



# MILWAUKEE POLICE DEPARTMENT

## STANDARD OPERATING PROCEDURE

### 080 – FAMILY MEDICAL LEAVE ACT AND OTHER LEAVES

**GENERAL ORDER:** 2014-74  
**ISSUED:** July 11, 2014

**EFFECTIVE:** July 11, 2014

**REVIEWED/APPROVED BY:**  
Captain Regina Howard  
**DATE:** June 18, 2014

**ACTION:** Amends General Order 2008-17 (May 19, 2008)

**WILEAG STANDARD(S):** 2.4.2

#### **080.00 PURPOSE (WILEAG 2.4.2)**

To outline the eligibility requirements and administrative procedures regarding the Family and Medical Leave Act (FMLA), maternity leave, childrearing leave, unpaid leaves of absence, and reinstatement.

#### **080.05 ELIGIBILITY REQUIREMENTS - FAMILY MEDICAL LEAVE ACT**

- A. All qualified department employees who have completed fifty-two (52) consecutive weeks of service and at least 1,000 hours of service in the fifty-two (52) weeks immediately prior to leave commencing, are eligible to receive Wisconsin FMLA benefits.
- B. All qualified department employees who have been employed by the department for at least twelve (12) months and have completed at least 1,250 hours of service in the twelve (12) months immediately prior to the leave commencing, are eligible to receive federal FMLA benefits.
- C. The federal FMLA does not supersede the Wisconsin FMLA, city ordinances, or labor contracts that may contain more generous family or medical leave rights.
- D. An employee qualifies for FMLA benefits in at least one of the following situations:
  1. For the birth of the employee's child or to care for the employee's newborn child.
  2. For the placement of a child with the employee for adoption or as a precondition to adoption under Wis. Stat. § 48.90(2), but not both, if the leave begins within sixteen (16) weeks of the child's placement.
  3. For an employee's serious health condition or to care for an employee's spouse, child, or parent who has a serious health condition.
  4. For Federal Military Family Leave
    - a. Military qualified exigency leave – eligible employees with a spouse, son, daughter, or parent on active duty status in the National Guard or reserves in support of a contingency operation may use their 12-week entitlement to address certain qualifying exigencies. Qualifying exigencies may include:

1. Military events and related activities, such as official ceremonies, programs, or events sponsored by the military or family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross that are related to the active duty or call to active duty status of a covered military member;
  2. Certain childcare and related activities arising from the active duty or call to active duty status of a covered military member, such as arranging for alternative childcare, providing childcare on a non-routine, urgent, immediate need basis, enrolling or transferring a child in a new school or day care facility, and attending certain meetings at a school or a day care facility if they are necessary due to circumstances arising from the active duty or call to active duty of the covered military member;
  3. Making or updating financial and legal arrangements to address a covered military member's absence;
  4. Attending counseling provided by someone other than a health care provider for oneself, the covered military member, or the child of the covered military member, the need for which arises from the active military member who is on short-term duty or call to active duty status of the covered military member;
  5. Taking up to fifteen (15) days of leave to spend time with a covered temporary, rest and recuperation leave during deployment;
  6. Attending to certain post-deployment activities, including attending arrival ceremonies, reintegration briefings and events, and other official ceremonies or programs sponsored by the military for a period of 90 days following the termination of the covered military member's active duty status, and addressing issues arising from the death of a covered military member.
- b. Military caregiver leave - special leave entitlement permits eligible employees to take up to 26-weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a current member of the Armed Forces (Army, Navy, Air Force, Marine Corps, Coast Guards), including a member of the National Guard or reserves, who has a serious injury or illness incurred in the line of duty on active duty for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list that may render the service member medically unfit to perform his or her duties.

**Note: Son or daughter means a biological or adopted child (or foster child for federal FMLA leave only), a stepchild, a legal ward, or a child of a person standing in loco parentis (for federal FMLA leave only), who is either under age 18, or age 18 or older and who cannot care for himself or herself because of a serious health condition (under the Wisconsin FMLA) or incapable of self-care**

**because of a mental or physical disability (under federal FMLA) or as noted under federal FMLA military caregiver leave. Under these standards, when a child is age 18 or over, both the state and federal laws require a higher standard of incapacity.**

- E. Employees having returned from military leave will have the time served in active duty counted towards their eligibility when requesting time off under FMLA.

