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Catch up with FAMLI: Your how-to guide for unique FAMLI leave circumstances [1]



February 22, 2024 by Employee Services [2]

The Employee Services Leave Team has received 943 requests for FAMLI leave [3] since the application became available in December, as well as 175 FMLA-only requests.

Among those applications, 57% were related to parental leave, 27% for a medical absence for the employee, 15% to care for a family member and 1% military and safe leave.

The FAMLI coverage plan offered by CU [3] began Jan. 1.

The program offers crucial flexibility and stability for CU's employees, and the rollout of such a massive change has represented a heavy lift for supervisors, HR professionals and payroll specialists — approximately 450 employees are set to receive FAMLI pay in the month of February.

The work our employees have put into understanding and implementing this new leave program has been outstanding, and we're consistently impressed by the dedication and willingness to adapt shown by our HR and payroll professionals. And as with any new program, your experiences and challenges have helped us identify questions and scenarios where additional clarification would be helpful.

Key how-to's for FAMLI program challenges

Below, we've curated a few topics and specific circumstances to help you understand and more smoothly collaborate with Employee Services on FAMLI requests.

How to handle emergency or urgent FAMLI leave requests

The FAMLI program offers paid leave coverage for an employee's qualified medical absences or absences to care for their family members. While the application process does allow employees to apply in advance of known absences (such as a scheduled surgery, birth or adoption), it also covers emergency absences when an employee doesn't have time to apply for coverage in advance.

Individuals can use FAMLI leave to take time away from work to:

- care for a new child, including adopted and fostered children.
- care for themselves or a family member if they have a serious health condition.
- make arrangements for a family member's military deployment.
- address the immediate safety needs and impact of domestic violence and/or sexual assault.

These requirements apply to foreseen and unforeseen absences. When emergency situations arise, the employee should be encouraged to submit an application to the leave team as soon as possible. HR liaisons and business partners, supervisors or family members may apply on the employee's behalf, if they are unable to submit an application themselves.

Although the leave team may not respond to the employee's application right away, the employee should be allowed to take the leave they may need as they engage in the application process, especially if they have shared that they are unable to come to work. The leave team will work with the employee to have leave retroactively approved and designated.

If the leave is not approved, the leave will be referred back to the department and/or campus HR for next steps and alternative options such as sick leave, leave sharing, etc.

How to process FAMLI leave requests retroactively

Employees have 30 days after an eligible absence begins to apply for FAMLI coverage.

As Employee Services wraps up February payroll processing, there are active FAMLI leave cases where the employee took leave in January but will not receive FAMLI payments on their February paycheck.

This may occur for several reasons, but is typically due to:

1. The employee has not yet submitted their Leave Usage Report, and the leave team is unable to determine how much FAMLI leave time to pay them.
2. The employee has not provided the leave team with the required documentation necessary to approve their leave of absence under FAMLI.

In these situations, Employee Services will take the following steps:

1. Continue attempts to contact the employee to obtain the necessary information.
2. For employees on consecutive leave: If the employee is on a consecutive period of leave that lasts throughout the entire month of February, the employee will be placed on leave without pay to avoid an overpayment and will not receive their February paycheck.
3. For employees on intermittent leave or employees who had any February work time: Employees will receive their February paychecks.
4. For both consecutive and intermittent leave, Employee Services will check for newly submitted Leave Usage Reports every Friday.
5. If the Leave Usage Report is received and validated by end-of-day each Friday, it will be put into a queue to process on the next regularly scheduled off-cycle payroll.
    1. Employee Services will enter the FAMLI payment amount on the off cycle.
    2. Employee Services will do an outreach to the HR contact to request that any

FAMLI supplemental leave be added to the off cycle in CU Time and will provide information related to the FAMLI supplemental paid leave rate.

How to manage February leave processing with FAMLI pay

As Employee Services wraps up February payroll processing, which accounted for leave taken in January, we are entering the initial stages of March payroll processing, which will account for leave taken in February.

Here are some important reminders for February leave processing:

- **Employees or their department designee** will fill out an OnBase Leave Usage Report with the hours each day that were taken for designated leave.
    - This report is an individualized link sent to employees and/or designee and sent each day until it is completed.
    - If 8 hours of FMLA, FAMLI, or parental leave were taken, 8 hours should be recorded.
- Employee Services will use these entries to track the employee's leave against the applicable job protection entitlements (i.e., FMLA, FAMLI, parental leave, etc.), calculate the FAMLI paid portion, dock regular pay and pay the FAMLI portion from the FAMLI SpeedType.
- If applicable, **employees or the designee** will enter the supplemental time (paid parental leave, sick, vacation, etc.) where they normally enter or report time using correct supplemental leave earnings codes (PPF, PLS, PLV, etc.). If no supplemental time is reported, the employee will not be paid to supplement FAMLI. The supplemental hourly amount can be found at the bottom of page one of the employee's leave plan and should be recorded for every hour reported in the Leave Usage Report.
    - **Example:** 8 hours of leave was reported in the Leave Usage Report for Feb. 12.
        - The supplemental hourly amount is 0.5 hours.
        - 4 hours of supplemental leave should be recorded through the employee's normal process (0.5 x 8 = 4 hours).
    - Employees who already received a leave plan will not receive another one. Only newly approved or requested leave cases will receive a leave plan.
    - Employee Services will upload supplemental time for contract faculty.
- **The department** will process and upload the paid parental, sick and vacation leave hours through the normal payroll process.
    - **Exception:** contract faculty.

How to handle discrepancies in February pay

As you are reviewing February payroll registers [4], you may notice variations in an employee's total gross for the month if they are receiving FAMLI benefits on their paycheck. Here are a few common reasons for those variations:

- We do not consider a 5% difference in total gross to necessarily be an error because of how the FAMLI wage replacement and supplemental paid leave estimations and payouts work. Many employees may notice a difference of a few dollars (we expect the difference will be within that 5% range if everything else looks correct).
- FAMLI benefit calculations are complex and work on a sliding scale based on an employee's past average weekly wages whereas the supplemental leave estimation is

based on current weekly wages.
- An employee's hourly rate in Job Data goes out to six decimal places, but hours in MyLeave/CU Time can only go out to two, so converting a difference in dollars to a difference in hours for the supplemental leave amount will lead to variations.
- FAMLI benefits only cover a portion of employee wages. If the employee did not supplement this with other types of leave, gross and net pay may be lower.

Employee Services is developing a targeted email communication to employees who are receiving FAMLI on their February check to explain these variations.

FAMLI [5], payroll [6], leave [7], Annual Leave [8], [9], Sick Leave [10], Parental Leave [11]
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