



ADMINISTRATIVE REGULATION (AR)

Medical Leave (Revised from City AR-00009)
FESSAM #7A.3

Effective: 01/01/2016

I. SCOPE:

This Administrative Regulation applies to all Loveland Fire Rescue Authority (LFRA) employees.

II. PURPOSE:

This Administrative Regulation ensures that all LFRA divisions and employees understand and comply with the leave policy regarding non-work related illness or injury.

III. DEFINITIONS:

- **Medical Leave** refers to accrued time that an employee may take off from work for personal illness or injury, for the illness or injury of the employee's spouse, child (including step relationships), or parent (including step relationships and relationships acquired through marriage), and for health-related appointments.
- **Banked Medical Leave** refers to medical leave hours rolled over from the previous year that are placed in the employee's bank up to the designated maximum accrual. Banked medical leave can be used only after all current year medical leave hours have been exhausted.
- **Banked Sick Leave** applies only to employees hired prior to December 20, 1995. Sick leave hours accrued by those employees prior to December 20, 1995, that were placed in a bank for use under circumstances listed under the "Banked Sick Leave" section of this administrative regulation. Banked sick leave can be used for illness or injury only after all current year medical leave and banked medical leave hours have been exhausted.
- **In Loco Parentis** refers to a relationship in which a person has put himself or herself in the situation of a parent by assuming the obligations of a parent to a child with whom he or she has no legal or biological connection. It exists when an individual intends to take on the role of a parent. Persons who are in loco parentis include those with day-to-day responsibilities to care for or financially support a child.

IV. POLICY:

Medical leave balances shall be used as follows:

- For an employee's personal illness or injury;
- For health-related appointments;
- For the illness or injury of the employee's spouse (including domestic partner and civil union), child (including stepchild and *in loco parentis*), or parent (including stepparent, parent-in-law and *in loco parentis*);
- To supplement Short Term Disability;



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- At the onset of Long Term Disability until such time that all accruals have been exhausted;
- To supplement workers' compensation;
- Banked medical leave and banked sick leave may be used for approved volunteer activities.

When utilizing leave balances, the employee must use all current medical leave hours and exhaust all banked medical leave hours before using any other accruals such as banked sick leave, vacation, floating holiday and/or compensatory time. The only exception to this policy is the use of banked medical leave or banked sick leave as outlined in the Administrative Regulation "Volunteerism".

Medical leave will not be considered hours worked for the purpose of calculating overtime. The use of medical leave may also not create a situation where an employee exceeds the number of work hours budgeted for his or her position. In such cases, the number of leave hours used will be reduced.

LFRA may require the employee to provide a physician's statement to confirm an illness or injury.

Leave hours may not be donated to coworkers.

Hours that are not eligible for payout will be forfeited upon separation from employment and not paid out to employees. Please refer to the procedures below.

Basis For Mandate:

- Internal governance

VI. PROCEDURE:

MEDICAL LEAVE AND BANKED MEDICAL LEAVE

Medical leave is advanced on the first pay period of each calendar year as listed below. Employees hired after the first pay period of each year will be granted medical leave hours on a pro-rated basis according to their employment status. The budgeted hours for the position will be used in determining benefit levels for purposes of this administrative regulation.

Employment Status	Annual Medical Leave Hours	Maximum Banked Medical Leave Accrual
Regular Full-Time	80.0 hours	240.00 hours
35 Hour Part-Time	70.0 hours	210.00 hours
30 Hour Part-Time	60.0 hours	180.00 hours
25 Hour Part-Time	50.0 hours	150.00 hours
20 Hour Part-Time	40.0 hours	120.00 hours



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Fire personnel working shifts	112.0 hours	336.00 hours
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Employees who have unused current year medical leave hours as of the last day of the last pay period of each year will be required to bank unused hours up to the maximum. The maximum banked medical leave accrual limits do not include banked sick leave balances. Payment of medical leave hours will be made at the employee's calculated hourly pay rate at the time the check is issued.

Hours in excess of the maximum accrual will automatically be paid at a ratio of one hour of pay for every two hours of unused medical leave at the end of each year. For example, if you are a regular full-time employee who has 200 hours in your medical leave bank and you have 80 hours of medical leave that you have not used, 40 hours will be banked and you will receive pay for 20 hours (ratio of one hour of pay for every two hours of medical leave). Hours that are not eligible for payout will be forfeited upon separation from employment.

BANKED SICK LEAVE

As of December 21, 1995, sick leave balances were frozen and placed into a bank for future use or for payout at the time of separation based on the schedule below. "Banked Sick Leave" balances paid at the time of separation will be based on the employee's rate of pay at the time of separation. Banked sick leave balances do not apply towards the maximum medical leave accrual limit.

For employees who have worked for LFRA in non-benefitted positions prior to being eligible for benefits, the hire date will be the calculated benefits eligibility date. Please contact the Human Resources Department for information on your calculated benefits eligibility date if hired before December 21, 1995.

Non-supervisory employees, as identified on December 20, 1995, will receive payout of their "Banked Sick Leave" balances at the time of separation based on the employee's rate of pay at the time of separation and based on the years of service as follows:

Full Years of Service	Age	Amount Paid
20 or more years	N/A	75% of their "Banked Sick Leave" balance
15 through 19 years	60	50% of their "Banked Sick Leave" balance
10 through 14 years	60	25% of their "Banked Sick Leave" balance

Supervisory employees, as identified on December 20, 1995, will receive payout of their "Banked Sick Leave" balances at the time of separation if the employee has the same or a higher level position at the time of separation of employment. Payout of "Banked Sick Leave" balances will be based on the employee's rate of pay at the time of separation and based on years of service as follows:

Full Years of Service	Amount Paid
15 through 19 years	50% of their "Banked Sick Leave" balance



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20 or more years	75% of their "Banked Sick Leave" balance
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Supervisory employees hired or promoted after December 20, 1995, into positions previously eligible for the supervisory level sick leave payout will not be eligible for the supervisory level sick leave payout at the time of separation. After December 20, 1995, no additional supervisors will be added to the list of individuals eligible for this benefit.

SHORT TERM DISABILITY (STD)

LFRA provides disability benefits for qualified absences due to personal illness or non-work related injuries. Eligibility for STD benefits begins after the elimination period. Please refer to the Summary Plan Descriptions and process documents for further information on Short Term and Long Term Disability.

FAMILY MEDICAL LEAVE ACT (FMLA)

LFRA provides federally mandated benefits per the Family Medical Leave Act for qualified absences. Refer to the Administrative Regulation "Family and Medical Leave Act (FMLA) Leave of Absence" for further information.

If you have any questions regarding this administrative regulation, please contact the Human Resources Department.

VI. OTHER RELATED REGULATIONS & PROCEDURES:

Family and Medical Leave Act (FMLA)	Effective: 1/1/2016
Leave of Absence	
Worker's Compensation	Effective: 1/1/2016
Pay & Employment Decisions	Effective: 1/1/2016
Volunteerism	Effective: 1/1/2016

VII. LFRA FIRE CHIEF SIGNATURE:



Mark Miller, Fire Chief