

Staff Attendance

Stay-at-Work/Return-to-Work

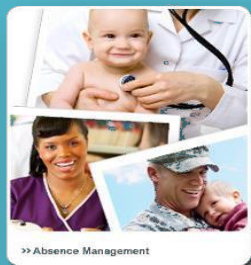
Reasonable Accommodations

Protected Absences

Workers' Compensation

Integrated Disability Management (IDM) Programs

Division of Risk Management & Insurance Services



LAUSD Attendance Policy

Definitions

Paid Time Off

Protected Absences



Attendance

LAUSD Employee Attendance Policy

The LAUSD Board of Education expects employees to:

- Maintain regular attendance and avoid absenteeism
- Work every hour that they are assigned
- Be at their work stations on time every working day
- Comply with legal restrictions, LAUSD policy and procedures, and the respective collective bargaining rules regarding reporting of absence and providing appropriate documentation

The LAUSD Board of Education expects supervisors to:

- Explain and insist upon regular attendance
- Maintain accurate employee attendance records
- Monitor employee attendance and provide performance feedback to employees
- Enforce all employee attendance policies and standards through employee performance evaluations and discipline processes

* Reference Board of Education Report No. 393-0304 Adopted 7/13/04

* For full text go to <http://achieve.lausd.net/idm>

ATTENDANCE 
MATTERS



Los Angeles Unified

[#AttendanceMattersLA](#)

The District's goal is for every employee to be at work 100% of the time.

The target for 2018-2019 is 96% or higher.

Attendance Formulas

Individual Employees

$$\frac{\text{Worked Hours}}{\text{(Workable Hours – Protected Hours)}}$$

To calculate the Division/Unit's percentage at 96% or higher:

$$\frac{\text{Sum of employees who met the goal}}{\text{Total number of employees}}$$

Attendance and Protected Absences

Absences protected by federal and state regulations do not count against an employee's attendance include:

- Family and Medical Leave Act (FMLA) and California Family Rights Act (CFRA)
- California Pregnancy Disability Act (PDL)
- The Uniformed Services Employment and Reemployment Act (USERRA) Military Leaves
- Jury Duty
- Kin-Care
- Other Laws:
 - Religious Holidays
 - School Activities
 - Court Appearances

Paid Time Off - Doesn't Count as a Absence

- Holiday
- Vacation
- Annual Physical (for some Bargaining Units)
- Bereavement
 - Must commence within ten calendar days of notification of death of immediate family member; which includes:
 - Spouse
 - Parent (including In-Law)
 - Grandparent (including In-Law)
 - Child
 - Grandchild
 - Sibling (includes In-Law for Unit S)
 - Relative (living in employee's immediate household)
 - Up to three days or five days if out-of-state or more than 200 miles one-day travel is required

* Refer to Bargaining Agreement for full details

Basic Staff Attendance Information

- ❑ Data is what was time reported/certified in SAP
- ❑ Refreshed each weekend for current month and previous 11 months
- ❑ Complete Fiscal year refresh in July/August
- ❑ Data is rounded up to a whole number
- ❑ Includes everyone assigned to your cost center; only for the time worked in that cost center



Employee Attendance Bands/Zones

Band	Attendance Rate
Excellent	98% - 100%
Moderate	96% - 97%
Frequently Absent	91% - 95%
Chronically Absent	90% and below

Employee Attendance Management Video

Los Angeles Unified School District



The Employee Attendance Management Video (2015)

Available in MyPLN

In this online training, employees will view three scenarios that emphasize the importance of regular attendance for all staff and see how absenteeism affects everyone from students, to colleagues, to administration. The video illustrates why employee attendance is critical at every work location and provides a better understanding of protocols for communicating and handling unexpected absences.

Suggested Audience: All Employees

When: Open

To enroll go to: <https://signon.lausd.net/adfs/ls/>

What's Next?



What are Reasonable Accommodations?

Recognizing a request
Industrial/Non-Industrial Work Restrictions
Temporary/Permanent Restrictions
Medical documentation
Interactive process
Reasonable Accommodation Committee
Implementing Accommodations



Stay-at-Work/Return-to-Work
Reasonable Accommodations

Stay at Work/Return to Work Program

- Temporary and permanent work restrictions
- Industrial and non-industrial
- Medical documentation
- Transitional work assignments
- Extending a transitional work assignment

Reasonable Accommodation

- Recognizing a request
- Interactive process
- Medical documentation
- Implementing accommodations
- Reasonable Accommodation Committee
- Reasonable Accommodation Appeal Committee
- Reasonable Accommodation Training

