

- A physical or medical condition for which job restriction or accommodation at the work site is required.
- Diagnosis with a reportable, transmittable disease. (Exclude sexually transmitted diseases.)
- Signs or symptoms of a communicable disease detected at the time of pre-placement, annual, or surveillance health evaluation.
- Signs or symptoms of potentially serious illness detected at the time of pre-placement, annual, or surveillance health evaluation.

C. Human Resources (CIR/HR Policy)

1. Payroll

The county has two pay periods per month: the 1st through the 15th and the 16th through the end of the month. Employees must complete a timecard for each pay period.

The official County payday is the 15th of the month for all hours worked in the prior month. However, employees who are on direct deposit get an earned salary advance (ESA) on the 30th of each month. If a payday falls on a holiday or weekend, payday will be the last working day before the holiday or weekend.

2. Time cards

Used to report time worked or not worked in a pay period. For housestaff, the departmental time card liaison is responsible for completing and submitting timecards through ECAPs.

3. Holidays

There are eleven (11) official County holidays each year and full-time employees are allowed 8 hours of paid holiday leave for each holiday. If you are required to work a holiday, you will either be paid or accrue 8 hours of holiday time depending on your bargaining unit for your position and whether you are a shift or non-shift employee.

4. Vacation

In lieu of other vacation and holiday allowances, persons employed as full-time or half-time Physicians, Post Graduate (first through seventh year) who are assigned to a County hospital for any one contractual period of at least 2 months, or its equivalent (4 months for those employees on half-time items),

shall earn 2 working days paid leave per month. 10 working days may be deferred each year upon written request by the employee. If no request is made, employees shall be paid for all accrued days.

Upon completion of each Physician, Post Graduate year (first year through seventh year), a lump sum payment shall be paid for such accrued time. Whenever the sum of an employee's current and deferred vacation exceeds 40 days, that portion in excess of 40 days may be deferred for no more than 1 year. If at the end of that year, an employee still has current and deferred vacation in excess of 40 days, he or she shall be paid that portion in excess of 40 days. Upon completion of their term as Physician, Post Graduate (second through seventh year), a lump sum payment may be paid for such accrued time not to exceed 40 days.

Proper and timely notification is necessary for orderly vacation scheduling. When a vacation is to cover more than seven (7) continuous days, the Physician must submit the request for vacation at least 30 days in advance of the beginning date. In special situations, if approved by the Chief of Service, vacation may be granted for less than one week intervals.

5. Sick Leave

All Physician Post Graduates (first through seventh year) will be credited with no more than 8 days (64 hours) of full-pay sick leave per calendar year.

6. Bereavement Leave

Employees are allowed three (3) days off with pay due to the death of a member of their immediate family or the family of a domestic partner. If an employee has to travel 500 miles one-way as a result of the death, they are permitted an additional two (2) days of bereavement leave with pay.

Immediate Family members are as follows: mother/stepmother, father/stepfather, spouse, children/stepchildren, sister, brother, mother-in-law, father-in-law, grandparents, and grandchildren.

Domestic Partner Family members are as follows: mother/stepmother, father/stepfather, child, stepchild, grandchildren.

7. Family Medical Leave Act (FMLA) and Family Rights Act (FRA) (HUMC Policy #222)

Policy: The Federal Family Medical Leave Act (FMLA) and California Family Rights Act (FRA) policy has been established to assist eligible employees to understand their rights when requesting an unpaid leave of up to

twelve (12) weeks per year for the birth or adoption of a child, to stay home to care for a seriously ill family member, or to remain off work because of an illness affecting the employee.

Affected employees are guaranteed a return to the same or equivalent job at the end of the leave and continuation of their health and dental coverage during the leave. They are also guaranteed certain rights regarding the giving of notice and the provision of medical verification where illness is the basis for the leave.

Key Provisions:

- **Eligible Employees**

Any employee who has twelve (12) months of employment with the County and 1,250 hours of work during the twelve (12) months preceding the request for leave.

- **Reason for Leave**

Both acts permit leave because of the following events:

- The birth and/or care of a newborn child;
- The placement of a child with the employee for adoption or foster care;
- The care for a child, spouse, or parent with a serious health condition; or
- An employee's own serious health condition which prevents the performance of his/her job

Note: Disability due to pregnancy is considered a serious health condition under the FMLA, but not under the FRA. However, there is a separate California state law, Government code Section 12945, subdivision (b) (2), that provides unpaid pregnancy disability leave up to four (4) months, depending on actual medically documented period of disability.

- **Maximum Leave**

Twelve (12) weeks per year. A "year" for this purpose is the twelve (12) month period starting with the first day of the FMLA/FRA leave. Leave may be taken on intermittent or part-time basis.

Note: Up to 16 additional weeks is permitted under the separate California pregnancy disability law. See above note.

- **Medical Certification**

Both FMLA and FRA require the employee to submit medical certification:

- To care for a family member or;

- The employee's own serious medical condition and that the employee is unable to perform the functions of the position.