## **080.10 FAMILY AND MEDICAL LEAVE ACT BENEFITS**

### **A. FEDERAL FAMILY AND MEDICAL LEAVE ACT (FMLA)**

1. The federal FMLA entitles qualified employees up to twelve (12) weeks of unpaid leave per calendar year in connection with the birth or placement of a child for adoption or placement for foster care, for employee's own serious health condition, or to care for a parent, spouse, or child with a serious health condition.
2. Entitlement to family leave in connection with birth or adoption expires twelve (12) months after the employee's child is born or placed.
3. The federal FMLA military qualified exigency leave entitles qualified employees up to 12 weeks of unpaid leave during a single 12 month period.
4. The federal FMLA military caregiver leave entitles qualified employees up to 26 weeks of unpaid leave during a single 12 month period.

### **B. WISCONSIN FAMILY AND MEDICAL LEAVE ACT**

1. The Wisconsin FMLA entitles qualified employees up to six (6) weeks of unpaid leave per calendar year for the birth or placement for adoption of an employee's child. Placement for foster care is not covered under the Wisconsin FMLA. Any family leave in connection with the placement of a foster child must be taken under the federal FMLA.
2. The Wisconsin FMLA entitles qualified employees up to two (2) weeks of unpaid leave per calendar year for a serious health condition of the employee or the employee's spouse, child, parent, or parents-in-law.
3. Entitlement to leave expires sixteen (16) weeks after the child is born or placed. The last segment of leave must begin within this 16-week period.
  - a. If the employee is entitled to leave under both federal and state FMLA, the leave use will be counted under both entitlements concurrently.
4. Domestic Partnership (Wis. Stat. § 40 and 770)

Domestic partnership for opposite-sex and same-sex partners means a relationship between two individuals that satisfy all of the following:

- a. Each individual is at least 18 years old and otherwise competent to enter into a contract.
- b. Neither individual is married to, or in a domestic partnership, with another individual.
- c. The two individuals are not related by blood in any way that would prohibit marriage.
- d. The two individuals consider themselves to be members of each other's immediate family.
- e. The two individuals agree to be financially responsible for each other's basic living expenses.
- f. The two individuals share a common residence.

Same sex domestic partnership can alternatively also mean individuals who have signed and filed a declaration of domestic partnership in the office of the register of deeds of the county in which they reside and who satisfy the following:

- a. Each individual is at least 18 years old and capable of consenting to the domestic partnership.
- b. Neither individual is married to, or in a domestic partnership, with another individual.
- c. The two individuals are not nearer of kin to each other than 2<sup>nd</sup> cousins.
- d. The individuals are members of the same sex.
- e. The two individuals share a common residence.

#### C. PAID TIME OFF FOR FMLA LEAVE

1. The federal FMLA entitles eligible employees up to twelve (12) weeks of unpaid leave per calendar year for the birth or placement of a child for adoption or foster care; to care for a spouse, parent, or child with a serious health condition; or when unable to work because of the member's own serious health condition. If an employee wishes to be paid during a federal FMLA leave, he/she may substitute accrued paid leave (e.g., vacation, compensatory time), during such time. However, an employee shall not be allowed to substitute sick leave pay during a federal FMLA leave unless the employee independently meets the requirements for use of sick leave during the period of FMLA leave.
2. Employees shall provide their supervisor with 30 days advanced written notice when taking leave for the birth of a child. Employees shall provide their supervisor with written notice as soon as reasonably possible when taking leave for placement of a child for adoption or foster care.

3. The Wisconsin FMLA provides for the following amounts of unpaid leave per calendar year:
  - a. Six weeks of family leave in connection with a child's birth or placement for adoption (excluding foster care);
  - b. Two weeks of family leave to care for a spouse, child, parent, or parent-in-law with a serious health condition;
  - c. Two weeks of medical leave for the employee's own serious health condition.

