

Family Medical Leave ^[1]

When a major life event changes your world — for better or worse — the safety of your job is the last thing you should worry about. That’s why Family Medical Leave is here.

CU System Administration complies with the Family Medical Leave Act (FMLA) of 1993, which means you can take up to 12 weeks of time off in a rolling 12-month period and be assured your job is protected during leave taken for one of the following reasons:

- the birth and subsequent care of a baby
- the placement and care of a child in adoptive/foster care
- a serious health condition of an employee’s spouse, domestic partner, child or parent
- your own serious health condition
- care for a parent, spouse, civil union partner, domestic partner, child or next of kin who is an injured service member
- a qualifying exigency when your parent, child, spouse, civil union partner or domestic partner is called up for active military duty

* A serious health condition is defined as: "an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee’s job, or prevents the qualified family member from participating in school or other daily activities."

Effective April 1, 2020, expanded family and medical leave include those caring for a child whose school or place of care is closed (or child care provider is unavailable) for reasons related to COVID-19.

[Online FMLA Request Form](#) ^[2]

Find out if you qualify:

Classified Staff

A classified employee is eligible to take up to 13 weeks (520 hours) of family medical leave per a rolling 12-month period, so long as that employee has one year of total state service as of the date leave will begin.

[Learn more](#) ^[3]

University Staff

University staff may take up to 12 weeks (generally 480 hours) of family medical leave per a rolling 12-month period, so long as they have been employed by the University for at least 12 months and have worked at least 1,250 hours during the most recent 12-month period.

[Learn more](#) ^[4]

Military Leave

There are two forms of military leave: to care for an injured service member or leave when a family member is on active duty.

[Learn more](#) ^[5]

COVID-19

The Families First Coronavirus Response Act (FFCRA) expired December 31, 2020. This information details the resources available for employees beginning on January 1, 2021 under the Public Health Emergency Leave outlined in the [State of Colorado Healthy Families and Workplaces Act](#). ^[6]

Under [APS 5062](#) ^[7]: Leave, there are new provisions that may be available to employees due to the [State of Colorado Healthy Families and Workplaces Act](#) ^[6].

Supplemental Sick Leave

The university will supplement an employee's available sick leave balance under the Public Health Emergency indicated by the State of Colorado, as necessary, to ensure that an employee may take 80 hours of sick leave (prorated for part-time) for following reasons, the employee

- is self-isolating due to a positive diagnosis, of the illness that is the cause of the public health emergency;
- is experiencing symptoms, seeking a medical diagnosis, medical treatment, or seeking preventive care with respect to the illness causing the public health emergency;
- is unable to work because public health officials or the employer determines it is unsafe for the employee to come to work due to the public health emergency;
- is caring for a family member in the above circumstances;
- needs to care for a child or other family member whose childcare facility is unavailable, or the child's childcare facility or school is closed due to the public health emergency;
- is unable to work because the employee has a health condition that may increase susceptibility to or risk of a communicable illness that is the cause of the public health emergency.

The university will provide supplemental sick leave up to 80 hours for those who do not have 80 hours of sick leave. This supplemental sick leave can only be used for one instance during the duration of the public health emergency.

Process:

- Employees experiencing any of the reasons for supplemental sick leave should submit an FMLA request form located [here](#) [2]:
 - Please note, submitting this form does not mean it is covered under FMLA as we are only using the same request form to gather information about your need for leave. Each request will be reviewed to determine if FMLA is also applicable.
 - Employees are subject to a leave audit, performed by HR and may alter the balances available.
- Employees paid monthly (staff) will use the code **FSK** (Family Sick Leave for reasons related to care for others) or **SCK** (Sick Leave for self) to fill out their timesheet for the hours remote or onsite work was not completed. This will deduct from the sick leave balance.
 - If the employee exhausted their sick leave balance or does not have enough sick leave accruals, they will use the code **ACP** (Administrative COVID Pay) for any remaining hours, to total 80 hours, or their eligible amount.
- Employees paid biweekly will use the code **HSK** (Hourly Sick) to fill out their timesheet for the hours subject to the sick leave. This will deduct from the sick leave balance.
 - If the employee exhausted their sick leave balance or does not have enough sick leave accruals, they will use the code **CHP** (Administrative COVID Hourly Pay) for any remaining hours, to total 80 hours, or their eligible amount.
- Once the first 80 hours are exhausted by using sick leave or supplemental sick leave, and the employee is still sick or caretaking, the employee may begin using any remaining accrued sick leave. Use of vacation and leave without pay are at the discretion of the supervisor.
- The 80 hours of emergency sick leave is a one-time allotment, and cannot be granted more than once to the same employee for different reasons.
 - For example: If the employee uses the 80 hours for childcare and then becomes sick, the employee would need to utilize their accrued leave balances.