FMLA

- FMLA Process Guide
- FMLA Eligibility Job Aid
- FMLA Year Job Aid
- Pregnancy Checklist
- Parental Leave Checklist
- Kin-Care Protected Absences
- Other Protected Absences
- Protected Absence Codes

Protected Absences

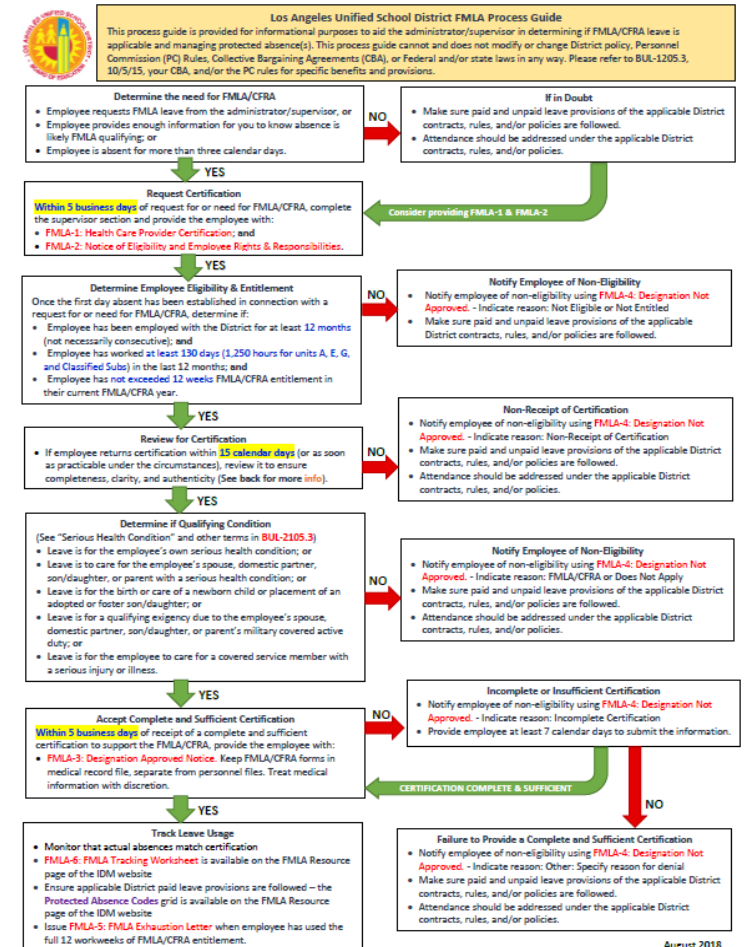
FMLA Process Guide

The Family and Medical Leave Act (FMLA) and California Family Rights Act (CFRA) are designed to allow eligible employees to balance their work and family life by taking reasonable, job-protected leave for specified family and medical reasons

FMLA and CFRA run concurrently and provide up to 12 workweeks of job protection in a defined 12-month period to eligible employees

The California Pregnancy Disability Act (PDL) provides up to 18 workweeks of job protection for pregnancy-related disabilities before and after delivery

As soon as an employer has enough information that indicates an employee's need for leave may be an FMLA/CFRA or PDL-qualifying reason, the employee should begin the FMLA leave process



FMLA Paperwork is processed at the employee's worksite, not by FMLA Office.

FMLA Eligibility Job Aid

ELIGIBILITY REQUIREMENTS

FMLA/CFRA

Months of Service:

Employment with the District for a combined total of at least 12 months at any time during the last 7 years

Worktime


Must have worked at least 130 days during the year preceding the FMLA/CFRA absence or leave

Units A, E, G and Classified Substitutes; which includes School Police, Skilled Craft Workers, and Playground Aides must have worked 1250 hours during the year preceding the FMLA/CFRA absence or leave

PDL

There is no service or worktime requirement for PDL

Division of Risk Management & Insurance Services



**FMLA/CFRA
CALCULATING ELIGIBILITY**

Integrated Disability Management

March 2018



CALCULATING FMLA/CFRA DAYS/HOURS WORKED

Family and Medical Act (FMLA) and California Family Rights Act (CFRA) requires that, in order to be eligible, an employee must have:

- Been employed by LAUSD for at least 12 months at any time during the last 7 years.
- Worked at least 130 days in the year preceding the first day of FMLA/CFRA absence.
 - For Units A, E, G and classified substitutes the requirement is at least 1250 hours worked in the year preceding the first day of FMLA/CFRA absence.