Employees may substitute sick leave, or any other accrued leave, in such circumstances. For example, an employee may request, and be granted, twelve (12) weeks of family leave for the birth of a child, however no more than six (6) weeks may be unpaid or paid by using other accrued leave, such as vacation or compensatory time.

An employee may substitute sick leave or any other accrued paid leave under the Wisconsin FMLA.

4. Any leave taken under the Wisconsin FMLA will count concurrently against an employee's entitlement to leave under the federal FMLA.
5. Employees on federal FMLA leave or Wisconsin FMLA leave who are entitled to substitute paid sick leave are exempt from those department procedures, which normally govern the use of paid sick leave (e.g., confinement to residence, Milwaukee County travel restrictions).
6. Employees shall provide their supervisor with 30 days advance written notice when taking leave for the birth of a child. Employees shall provide their supervisor with written notice as soon as reasonably possible when taking leave for placement of a child for adoption.

#### D. REQUESTS FOR FMLA LEAVE DUE TO BIRTH OR PLACEMENT OF A CHILD

1. Under the Wisconsin FMLA, up to six (6) weeks of leave may be taken as paid (if the employee has accrued paid leave available for substitution) or unpaid leave in one continuous block or as segmented leave. This six (6) week continuous block, or all segmented portions thereof, must begin within sixteen (16) weeks of the birth or placement for adoption. The leave may be unpaid or a maximum of six (6) weeks of sick leave, or any amount of other accrued paid leave may be substituted. Under no circumstances may an employee utilize more than six (6) weeks of sick leave pay while on Wisconsin FMLA leave in connection with the birth or placement of a child.
2. After an employee's entitlement to Wisconsin FMLA leave has ended with the conclusion of the last segment of leave that began within sixteen (16) weeks of the birth or placement of the child, any additional leave under the federal FMLA must be taken as a single continuous block of time and concluded within twelve (12) months of the birth or placement of a child. The leave may be unpaid or accrued paid leave

(e.g., vacation, compensatory time) may be substituted. However, sick leave may not be substituted for leave in conjunction with the birth or placement of a child under the federal FMLA.

#### E. FMLA LIMITS WHEN BOTH HUSBAND AND WIFE ARE EMPLOYED BY THE DEPARTMENT

After exhausting their separate entitlements to leave under the Wisconsin FMLA, a husband and wife who are both employed by the department are limited to a combined total of twelve (12) weeks of leave during any calendar year if the leave is taken for the birth of a child, for placement of a child for adoption or foster care, or to care for a parent with a serious health condition.

#### F. INTERMITTENT LEAVE / REDUCED LEAVE

1. Intermittent or reduced leave may be taken when medically necessary to care for an eligible family employee with a serious health condition, or because of the employee's own serious health condition.
2. Intermittent leave may be taken in connection with the birth or placement for adoption of a child only under the Wisconsin FMLA, but will not be permitted in connection with federal FMLA leave taken following the sixteenth (16<sup>th</sup>) week of birth or placement for adoption.
3. Employees needing intermittent or reduced leave for foreseeable medical treatment must work with their supervisor to schedule the leave so as not to unduly disrupt the department's operations, subject to the recommendation of the employee's health care provider.
4. Whenever possible, employees on approved intermittent leave shall provide their supervisor with advanced notice when taking leave for planned medical treatment for their own care or the care of a family member. Approved intermittent leave is expected to be used as entitled under the FMLA guidelines.
5. Department employees requesting intermittent leave or reduced leave for their own serious medical condition or for the care of a family member shall submit a *Medical Certification under the Family Medical Leave Acts* (form PM-7) for review. For continuous care, employees shall be expected to submit the form as required by the Human Resources Division - Medical Section.
6. The department reserves the right to require updated medical certification as provided under federal regulations (29 CFR 825.308) involving intermittent leave for an employee's own care or the care of an eligible family member with a serious health condition.
7. The department reserves the right to obtain authentic and clear medical certification for leave taken because of the employee's own serious health condition or the serious health condition of a family member, including the right to obtain second or third opinions.

8. It is the employee's responsibility to provide the employer with an authentic and clear medical certification and to clarify the certification if necessary.

