

King County Family and Medical Leave (KCFML)

Bulletin Number: 2016-0005
Effective Date: 8/01/2016

PURPOSE

On December 7, 2015, the King County Council passed King County Ordinance #18191, which changes the King County Family and Medical Leave (KCFML) benefit effective August 1, 2016 for all non-represented employees and represented employees whose bargaining units have adopted the changes. A list of labor organizations and bargaining units that have adopted the KCFML benefit change is available at: <http://kingcounty.gov/audience/employees/pay-benefits/family-and-medical-leave-changes/unions-affected-by-change.aspx>

OVERVIEW

Effective August 1, 2016, employees eligible for the KCFML benefit will be provided with up to eighteen (18) weeks of leave in a rolling twelve-month period, which runs concurrently with other leaves to the extent permitted by law. Examples include, the Federal Family and Medical Leave Act (FMLA), the Washington Family Leave Act (WFLA) and King County's Paid Parental Leave pilot.

To qualify for KCFML:

- the employee must have been employed with the County for twelve months or more, *and*
- have worked a minimum of nine hundred ten (910) hours for a thirty-five-hour employee or one thousand forty (1,040) hours for a forty-hour employee, *and*
- the leave is for the employee's own serious health condition, to care for an eligible family member with a serious health condition, to bond with a newborn, adopted child or foster care placement during the first twelve months, or for any other qualifying reason under FMLA.

Under KCFML, an eligible family member is defined as:

- the employee's spouse or domestic partner,
- a child under 18 years of age of the employee or the employee's spouse or domestic partner, or an older child incapable of self-care because of a mental or physical disability,
- the parent of the employee or the employee's spouse or domestic partner, or
- an individual who stood *in loco parentis* to the employee or the employee's spouse or domestic partner.

During the KCFML period, the County shall continue its contribution towards healthcare benefits (medical, dental, and vision), regardless of whether the employee is in a paid or unpaid status. An employee in an unpaid status may continue their non-healthcare benefits (life insurance, accidental death & dismemberment, and long-term disability) by self-paying the premiums to the King County Benefits, Payroll and Retirement Operations Section.

An employee who returns from KCFML is entitled to his or her original job or an equivalent job with equivalent pay, benefits, and other terms and conditions of employment, subject to the limitations identified in the FMLA, such as reduction-in-force provisions.

ADMINISTRATION

Effective August 1, 2016, KCFML includes both paid and unpaid family and medical leaves, administered in the same manner as FMLA. Previously, KCFML did not begin until an employee entered an unpaid status. Any paid family and medical leave used by an employee in a rolling twelve-month period prior to August 1, 2016, will only be deducted from the employee's FMLA benefit period, and not from the employee's KCFML benefit period. Any paid or unpaid family and medical leave used by an employee on or after August 1, 2016, will be deducted from the employee's FMLA and KCFML benefit periods.

PROCEDURES

Employee Responsibilities:

1. Notify department human resources representative and/or immediate supervisor of the need for family and medical leave 30-days prior to the commencement of leave, or as soon as practical.
2. Discuss anticipated leave schedule and duration with department human resources representative and/or immediate supervisor.
3. Complete the *Protected Family and Medical Leave Request Form* (available at: <http://www.kingcounty.gov/employees/benefits/Forms.aspx>).
4. Have the medical provider complete the appropriate *Medical Certification Form* (available at: <http://www.kingcounty.gov/employees/benefits/Forms.aspx>).
5. Submit completed *Protected Family and Medical Leave Request Form* and *Medical Certification Form* to department human resources representative.
6. Notify department human resources representative and/or immediate supervisor of anticipated return date prior to returning to work.
7. Provide acceptable medical release documentation, if requested by the department human resources representative and/or immediate supervisor, prior to returning to work.

Department Responsibilities:

1. Department human resources representative and/or employee's immediate supervisor communicates available leave options with employee after being notified by employee of the need for family and medical leave.
2. Department human resources representative and/or employee's immediate supervisor discusses with employee his or her anticipated leave schedule.
3. Department human resources representative determines employee's eligibility for FMLA, KCFML, WFLA and other applicable federal, state and county leaves.
4. Department human resources representative completes the *Protected Family and Medical Leave Response Form* (available at: <http://www.kingcounty.gov/employees/benefits/Forms.aspx>).
5. Department human resources representative provides a copy of the completed *Protected Family and Medical Leave Response Form* to the employee and files a copy in the employee's separate medical file.
6. Department human resources representative informs employee how to use the appropriate PeopleSoft time reporting codes (TRC) for paid and unpaid family and medical leave.
7. Department human resources representative enters appropriate PeopleSoft Action/Reason leave code into the job data row of the employee's PeopleSoft electronic personnel file, if applicable.

OTHER RESOURCES

- King County Employees Leave Administration Website
<http://www.kingcounty.gov/employees/benefits/LeaveAdministration.aspx>
- King County Employees Leave Administration Forms
<http://www.kingcounty.gov/employees/benefits/Forms.aspx>

REFERENCES

- King County Ordinance #18191
- King County Code 3.12.221, King County Family and Medical Leave
- King County Code 3.12.220, Sick Leave and Time Off for Medical and Family Reasons
- 29 U.S.C. Sec. 2601 et seq., Federal Family and Medical Leave Act of 1993, as amended
- Chapter 49.78 RCW, Washington State Family Leave Act

QUESTIONS

Refer questions to your department's HR Service Delivery Manager or to the Human Resources Division.

In the event that any provision of this Human Resources Bulletin conflicts with an applicable provision of a collective bargaining agreement, the latter shall prevail. In the event that this policy or any collective bargaining agreement conflicts with Federal and State law, the latter shall prevail.