Time and Leave for Superintendents and Supervisors

Human Resource Services
1219 Boylan Hall
(718) 951-5377
Disclaimer

❖ The presentation is intended as general information only and does not carry the force of legal opinion.

❖ HRS is providing this information as a Supervisor/Superintendent resource. This information and related materials are presented to give Supervisors/Superintendents a better understanding of the Time and Leave process and procedures.

❖ We will make every effort to keep this information current and to correct errors brought to our attention.
Agenda

- Type of Leaves
- Sick and Medical Documentation
- Supervisor Rights and Responsibilities
- Employee Responsibilities
- HRS Responsibilities
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Family Medical Leave Act (FMLA)

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

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

Employee can take continuous or intermittent leave
FMLA- Eligibility Requirements

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

Note: Staff members reach 1250 hours as follows:
- If employee works 35 hours a week – 36 weeks
- If employee works 40 hours a week – 31.5 weeks
FMLA- Time and Leave Usage

- In the case of serious illness or injury CUNY requires employees to exhaust all paid sick leave, annual leave or other paid leave, before taking unpaid FMLA leave.

- If employee is caring for a family member annual leave must be charged before an unpaid FMLA leave can be granted.

- Health benefits will continue during an unpaid FMLA leave only during the 12-weeks duration.
FMLA- Medical Documentation

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

- Allows an employee to maintain health benefits if in paid status
- Employee can take continuous medical leave paid or unpaid
- Requires status updates every 30 days for Health Care Provider
Unauthorized Medical Leave

- Unpaid leave of absence
- All accrued time has been exhausted
- No health coverage
- Sufficient documentation has not been submitted
Paid Family Leave

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

Allows an employee to maintain health benefits for 12 work weeks

Employee can take continuous or intermittent leave

• Paid time off to care for the following:
  ➢ Bond with a newly born, adopted or fostered child
  ➢ Care for a family member with a serious health condition
  ➢ Assist loved ones when a family member is deployed in a foreign country on active military service
PFL- Eligibility Requirements

• Employees who work **20 hours or more per week** are eligible after **26 weeks of employment**

• Employees who work **less than 20 hours per week** are eligible after **175 days of employment**
Paid Family Leave – Cont.

- PFL benefits are not paid by CUNY, but by **Standard Insurance**
- Pension contributions are not made, and time is not accrued while on PFL since you’re paid by The Standard
- Employee must apply no less than 30 days prior to the expected leave of absence

- Employee may take up to 12 weeks of leave
- Employee will receive up to 67% of their average weekly salary
- Employee will maintain health benefits during this leave
- All employees pay a percentage of an employee’s gross wages which changes annually
Paid Family Leave- Intermittent

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

Covers occupational related illness or injury

Offers job protection

Limited compensation for serious permanent injury or life loss
Jury Duty

Full-time employees receive compensation for jury duty

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

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

Verification is required and reviewed by HRS.
Supervisor Responsibilities

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

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

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

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

Human Resource Services
1219 Boylan Hall
Benefits@Brooklyn.cuny.edu
Bctime@Brooklyn.cuny.edu

Bettina Smith
HR Time and Leave Coordinator
Bsmith@Brooklyn.cuny.edu

Donna Corbin
HR Benefits
Dcorbin@Brooklyn.cuny.edu

Revee Jones
HR Generalist
Revee.Jones@Brooklyn.cuny.edu

Debra Quashie
Deputy Director
Dquashie@Brooklyn.cuny.edu
Questions?