### **080.15 MATERNITY AND CHILDREARING LEAVE (CONTRACT PROVISIONS)**

#### **A. UNPAID MATERNITY LEAVE (MPSO and MPA)**

1. Maternity leave shall be granted solely for the purpose of a medical disability associated with pregnancy. A female employee shall be entitled to an unpaid maternity leave of absence beginning on the date her attending physician determines she is no longer fit for duty on account of medical reasons associated with her pregnancy and ending no later than 135 consecutive calendar days following the date of delivery resulting from such pregnancy.
2. Such leave shall be without pay except that the employee shall use the accumulated paid time off to which the employee is entitled to receive.
3. Paid time shall be used at the beginning of maternity leave.
4. Segmenting of maternity leave will not be permitted.

#### **B. UNPAID CHILDREARING LEAVE FOR BIRTH OF CHILD (MPSO and MPA)**

1. When requested, a female employee shall be entitled to an unpaid childrearing leave of absence of not more than 130 consecutive calendar days, beginning on the date her maternity leave ends. Such leave shall be granted solely for the purpose of childrearing.
2. When requested, a male employee shall be entitled to an unpaid childrearing leave of absence for up to 130 consecutive calendar days beginning on the date the employee's spouse gave birth to a child. Such leave shall be granted solely for the purpose of childrearing.
3. Such leave shall be without pay except that the employee shall use the accumulated paid time off to which the employee is entitled to receive. Sick time may not be used during a period of childrearing leave.
4. Paid time shall be used at the beginning of childrearing leave.
5. Segmenting of childrearing leave will not be permitted.

#### **C. UNPAID CHILDREARING LEAVE INVOLVING ADOPTED CHILD (MPSO and MPA)**

1. When requested, an employee shall be granted an unpaid special childrearing leave of up to 130 consecutive calendar days in the event such employee legally adopts a child under age five (5) and the terms of adoption require the presence of one adoptive parent with the child. The employee shall be required to provide documentation of such. Such leave shall begin on the effective date of placement of the adopted child in the employee's home.

2. Such leave shall be without pay except that the employee shall use the accumulated paid time off to which the employee is entitled to receive. Sick time may not be used during a period of childrearing leave.
3. Paid time shall be used at the beginning of childrearing leave.
4. Segmenting of childrearing leave will not be permitted.

#### **080.20 MEDICAL LEAVE OF ABSENCE**

- A. The Chief of Police may grant an unpaid medical leave of absence, or a combination of paid and unpaid medical leave of absence, to an employee in increments as needed, generally not to exceed one year, for the employee's own serious health condition, disability, or pregnancy-related disability. Indefinite medical leaves of absences shall not be granted.
- B. When applicable, eligible employees will be expected to exhaust their allotment under the Family Medical Leave Act prior to requesting a medical leave of absence.
- C. Such leave shall be without pay except that the employee shall substitute sick time, or any other accrued paid time, which the employee is entitled to receive and has available at the time of request.
- D. Paid time shall be used at the beginning of the medical leave of absence and must be exhausted prior to proceeding into an unpaid leave status.
- E. All requests for leaves will be reviewed and approved by the Human Resources Division under the authority of the Chief of Police.
- F. An employee's failure to return to work at the end of a medical leave of absence shall result in termination from the department for non-disciplinary fitness reasons.

#### **080.25 DONOR PROGRAM**

- A. Under the city of Milwaukee donor program, employees who have exhausted accrued paid leave may receive donations from any qualified city of Milwaukee employee who has elected to donate accrued time off to an employee (recipient) or to an employee on behalf of an immediate family member suffering from a terminal illness or major catastrophic illness. Immediate family member is clearly defined as spouse or child. Donations of accrued time off may not exceed 2080 hours per illness, injury or incident.
- B. An employee's entitlement to donor pay shall run concurrently with their unpaid FMLA or unpaid medical leave of absence to cover unpaid days during the leave period.
- C. An application for donor pay does not negate the employee's responsibility to apply for FMLA, a medical leave of absence, to notify the department of their status, and to comply with the department's policies and procedures.
- D. Employees may contact their respective union representative or the Department of

Employee Relations at 414-286-3184 regarding the accrued time off donor program.