STEPS TO CALCULATING HOURS WORKED (ALL EMPLOYEES)

1. Determine first date of absence.
 - a. The first date of absence is the first day or time the employee has an absence (full or partial) on an assigned work day for an FMLA-qualifying reason.
 - i. Example: The employee called in sick for a chronic, serious health condition. The first date of absence: 8/27/17
2. Determine the 12-month period immediately preceding the employee's first date of absence.
 - a. Example:
 - i. The 12 months preceding the first date of absence 8/27/17: 8/27/16 – 8/26/17.
3. Launch SAP
4. Run ZPT_BAL00 report.
 - a. See, "Cumulated Time Evaluation Results Report Job Aid" for instructions on how to run report.



- b. Change the Reporting Period to "Other Period"
- c. Date Fields: Enter the 12-month period immediately preceding the employee's first date of absence.
 - i. Example: 8/27/16 – 8/26/17 for the first date of absence 8/27/17.
- d. Enter Person ID.
- e. Selection Conditions: Click on Time/Wage Types

The worktime requirement must be met every 12 months for each qualifying event and/or family member.

FMLA Year Job Aid

FMLA/CFRA 12-MONTH PERIOD

FMLA/CFRA entitles eligible employees job-protected leave in a defined 12-month period for specified family and medical reasons

Employers may select one of four options to establish the 12-month period to be uniformly applied to all employees taking FMLA/CFRA

The District uses the 12-month period measured forward to establish the FMLA/CFRA year:

The 12-month period is measured forward from the first date an employee takes an FMLA/CFRA absence

The next 12-month period would begin the first time an FMLA/CFRA absence is taken after completion of the prior 12-month period

PDL does not follow the 12-month measured forward method, but is instead up to 18 workweeks per pregnancy

Entitlement is a maximum of 12 workweeks regardless of the number of qualifying events an employee has in an FMLA year.



FMLA/CFRA YEAR (12-MONTH PERIOD)

Family and Medical Act (FMLA) and California Family Rights Act (CFRA) entitle employees to job-protected leave in a defined 12-month period for specified family and medical reasons.

The District uses the 12-month period measured forward from the first date an employee takes an FMLA/CFRA-qualifying absence to establish the FMLA/CFRA year.

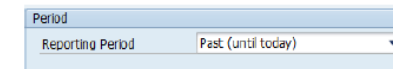
Once the first FMLA/CFRA year (12-month period) is established, the next FMLA/CFRA year (12-month period) begins the first time an FMLA/CFRA absence is taken after completion of any previous FMLA/CFRA year (12-month period).

STEPS TO CALCULATING THE FMLA 12-MONTH PERIOD MEASURED FORWARD (ALL EMPLOYEES)

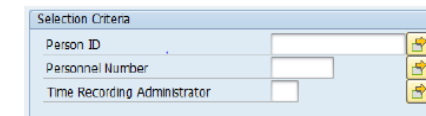
1. Determine the FMLA/CFRA year (12-month period).
2. Launch SAP/BTS
3. Run ZPT_BAL00 report.
 - a. See, "Cumulated Time Evaluation Results Report Job Aid" for instructions on how to run report.



- b. Change the Reporting Period to "Past (until today)" under Period:



- c. Enter Person ID under Selection Criteria:



Pregnancy Disability Leave

Pregnancy Disability Leave (PDL) is a protected leave under the California Fair Employment and Housing Act (FEHA)

PDL allows employees to take up to 18 workweeks of job-protected leave for disabilities relating to pregnancy, childbirth, or related medical conditions

- A pregnancy disability is defined as a physical or mental condition related to pregnancy or childbirth that prevents an employee from performing essential duties of the employee's job, or if the employee's job would cause undue risk to the employee or the employee's pregnancy's successful completion
- The employee's health care provider should determine whether or not the employee has a pregnancy disability

There is no minimum service or work time requirement for a pregnant employee to take PDL

PDL entitles employees to:

- Request a reasonable accommodation upon the advice of the employee's health care provider indicating a pregnancy-related disability prevents the employee from performing their usual and customary job duties
- Retain medical benefits during the duration of the pregnancy disability leave, even if all paid time is exhausted
- Return rights to the employee's original position (unless the position has been closed due to a reduction in force) or to a comparable position (same tasks, skills, benefits, and pay)

PDL does not provide pay; however, employees may use their full and half pay illness, as well as, any available vacation while on PDL

Pregnancy Disability Leave entitlement is per pregnancy, not per year.

Pregnancy Checklist

Before Going on Leave

Familiarize yourself with the PDL knowledge bank

Educate yourself on District Leaves, Benefits, and Payroll Policies

Create a map of your personal timeline

Formally initiate your leave request

While on Leave

Review your Benefits Package for coverage options & changes

Prepare to transition to parental leave or return to work

Returning from Leave

Request and set up Lactation Accommodations

Review and get up to date on changes and updates to policies and procedures

Resources and Contact Information

District Protected Absence and Pregnancy-Related Information

The PDL checklist does not modify or change District policy, CBAs, PC Rules, or Federal/State laws.