Under FMLA and FRA, the certification must contain the following: date on which the serious health condition commenced; probable duration of the condition; appropriate medical facts with the knowledge of the health care provider regarding the condition; statement that the employee is needed to care for the family member and an estimate of the amount of time needed. If the leave is for the employee's own health problem, their certification must contain a statement that the employee is unable to perform the functions of the job. If leave is for intermittent treatment, certification must state the dates of the treatment and duration. Please refer to "Certification of Physician or Practitioner" located at: <http://harborintranet:8082/PDF/PolicyAndProcedure/222.pdf> - page 6.

Under the FMLA and/or FRA, the employer can challenge the certification if it has reason to doubt the validity of the certification. Thus, the county may require that the employee obtain, at the County's expense, a second or even third opinion from the County approved health care practitioner regarding any of the information contained in the original certification.

- **Employee Notice of Desire to Take Leave**

Both Acts require the employee to provide the employer at least thirty (30) days notice of foreseeable event of the date the family care leave will commence and the estimated duration of the leave. If the need for the leave is based on foreseeable planned medical treatment of a family member, the employee shall attempt to schedule the treatment so as not to disrupt the county's operations, in concurrence with the health care provider of the family member involved.

- **Return to Work**

An employee who returns to work must be returned to the same or an equivalent position with the same benefits, salary, and other terms and conditions of employment.

- **Substitution of Paid Leave**

FMLA/FRA leave is unpaid leave, but the employee may elect to use accrued paid leave to cover part of all of the twelve (12) week period. The use of paid leave is subject to all of the same conditions (e.g., medical certification for sick leave, managers/supervisors approval for

vacation, compensatory time, etc.) That normally applies to the use of such time.

- **Benefit Continuation**

If a family leave absence is covered with paid leave, cafeteria plan (CHOICES, OPTIONS and FLEX/MEGAFLEX) contributions and other benefit coverage will continue uninterrupted just as it would with paid leave taken for any other purpose.

For employees who take unpaid leave, the County must make contributions toward health leave and dental coverage while the employee is out. The employee must also make payments toward this coverage to the same extent such payments would otherwise be required if the employee were not on family leave.

- **Posting Requirements**

A requirement of FMLA is that a notice be posted prominently where it can be readily seen by employees and applicants. Therefore, the notice titled, “**Your Rights Under the Family and Medical Leave Act of 1993**” located on Page 8 at <http://harborintranet:8082/PDF/PolicyAndProcedure/222.pdf> is permanently posted on the Human Resources bulletin boards used for posting of job announcement in the first floor east hallway of Unit I and on the bulletin boards in the Human Resources Office, Building L-3.

- **Restoration of Reinstatement**

Both Acts require the employer to reinstate an employee who takes leave either to the position he/she held before going on leave or to an “equivalent” position, with equivalent employment benefits, pay, and other terms and conditions of employment.

- **Records**

Records relating to compliance will be maintained by the Human Resources Department.

Procedure:

- Whenever an employee requests a FMLA/FRA leave of absence, s/he must complete and submit:
 - **“Request for Leave of Absence” HH611 form** located at <http://harborintranet:8082/PDF/PolicyAndProcedure/222.pdf> (Page 4) stating “FMLA/FRA” in the “Reason for Request”

- **“Request for Family Medical Leave Act (FMLW) Family Rights Act (FRA Leave of Absence** located at <http://harborintranet:8082/PDF/PolicyAndProcedure/222.pdf> (Page 5)
- **“Certification of Physician or Practitioner”** (if appropriate), located at <http://harborintranet:8082/PDF/PolicyAndProcedure/222.pdf> (Page 6). This medical certification must be attached to **“Request for Leave of Absence”** HH 611 form when the employee requests FMLA/FRA to care for a family member or his/her own serious medical condition.
- The employee must be provided with a copy of **“Your Rights Under the Family and Medical Leave Act of 1993”** located at <http://harborintranet:8082/PDF/PolicyAndProcedure/222.pdf> (Page 8).
- If an employee requests FMLA/FRA, the supervisor/manager must contact the personnel technician in Human Resources Administration (ext. 3231). The personnel technician will provide advice and counsel in meeting FMLA/FRA requirements. If appropriate, a letter will be sent to the employee advising him/her of FMLA/FRA rights and responsibilities. Additionally, Human Resources Administration will maintain centralized records regarding FMLA/FRA compliance.
- Human Resources Administration, Building L3 (ext. 3241) will provide copies of the above documents upon request.

8. Grievance Procedure (HUMC Policy # 207) See also Section III. E. 4. Grievance Procedures, Due Process, and Disciplinary Action, Including Dismissal.

Procedure: To establish a standardized procedure for processing and tracking formal employee grievances.

Policy: It is the desire of the Harbor-UCLA Medical Center to create a positive environment of cooperation and support between employees and management and to address all employee concerns where possible before the grievance mechanism is called upon by the employee. When a grievance is filed formally, however, the grievance is to be resolved promptly and equitably, without discrimination, coercion, restraint, or reprisal against the employee.

General employee relations procedures for employees represented by bargaining units are included in all Memoranda of Understanding (MOU's). Managers and supervisors are encouraged to consult and follow the