**080.30 WORKER'S COMPENSATION TOTAL TEMPORARY DISABILITY BENEFITS (TTD)**

- A. If the employee's leave is related to an on-duty injury and they have exhausted the injury pay allotment, have been denied injury pay, or a determination is pending from the office of Employee Benefits, the employee is required to apply for a medical leave of absence. The employee has the option of using available accrued time (e.g., sick, vacation, comp) or if they are entitled, total temporary disability (TTD) benefits. The employee must submit the decision to use either benefit in writing. Injury pay and TTD may not be used concurrently. If Employee Benefits has determined the employee is ineligible for TTD benefits, the employee must use all accrued paid time before being permitted to go off the payroll or using donor pay.
- B. Approval for injury leave or donor pay does not negate the employee's requirement to notify the department of the leave status.

**080.35 DUTY DISABILITY RETIREMENT / ORDINARY DISABILITY RETIREMENT**

- A. Duty disability benefits (DDR) is for disabilities that are a direct result of a work related injury or illness.
- B. Ordinary disability benefits (ODR) is for disabilities that are not work related and prevent an employee from performing their duties.
- C. An application for DDR or ODR does not negate the employee's responsibility to apply for FMLA or medical leave of absence and to notify the department of their status.
- D. Employees may contact their respective union representative or the Department of Employee Relations at 414-286-3184 regarding duty disability benefits or ordinary disability benefits.

**080.40 SPECIAL ANNUAL PAYMENTS**

Any police member listed as "Inactive Status" on December 31st of the current year will forfeit eligibility to special annual payments of the certification pay, longevity pay and variable shift assignment pay (V.S.A.P.).

**080.45 EMPLOYEE'S RESPONSIBILITIES**

**A. FILING REQUESTS FOR LEAVES – FAMILY MEDICAL LEAVE OF ABSENCE**

- 1. Employees requesting FMLA shall ensure the completion of the following forms and submit them to their commanding officer/supervisor for review:
  - a. Form PM-6 MPD *Request For Leave Under the Family Medical Leave Act*,
  - b. Form PM-7 MPD *Medical Certification Under the Family Medical Leave Act*,

- c. Form PM-9E MPD *Department Memorandum*;
  - d. Absence analysis calendar indicating time off and regular off days.
  - e. When applicable, a formal letter from the agency verifying adoption or placement for adoption/foster care containing the following:
    1. Agency letterhead and agency contact person;
    2. Employee name;
    3. Age(s) of child/children;
    4. Type of placement (e.g., adoption, placement for adoption or foster care);
    5. Date of placement or adoption.
  - f. A PS-16S *Application for Sick Leave* if sick time is used with the leave.
- B. FILING REQUESTS FOR LEAVES – MEDICAL LEAVES OF ABSENCE, MATERNITY LEAVE, OR CHILDREARING LEAVE
1. Employees requesting leave under a combination of FMLA and/or other leaves (e.g., maternity, childrearing, medical leave of absence) shall ensure the completion of FMLA forms and the following forms and submit them to their commanding officer/supervisor for review:
    - a. Form PM-33 MPD *Request for Medical Leave of Absence*;
    - b. Form PM-33A MPD *Medical Leave of Absence Certification*;
    - c. Form PM-9E MPD *Department Memorandum*;
    - d. Absence analysis calendar indicating time off and regular off days.
    - e. When applicable, a formal letter from the agency verifying adoption or placement for adoption/foster care containing the following:
      1. Agency letterhead and agency contact person;
      2. Employee name;
      3. Age(s) of child/children;
      4. Type of placement (e.g., adoption, placement for adoption or foster care);
      5. Date of placement or adoption.
  2. When the need for leave is foreseeable, a request for leave under the provisions of

Wisconsin FMLA, federal FMLA, or a combination of FMLA and other leaves shall be made at least thirty (30) days prior to commencement of such leave, except in emergency situations. In emergency situations, employee shall file the appropriate forms as soon as practicable. Even in an emergency situation, the employee will usually have an opportunity to submit a *Department Memorandum* (form PM-9E) in advance of the requested FMLA leave commencement date. On occasion, employees may not be able to provide advance notice, in which case commanding officers/supervisor are to reasonably review the circumstances and consult with the Human Resources Division - Medical Section as to the appropriate disposition.

