

# Employee Services Leave Programs

## Supervisor Toolkit

### Introduction

This guide is intended to provide essential information to supervisors to help them navigate a leave of absence (LOA) for one of their team members. The leave team serves as a resource for employees who may require a leave of absence, as well as their supervisors. Navigating a leave of absence for an employee can be stressful, complex, and challenging. To help ensure a smooth process, supervisors are encouraged to review this guide in full, foster a welcoming, confidential, and supportive environment for employees navigating LOA processes, and reach out to the leave team at any time for support or questions.

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### Leave Program Overview

#### Leave Policies

- **FMLA** - The Family and Medical Leave Act (FMLA) provides eligible employees up to 12 weeks unpaid job-protected leave per 12-month period. CU employees are required to use sick, vacation, FAMLI, paid parental, or other types of paid leave to remain in a paid status during FMLA.
- **FAMLI** – The Family and Medical Leave Insurance Program provides eligible employees up to 12 weeks per 12-month period of job-protected leave and a portion of their weekly salary. An additional four weeks may be provided for pregnancy or childbirth complications.
- **Parental Leave** – CU's Parental Leave policy provides eligible University Staff and 12-month Faculty up to 26 weeks of job protection per 12-month period. 9-month Faculty are eligible for up to 18 weeks of job protection. This policy must be used within 12 months of birth, adoption, foster care placement, or guardianship of a child. Parental Leave does not extend the amount of time an employee may be absent from work as it runs concurrently with FMLA and FAMLI, if applicable.

## Types of Leave

- **Consecutive** - When an employee is designated for consecutive leave, they will be provided job protection for a single period of time based on a medical certification completed by a medical provider. The supervisor is provided with a leave duration, as well as a return-to-work date. Employees on leave for their own serious health condition should not be permitted to return to work until supervisors have received confirmation from the leave team that a fitness to return certification has been provided.
- **Reduced Schedule** – When an employee is taking reduced schedule leave, they will consistently need to reduce the number of hours they are working on a daily or weekly basis. The medical provider will determine the reduced schedule the employee needs. When an employee is designated for reduced schedule leave, the leave is predictable and should be taken on the exact same schedule each day or week, depending on the approval given by the leave team in the designation email.
- **Intermittent** - While an employee is taking intermittent leave, the need for leave may not be foreseeable or predictable. However, the medical provider will be able to estimate the frequency and duration of the leave. When the employee is designated for intermittent leave, a general leave schedule will be provided to the supervisor. If the employee is taking more leave than they have been approved for, it is the supervisor's responsibility to contact the leave team.

## Supervisor Do's and Don'ts

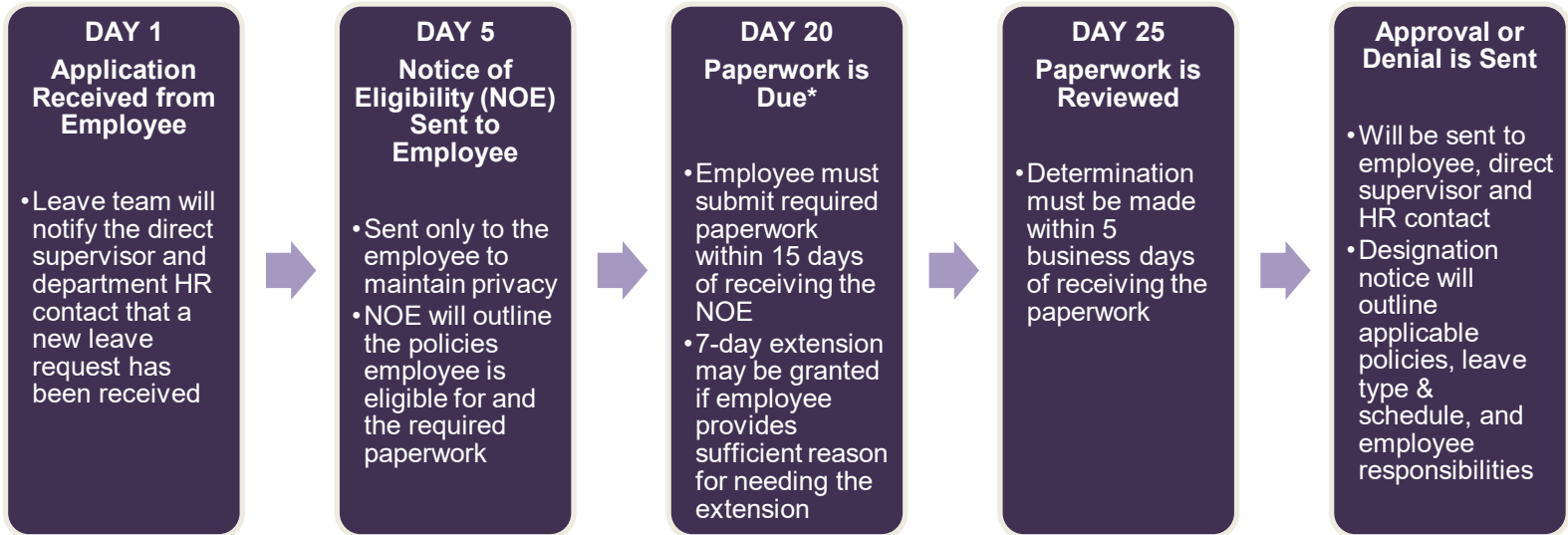
### A supervisor should

- Provide support and assure the employee that they have options
- Adjust workload and find work coverage for periods where the employee will be on leave (reduce workload for intermittent leave)
- Contact the Leave Team if you notice issues with employee leave patterns or if the employee is taking more leave than what they've been approved for
- Ensure the employee is reporting their leave on a regular basis in both the leave self-service portal and their regular timekeeping system (i.e., MyLeave)
- Provide resources such as ADA or EAP when the situation calls for it
- Document referrals to resources via email
- Work with Employee Relations when an employee on leave is having performance issues

