



Leave of Absence Handout to Supervisors

To comply with the Family and Medical Leave Act (FMLA), California Rights Act (CFRA), and Pregnancy Disability Leave (PDL), supervisors should:

1. Not approve or deny leave but instead let HR make this decision.
2. Notify HR whenever they become aware that an employee is requesting time off for a medical condition.
3. Not assume that someone is eligible for leave just because he or she has a serious health condition. HR will make the eligibility determination.
4. Realize that the medical certification process can be time-consuming but is a key way to curb leave abuse, particularly with intermittent leave.
5. Ask HR what medical certifications say about the amount of leave time needed or expected, track employees' actual leave, and let HR know if the amounts do not match so HR might request a recertification. HR otherwise will handle medical certifications, unless managers' assistance is requested.
6. Remember that the reasons underlying a leave are often sensitive and so be mindful of confidentiality.
7. Not require employees on leave to work.
8. Be ready to explain to employees the company policy about whether paid time off, such as vacation and sick leave, runs concurrently with leave. If managers are not confident in their understanding, they should refer employees to HR.
9. Know that the FMLA/CFRA/PDL guarantees that employees will be restored to the same or equivalent position at the end of the leave.
10. Ensure that no one is retaliated against for exercising their leave rights.
11. Know that additional leave may be required by the Americans with Disabilities Act or state law.