><li>1. Log into <a href="http://hcm.peralta.edu">hcm.peralta.edu</a>.</li><li>2. In Employee Self-Service, click on the tile that says <b>e-Forms</b>.</li><li>3. Click on <b>Fill Out a New Form</b>.</li><li>4. Find the <b>Medical Leave Request eForm</b> option.</li><li>5. Complete the <b>Leave Reason</b> and <b>Leave Request</b> sections.</li><li>6. Click on <b>Save</b>.</li><li>7. Attach the certification, if available, in the <b>Attachments</b> section.</li><li>8. Click on <b>Submit</b>.</li></ol> <p>Click <a href="#">here</a> for the PCCD Medical Leave Request Quick Reference Guide.</p>	<p>Employees can apply for an extension by submitting a new Medical Leave eForm.</p> <p>When is a doctor's note required to return?</p> <ul style="list-style-type: none"><li>● Extension of medical leave for the employee's health condition or to care for a family member.</li><li>● Returning from employee's health condition.</li></ul> <p>When is a doctor's note NOT required to return?</p> <ul style="list-style-type: none"><li>● Returning from baby bonding.</li><li>● Returning from caring for a family member.</li></ul> <p><u>An employee failing to return from an absence greater than 30 days within two (2) days of their scheduled return date shall be considered to have resigned.</u></p>

See the CERTIFYING A SERIOUS HEALTH CONDITION section of the [WHD Fact Sheet #28G](#) for a full list of qualifying healthcare provider types.

## Part-time Faculty

Part-time faculty can submit a regular certification/doctor's note from their healthcare providers instead of the FMLA form.

Part-time faculty typically do not qualify for leave under FMLA or CFRA but can apply to take a medical leave of absence if they meet two criteria:

- An assignment was extended to them for the fall, spring, or summer terms.
- Have accrued sick hours to use while on leave.

[PFT CBA, Article 26 \(Leaves\), C.e.](#)

- Any employee who is on paid status while on sick leave, or other paid leave, shall continue to earn all employee sick benefits to which he/she is entitled. An employee who is on leave of absence without pay shall retain all accumulated sick leave benefits but shall not accrue any additional sick leave benefits during such period of absence.

Additional Information:

- If the total sick hours are equal to or greater than the workload (FTE), there will be no changes to the salary for the semester.
- If the total sick hours are less than the workload (FTE), the campus must reduce the FTE based on the sick balance.
- If an employee requests to coordinate state benefits to reduce sick hours used (and FTE), they must apply through EDD and provide the necessary information to the Leaves Analyst.

What if I do not have the state benefits information before my leave start date?

- Necessary adjustments to pay will be made based on the updated information.

## Leave Types

### Full-time Employees (Administrators, Classified, Faculty)

#### Pregnancy Disability Act (PDL)

#### Eligibility Criteria for Pregnancy Disability Leave (PDL):

- Employees are eligible for up to four months or 17 1/3 weeks of job-protected leave per pregnancy upon hire. Time off will be determined based on the individual employee's doctor recommendation.
- Full-time employees may take leave under PDL even if they do not meet the eligibility criteria for FMLA/CFRA.

Click [here](#) for more information about PDL.

## Family Medical Leave Act (FMLA)

The Family and Medical Leave Act (FMLA) is a federal law that provides eligible employees with job-protected leave for qualifying family and medical reasons. The U.S. Department of Labor's Wage and Hour Division (WHD) enforces the FMLA for most employees.

You are an eligible employee if all of the following apply:

- You work for a covered employer,
- You have worked for your employer at least 12 months,
- You have at least 1,250 hours of service for your employer during the 12 months before your leave, and
- Your employer has at least 50 employees within 75 miles of your work location.

Click [here](#) to see the FMLA poster for more information.

Click [here](#) for a list of more information about what is considered a "serious health condition" under FMLA.

## California Family Rights Act (CFRA)

Under the California Family Rights Act of 1993 (CFRA), many employees have the right to take job-protected leave, which is leave that will allow them to return to their job or a similar job after their leave ends. This leave may be up to 12 work weeks in a 12-month period for:

- the employee's own serious health condition;
- the serious health condition of a child, spouse, domestic partner, parent, parent-in-law, grandparent, grandchild, sibling, or someone else with a blood or family-like relationship with the employee ("designated person"); or
- the birth, adoption, or foster care placement of a child.