### A supervisor should NOT

- Ask questions about the nature of medical conditions
- Share the nature of an employee's leave with other team members
- Ask employees for doctors' notes for absences already approved by the Leave Team
- Ask an employee to come back to work from leave early or ask an employee to reschedule their leave for another time
- Use leave against an employee in their performance evaluations - always work with Employee Relations/HR first

## Leave Application Timeline



*\* Employees going on Parental Leave are not required to submit paperwork within this timeframe. Please have your employee refer to their notice of eligibility email for more detailed instructions on when paperwork should be submitted.*

## Leave Reporting

On the designation notice approving the employee for leave, there will be instructions attached to the email regarding leave reporting. It is your responsibility to ensure that the employee is accurately reporting their leave taken. You may need to work with the department HR contact to ensure accurate reporting.

- Employees on a consecutive or reduced schedule leave of absence will only need to report their leave in MyLeave or your department's timekeeping system and will not report leave in the self-service portal.
- Employees on intermittent leave of absence will be required to report their leave in both the self-service portal and in MyLeave (or other timekeeping system). Employees paid monthly must report leave no later than 30 days after the leave has occurred. Employees paid biweekly must report leave no later than 14 days after the leave has occurred. Failure to report intermittent leave within the required timeframe may result in denial of the leave request. In such cases, the leave will be subject to department policies and/or supervisor approval.

## Resources

- Leave Team Website
  - Select your campus and review the applicable policies on our [website](#).
- Employee Self-Service Portal
  - This portal allows supervisors to:
    - Submit leave of absence requests on behalf of an employee
    - Manage and track leave of absences for your direct reports
    - Submit intermittent time off requests on behalf of an employee

- Run reports for your department
- Full information regarding the Employee Self-Service Portal can be found on our [Leave of Absence Manager Self-Service Guide](#)
- Leave Team Webinars
  - The Leave Team hosts optional training sessions throughout the year for employees, supervisors and HR liaisons.
  - [Register for a webinar on our website.](#)

## Frequently Asked Questions

### ➔ How can I access the self-service portal?

- To access the self-service portal, you will follow these steps:
  - Login to your employee portal: <https://my.cu.edu>
  - Select Forms from the CU Resources dropdown menu
  - Select the Collaborative HR Services tile
  - Select the CU Leave Benefits tile
  - Select the Leave Self-Service tile

### ➔ How can I see how much leave my employee has used?

- You cannot see leave balances in the self-service portal. If you would like to know how much leave your employee has used, please contact their case manager.

### ➔ Is there anything I need to do before my employee begins their leave?

- We recommend that you meet with the employee to discuss any updates on projects/day-to-day tasks and items that will need coverage.
- If the employee began leave unexpectedly and you were not able to gather this information beforehand, the supervisor should not burden the employee with work-related questions and tasks.

### ➔ Do I have the option to delay leave if our department is busy?

- No. If the employee is eligible and approved for leave, they are entitled to use it.

### ➔ An employee has been approved for intermittent leave. Can I ask the employee to work with me to schedule the leave, or can they schedule the leave when it is convenient for them?

- It depends. Some leave is unpredictable (example: for medical flare-ups). The employee should work with the supervisor and make a reasonable effort to schedule appointments or foreseeable leave at a time that will not disrupt the work of the department.
- The employee is responsible for communicating when they will not be at work, but that may be on short notice due to the nature of their leave and related medical condition(s).

→ **Am I able to ask the employee about their medical condition?**

- No. Supervisors and colleagues should not ask or request any information related to the employee's medical condition. Supervisors will not have access to review any medical information provided by the employee. If a supervisor has questions or concerns related to the employee's leave, please contact the leave team at [leave@cu.edu](mailto:leave@cu.edu).

→ **Am I responsible for adjusting work expectations/workload responsibilities while the employee is out on leave?**

- Yes, supervisors must adjust work expectations and responsibilities when an employee is on a protected leave of absence.

→ **Can I contact my employee while they are on a consecutive leave of absence?**

- You may not contact an employee to ask work-related questions or ask them to perform any work-related tasks while they are on a consecutive leave of absence, except in rare and critical circumstances where the employee possesses information that is essential to ongoing business operations and cannot reasonably be obtained elsewhere. In such cases, contact should be limited and respectful of their leave.

→ **Can I require my employee to take their parental leave consecutively?**

- Yes. A department may require an employee to take leave consecutively or in a block of time (i.e. full shifts, days, or weeks).
- This is only allowable for the bonding portion of a case (non-birthing parent, adoption, foster care, and post-disability period for birthing parent).
- Only allowable when FMLI has been exhausted or is not being used.

→ **Whose responsibility is it to report/track the employee's leave?**

- It is the responsibility of both the supervisor and the department HR contact to ensure that the employee's leave is being accurately reported.

→ **Does my employee need to be cleared to return to work?**

- Employees taking a consecutive leave for their own health condition are required to submit a Fitness to Return Certification prior to returning to work. This certification should be submitted to the Leave Team at [leave@cu.edu](mailto:leave@cu.edu). The Leave Case Manager will inform you once the employee is fully cleared to return to work or if the employee is able to return to work with restrictions.