

## **EMPLOYEE PROCEDURES**

### **Family Medical Leave Act (FMLA) and Short-Term Disability (STD)**

#### **FAMILY MEDICAL LEAVE ACT (FMLA)** See AR 342 – Medical Related Leaves

**Policy** *The City of Scottsdale (“City”) provides various medical related leaves to its employees and/or their family members as a benefit and in compliance with all applicable laws and the City Ordinance. The City offers various leave programs, and some may be paid or unpaid. In some cases, leave is concurrent (i.e., one type of leave overlaps with another type of leave).*

**Family Medical Leave Act (FMLA)** FMLA is a federal law enacted in 1993 to allow qualifying employees to take leave without losing their job or benefits, subject to the FMLA requirements. FMLA leave may be paid or unpaid (after the employee has exhausted all accrued leave).

- FMLA is unpaid job-protected leave up to 12 weeks or 480 hours (intermittently) in a rolling 12-month period.
- The requirements are employees must work 1250 hours within the last 12 months and 12 months employed.
- A leave for a family member can be for child, parent or spouse.
- Or up to 26 weeks for a family member who suffers a service-related illness or injury.

#### **FMLA Procedures:**

1. Employees should complete a [Medical Leave of Absence Request Form](#), and send to Human Resources. The employee should give a 30-day notice that FMLA is needed if the leave of absence is foreseeable.
2. When possible, the request shall include the expected duration of the absence.
3. If an employee is unable to submit a request, a supervisor or family member may submit on their behalf.
4. HR Benefits will verify eligibility and either email or mail FMLA paperwork which includes the Physician Certification to the provided email or address on file.
5. After verifying eligibility, HR Benefits will provide the appropriate department with leave details (employee, dates requested, continuous/intermittent leave).
6. Employees have 15 days to return the required Physician Certification to HR Benefits either by fax or email. A fee may be applicable and required by the doctor which is not reimbursable by the City or Cigna.
7. Once this certification is received, an approved/denied email notification is sent to department Supervisor, assigned Timekeeper and HR staff, which will include the date of the FMLA exhausting.
8. The employee is mailed a HR correspondence along with the FMLA Designation Notice of their approval, which will include the date of their FMLA exhausting.
9. If the employee will be out on leave over 30 days HR will notify IT to disable computer access.
10. Annual recertification is required for all intermittent leave, which is provided to employees prior to their intermittent leave expiring.

11. Recertification on current FMLA leaves may be required to determine continued eligibility.
12. **It's the employee's responsibility to ensure that all paperwork is received.**

## **SHORT-TERM DISABILITY (STD) See AR 341 – City Paid Leave**

**Policy** *The City of Scottsdale provides a variety of leaves that are available to eligible employees in the event of accident, injury, illness, death, required jury duty, military service, and other reasons. Leave may be paid or unpaid. In some cases, leave is concurrent (i.e., one type of leave overlaps with another type of leave). If an employee that has worked for the city for at least six months moves from a benefited position to a non-benefited position all vacation leave balances are paid out and employees are no longer eligible for leave accruals or disability benefits.*

Short-Term Disability (STD) provides continuing income if you have a medically certified health condition (non-work related) and are unable to perform your job duties. STD provides coverage begins on the 8th day of disability, unless due to accident. STD provides up to 13 weeks of coverage (including waiting period) as certified by the employee's physician and approved by New York Life Group Benefit Solutions (NYLGBS).

### **STD Procedures:**

1. Employees will check the box if they are enrolled in the City's STD plan on the [Medical Leave of Absence Request Form](#).
2. HR Benefits will send the STD flyer on how to file a disability claim, along with their FMLA packet. It will be mailed/emailed to the address on file.
3. HR Benefits will confirm the coverage level elected, either 50% or 70% of their weekly salary to determine their maximum hours coded in Webtime if employees want to supplement their income. Employees can't exceed more than 100% of pay from both sources (city pay & NYLGBS) and the maximum pay is \$1,000 per week (\$2,000 per pay period).
4. HR Benefits will acknowledge receipt of their request, along with providing information to the supervisor regarding coding Webtime. There will be a maximum number of hours available to supplement the difference of pay once they're approved for the STD benefit.
5. Employees should call NYLGBS to file a claim at 888-362-4462.
6. NYLGBS will assign a case manager and review the claim. Any questions regarding payments, dates of approval or payment inquiries can be directed to the assigned case manager at NYLGBS.
7. Employees will inform their supervisor/timekeeper if they would like to use vacation to supplement their STD pay, however, a minimum number of hours will be required to pay for the employee's mandatory deductions for benefits.
8. If all paid leave is exhausted, mandatory benefit premiums will go into arrears and will be deducted from their first paycheck upon return.
9. All medical leaves must be exhausted before the STD benefit is paid.
10. Maternity leave - STD pays up to 6 weeks normal delivery/8 weeks cesarean from date of disability.
11. NYLGBS will determine employee's eligibility and duration of STD payments.
12. Notify HR Benefits with your return to work form prior to returning to work. If you are gone longer than 30 days, advanced notice is recommended to ensure your IT accounts are reinstated.