Click [here](#) to see the CFRA poster for more information.

Click [here](#) for information about Expanded Family Care.

## Part-time Faculty

Part-time faculty members can contact [EDD](#) for information about state benefits.

Employees may use their PCCD accrued sick leave hours as income replacement during their leave.

## Disability Insurance (DI)

You may be eligible for [DI](#) if you are unable to work due to non-work-related illness or injury, pregnancy, or childbirth.

Visit the [DI](#) section of the EDD website for more information.

## California Paid Family Leave (PFL)

Paid Family Leave (PFL) provides short-term wage replacement benefits to eligible California workers.

You may be eligible for PFL if you are unable to work and lose wages when you need time off work for family leave. If eligible, you can receive benefit payments for up to eight weeks. Payments are about 60 to 70 percent of your weekly wages earned five to 18 months before your claim start date.

Visit the [PFL](#) section of the EDD website for more information.

# Leave Interaction

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Different leave types for full-time employees can interact during the full duration of the leave.

## Leave that can interact:

PDL can run concurrently with FMLA, but it cannot be combined with baby bonding under CFRA.

FMLA and CFRA can run concurrently.

## Leave that does not interact:

Employees who meet the PDL eligibility criteria but not the FMLA or CFRA criteria.

For example, employees who need to take time off work for maternity leave but have worked at PCCD for less than one (1) year or less than 1250 hours.

# Income Replacement

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PDL, FMLA, and CFRA are unpaid leaves. However, employees can consider the various income replacement options listed below.

## Accrued Leave Balances

Employees can use their accrued balances as income replacement, including:

- Sick
- Vacation
- Floating holidays
- Compensatory time earned
- Vacation carryover

## Additional Income Replacement

Extended Illness	<ul style="list-style-type: none"><li>Classified employees and administrators may be eligible for up to 100 days of extended illness at 50% pay of their regular salary.</li><li>Extended illness can be provided after the exhaustion of all sick, vacation, and other paid leave.</li><li>This leave shall not be accumulated from year to year.</li></ul>
Differential Leave	<p>If a faculty employee has exhausted all sick leave and is absent because of illness or accident, he/she is placed on differential leave. The employee must provide certification from his/her healthcare provider in order to receive differential leave pay. Under the differential leave policies, the District will deduct from the employee's salary the amount the District may pay to a temporary hired to fill the absent employee's position. If there is no substitute, the Payroll Office deducts a base amount of \$55.44 per day. Differential leave continues up to a maximum of five school months.</p>

## Faculty Banked Leave

Employees looking to use their banked leave to take time off for medical reasons can contact their manager, as the banked leave program is not managed by the Benefits Office.

## Q&A

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**When do I need to submit Healthcare certification if I need to take additional time off beyond the dates the Healthcare professional stated?**

Employees must submit a request for additional time off two (2) weeks before the expiration date of their approved leave.

**What if I am off work for more than 12 weeks that is allocated thru FMLA?**

An updated certification letter and new Medical Leave eForm is required to extend leave past 12 weeks of FMLA. Employees who do not adhere to the requirements and deadlines are subject to disciplinary action.

### **What if I need more time to bond with my child or to care for a family member?**

Employees who have accrued more leave hours (sick, vacation, etc.) than the 12 weeks of baby bonding can use them to take additional time off. Also, employees may be eligible for additional leave through extended illness or differential pay.

### **How long is extended leave for?**

Extended (illness) leave can be taken for up to 100 days, based on the certification letter.

### **Do I get paid while on extended leave?**

Classified employees and administrators receive 50% pay while on extended illness.

### **What happens if I use all of my extended leave?**

Employees who exhaust the 100 days of extended illness leave must return to work or they will be placed on the 39-month re-employment list.

### **Can managers submit the Medical Leave eForm on behalf of the employee?**

No, the form is only available through the Employee Self-Service in HCM.

### **What if I have a question on a leave of absence that is not listed on this guide?**

Contact the Human Resources (HR) Office for information about other leaves, such as unpaid, long-term personal necessity, sabbatical, and educational leave.

## Contact

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