Medical documentation is not required for COVID-19 related illnesses.

Child Care Leave Provisions

Per the [APS 5062](#) ^[7] (Section 2,II.A.1.d) under a public health emergency, sick leave may be used if a public official has ordered the closure of the employee's place of business or the school or place of care of the employee's child and the employee needs to be absent from work to care for the employee's child.

Process:

- Employees who are unable to work onsite or telework due to child care should submit an FMLA request form located [here](#) ^[2]:
 - Please note, submitting this form does not mean it is covered under FMLA as we are only using the same request form to gather information about your need for leave. Each request will be reviewed to determine if FMLA is also applicable.
 - Employees are subject to a leave audit, performed by HR and may alter the balances available.
- Employees paid monthly (staff) will use the code **FSK** (Family Sick Leave) to fill out their timesheet for the hours remote or onsite work was not completed. This will deduct from the sick leave balance.
 - If the employee exhausted their sick leave balance or does not have enough sick leave accruals, they will use the code **ACP** (Administrative COVID Pay) for any remaining hours, to total 80 hours, or their eligible amount.
- Employees paid biweekly will use the code **HSK** (Hourly Sick) to fill out their timesheet for the hours subject to the sick leave. This will deduct from the sick leave balance.
 - If the employee exhausted their sick leave balance or does not have enough sick leave accruals, they will use the code **CHP** (Administrative COVID Hourly Pay) for any remaining hours, to total 80 hours, or their eligible amount.
- Once the first 80 hours are exhausted by using sick leave or supplemental sick leave, and the employee is still needing childcare, the employee may begin using any remaining accrued sick leave. Use of vacation and leave without pay are at the discretion of the supervisor.

The CU Boulder HR offices have created matrixes explaining leave use for different scenarios. Scenarios not covered in these documents should be discussed with the System HR team.

[University Staff](#) ^[8]

[Classified Staff](#) ^[9]

Tracking Family Medical Leave

Employees should track their family medical leave and may find the following spreadsheets useful for tracking and monitoring their remaining entitlement. Human Resources will maintain a tracking sheet for all System employees:

- [Classified Employee Family Medical Leave Tracking Sheet](#) [10]
 - [Non-classified Employee Family Medical Leave Tracking Sheet](#) [11]
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FMLA and Pregnancy

Not sure how FMLA and having a child fit together?

- Check out [this handy FAQ](#) [12] to understand procedures and policies.
 - See our [Parental Leave page](#) [13] for information on taking leave.
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Have Family Medical Leave questions?

Email System HR at systemhr@cu.edu [14] for assistance. We're happy to answer all of your questions.

Groups audience:
Employee Services

Source URL: <https://www.cu.edu/employee-services/collaborative-hr-services/cu-system/time/family-medical-leave>

Links

[1] <https://www.cu.edu/employee-services/collaborative-hr-services/cu-system/time/family-medical-leave>
[2]

https://portal.prod.cu.edu/psc/epprod_1/EMPLOYEE/ENTP/s/WEBLIB_CU_EFORM.ISCRIPT1.FieldFormula.IScript

[3] <https://www.cu.edu/employee-services/collaborative-hr-services/cu-system/time/family-medical-leave/family-medical-leave>

[4] <https://www.cu.edu/employee-services/collaborative-hr-services/cu-system/time/family-medical-leave/family-medical-0>

[5] <https://www.cu.edu/employee-services/collaborative-hr-services/cu-system/time/family-medical-leave/military-family>

[6] https://leg.colorado.gov/sites/default/files/2020a_205_signed.pdf

[7] <https://www.cu.edu/ope/aps/5062>

[8] https://www.colorado.edu/hr/sites/default/files/attached-files/covid_leave_matix_1-1-2021_univ_staff.pdf

[9] https://www.colorado.edu/hr/sites/default/files/attached-files/covid_leave_matix_1-1-2021_classified_staff.pdf

[10] <https://www.cu.edu/docs/classified-staff-family-medical-leave-tracking-sheet>

[11] <https://www.cu.edu/docs/non-classified-employee-family-medical-leave-tracking-sheet>

[12] <https://www.cu.edu/employee-services/fmla-pregnancy-frequently-asked-questions>

[13] <https://www.cu.edu/employee-services/collaborative-hr-services/cu-system/employee-resources/parental-leave-system>

[14] <mailto:systemhr@cu.edu?subject=Family%20Medical%20Leave%20questions>