### C. LEAVE REVISIONS

Leave revisions will be accepted:

1. Under emergency situations.
2. When provided 30 days in advance of expected leave.
3. As soon as practicable following the actual birth, adoption or placement of child/children
4. When instructed to do so by a commanding officer/supervisor or the Medical Section.

**Note: Employees will not be permitted to change their paid/unpaid status during a leave of absence. Employees will be responsible for monitoring their return to duty date and providing extension requests for review. When applicable, leave extensions must include updated medical information.**

### D. DEPARTMENT ISSUED EQUIPMENT

Supervisors shall ensure employees comply with the following when approved for unpaid FMLA or unpaid medical leave of absence exceeding the noted days:

#### 1. Unpaid Leave 14 Days or Less

Employees on an unpaid leave of 14 days or less are not required to surrender any department issued equipment unless otherwise ordered by the Chief of Police or designee.

#### 2. Unpaid Leave 15 to 90 Days

Employees on an unpaid leave of 15 to 90 days for any reason shall surrender their badge, cap shield, identification card, call box key, and handgun to their commanding officer. The items shall be retained at the work location and shall not be inventoried. In extraordinary cases, the equipment may be stored at another location as determined by the Chief of Police or designee.

### 3. Unpaid Leave Over 90 Days

Employees on an unpaid leave over 90 days shall surrender all department issued equipment (excluding uniform items) to their commanding officer. The commanding officer shall ensure the equipment designated on the *Separation Checkout Sheet* (form PS-25) is retrieved and delivered to the Police Academy, this is to include the member's badge, cap shield, identification card, and call box key. Handguns shall be returned to the range master for retention. The employee's equipment will be re-issued upon reinstatement and following proficient completion of required remedial training.

**Note: Employees shall continue to be subject to all department standard operating procedures during an approved period of leave.**

### E. OVERTIME WHILE ON APPROVED LEAVE

Employees on any of the aforementioned leaves of absences (paid or unpaid) shall be prohibited from working overtime (e.g., extra-duty and special event employment, replacement program, in-service training, all other training) or from attending work for any reason during the period of leave unless pre-approved by the Human Resources Division - Medical Section to do so under FMLA intermittent leave or exigent circumstances (e.g., reporting to Internal Affairs Division).

### F. COURT APPEARANCES

Employees on approved leaves of absence shall be required to appear for all subpoenas, charging conferences, jury duty, etc., unless they are incapacitated by a serious medical condition or a condition rendering them non-ambulatory. When these conditions exist, employees are obligated to notify the Court Administration Section (CAS) concerning their inability to honor the subpoena.

## **080.50 REINSTATEMENT FROM LEAVES**

- A. An employee returning to duty from an authorized medical leave of absence shall submit such notice in writing to their commanding officer/supervisor at least two (2) weeks prior to the date of return to allow for normal processing of payroll records and administrative notifications prior to reinstatement to duty. Written notice shall be in the form of a *Department Memorandum* (form PM-9E). The commanding officer/supervisor shall ensure the original report is immediately forwarded to the Human Resources Division.
- B. Employees returning to duty shall complete all required payroll forms immediately prior to or on the first day back to work to effect the proper processing of pay and benefits.
- C. An employee returning from leave due to their own medical condition or a pregnancy related leave, must provide their supervisor with a medical release prior to or immediately upon their return to duty.
- D. Medical information shall be forwarded to the Medical Section. No copies shall be

maintained at the work location.

- E. Military personnel returning from military leave shall become familiar with SOP 475 Military Deployment/Reintegration.
- F. An employee's failure to return from leave or failure to ask for an extension at the expiration of a family medical leave or a medical leave of absence shall be terminated for non-disciplinary fitness reasons.
- G. Employees on a family medical leave of absence or a medical leave of absence over 90 consecutive days shall be required to submit to a drug screen.

#### **080.55 REINSTATEMENT FROM PAID LEAVE**

- A. An employee returning to duty from a paid leave due to their own medical condition or a pregnancy related leave, must provide their supervisor with a medical release prior to or on their return to duty.
- B. Medical information shall be forwarded to the Medical Section. No copies shall be maintained at the work location.
- C. Military personnel returning from military leave shall become familiar with SOP 475 Military Deployment/Reintegration.
- D. Employee's failing to return to duty following the exhaustion of an approved leave of absence may result in termination from the department for non-disciplinary fitness reasons.
- E. Employees on a paid leave of absence over 90 days shall be required to submit to a drug screen.

#### **080.60 COMMANDING OFFICER'S / SUPERVISOR'S RESPONSIBILITIES**

- A. After reviewing all reports for completeness and accuracy, the commanding officer/supervisor shall sign the reports and promptly forward them (in a sealed envelope) to the Medical Section for review and disposition.
- B. Commanding officers/supervisors shall ensure confidentiality with information contained in the medical leave requests provided by employees.
- C. If the request for FMLA leave arises from an emergency situation, the commanding officer/supervisor shall immediately forward all relevant reports and consult with the Medical Section to determine the employee's eligibility to receive the benefit.
- D. Commanding officers/supervisors should bear in mind that exigent circumstances may modify the date(s) of the requested FMLA or medical leave that were indicated on the original forms submitted by the employee, such as a delay in a surgery date, unexpected date of birth, or placement for adoption. When this occurs, commanding officers/supervisors shall ensure that the employee submits revised reports as soon as

possible.

- E. Commanding officers/supervisors are to ensure the employee's equipment is collected prior to the start of any unpaid leaves, consistent with this policy (section 080.45 (D)). The commanding officer/supervisor shall notify, via email, the captain of the Internal Affairs Division, the lieutenant of the Medical Section, and the range master of the property collection and its location.
- F. Whenever an employee uses sick leave pay for some or all of the approved FMLA leave, medical leave, or maternity leave, an *Application for Sick Leave* (form PS-16S) shall be completed. The "FMLA box" shall be checked on the top portion of the PS-16S form.

The following special earn codes shall be used during an approved FMLA leave only. Special earn codes are not to be used in conjunction with other leaves such as maternity, childrearing, or a medical leave of absence.

#### SPECIAL EARN CODES

Prior Year Vacation Time	Code 041
Sick Leave Incentive Pay	Code 062
Current Year Vacation Time	Code 242
Sick Leave	Code 243
Holiday Off	Code 245
Total Vacation Accrual (TVA)	Code 254
Compensatory Time	Code 266
Unpaid Leave	Code 299

- G. Commanding officers/supervisors shall ensure an employee returning from a leave of absence due to his or her own medical condition or a pregnancy-related leave provides a medical excuse prior to or on their date of return to duty.

#### **080.65 HUMAN RESOURCES DIVISION - MEDICAL SECTION RESPONSIBILITIES**

- A. Upon receipt of all reports relating to a leave request, the Medical Section shall review them and, if necessary, consult with the commanding officer/supervisor and employee prior to disposition.
- B. The Medical Section shall fax or email copies of the approved or denied request for leave and the analysis calendar (excluding confidential medical information) to the respective work location for distribution to the employee making the request and the employee's work location file.
- C. Supervisors receiving approved/denied leave requests shall ensure employees are provided with copies as soon as administratively possible.
- D. The Medical Section shall forward a copy of the authorized request for unpaid leaves (excluding confidential medical information) to the Human Resources administrator and the payroll supervisor. The payroll supervisor will ensure the completion of all necessary

separation sheets.

**080.70 BENEFIT RESOURCES**

Office of Employee Benefits – Worker’s Compensation  
200 E. Wells Street, Room 701  
414-286-2020

Department of Employee Relations – Donor Program  
200 E. Wells Street, Room 706  
414-286-3751

Department of Employee Relations – Benefits Division  
200 E. Wells Street, Room 706  
414-286-3557  
414-286-3184

Employee Assistance Program  
200 E. Wells Street, Room 706  
414-286-3145

Nationwide Retirement Solutions-Deferred Compensation  
735 North Water Street, Suite 612  
414-276-2079  
800-829-1183

Police Officer Support Team  
Police Academy, Room 11  
414-935-7922 Office  
414-352-5125 Cell



EDWARD A. FLYNN  
CHIEF OF POLICE