PREGNANCY DISABILITY LEAVE CHECKLIST



This checklist will guide you through the process of going on Pregnancy Disability Leave. As with any other job-protected absence, you should partner with your site administrator/supervisor to ensure a seamless Pregnancy Disability Leave.

Division of Risk Management and Insurance Services
Integrated Disability Management (IDM) Branch
September 2018



Paid Parental Leave

Paid Parental Leave (PPL) mandates eligible school employees be paid a portion of their salary under the California Education Code Sections 44977.5 and 45196.1

PPL is designed to allow eligible employees to take up to 12-workweeks of leave for the purposes of bonding during the first year following the birth or placement of a child with the parent through adoption or foster care

To be eligible for PPL an employee must:

- Have been employed by the District for at least 12 months, at any time over past 7 years (full or part-time); and
- Be a classified or certificated employee

Substitute employees, temporary employees, unclassified employees and employees who are neither classified nor certificated are NOT eligible (employees who are not eligible may be eligible for unpaid parental leave (baby bonding))

Eligible employees who exhaust ALL available illness time and continue to be absent for the purposes of parental leave will be compensated at a rate of 50% of regular salary for the remaining portion of the 12-workweeks of PPL

PPL runs concurrently with FMLA/CFRA time

Parental leave entitlement is reduced by any period of time used for any other FMLA/CFRA qualifying reason.

Parental Leave Checklist

Before Going On Leave

Familiarize yourself with the Unpaid Parental Leave (Bonding) & Paid Parental Leave Knowledge Bank

Educate Yourself on District Leaves, Benefits, and Payroll Policies

Create a Map of Your Personal Timeline

Formally Initiate Your Leave Request

While on Leave

Review Your Benefits Package for Coverage & Changes

Prepare To Return to Work

Returning From Leave

Getting Up to Speed and Settling In

Contact Information and Resources

Contact Information

Resources

The Parental Leave checklist does not modify or change District policy, CBAs, PC Rules, or Federal/State laws.

PARENTAL LEAVE CHECKLIST



This checklist will guide you through the process of going on Parental Leave. As with any other job-protected absence, you should partner with your site administrator/supervisor to ensure a seamless Parental Leave.

Division of Risk Management and Insurance Services
Integrated Disability Management (IDM) Branch
February 2019



Kin-Care Protected Absences

Kin-care provides employees with time off to care for family members due to illness, preventative care, or domestic violence, sexual assault and stalking

Family members covered under Kin-Care extend beyond what is covered under FMLA/CFRA, including:

- Spouse
- Domestic Partner
- Child (any age)
- Parents
- Siblings
- Grandparents
- Grandchildren
- Parent In-law

Employees can use up to six (6) days of full pay illness per calendar year (January 1 through December 31) as Kin-Care leave

Kin-Care absences can be used and reported in less than a full workday

A physician's statement is not required under Kin-Care unless the absence is over 5 consecutive days

Some qualifying reasons and family member absences may be covered by both Kin-Care and FMLA/CFRA.

Other Protected Absences

Employees may use Personal Necessity to take time off; which is protected by leave laws, for:

- Observance of religious holidays of the employee's faith
- Appearance in court as a witness or litigant under subpoena
- Attendance and/or participation in the employee's child's school activities

**Up to one (1) day (hours vary by CBA) of Personal Necessity pay. All remaining time (up to 40 hours per fiscal year) will be unpaid*

Advance notice is required for Religious Holidays, Court Appearances, and School Activities leave requests

Documentation is required for Court Appearances and School Activities leave requests

Please refer to the appropriate Collective Bargaining Unit Agreement (CBAs) for specifics regarding leave requests

Personal Necessity (PN) is available with full pay illness only for up to six days per fiscal year.

Protected Absence Codes

Absence Code	Description	Absence Code	Description	Absence Code	Description
FCIL	FMLA Full/Half Illness (Self Only)	FCVA	FMLA Vacation (Varies)	FWC	FMLA Protected Workers' Compensation (Self Only)
FCKC KC	FMLA Kin Care Non-FMLA Kin Care (Family Member)	FCPN	FMLA Personal Necessity (Family Member)	FCUP	FMLA Protected Unpaid (Varies)
PDIL	Pregnancy Full/Half Illness (Self Only)	PDVA	Pregnancy Eligible Vacation (Self Only)	PDUP	Pregnancy Eligible Unpaid (Self Only)
PLIL	Parental Leave Full/Half Illness (Parental Leave Only)	PLVA	Parental Leave Vacation (Parental Leave Only)	PPN	Religious Holiday/Court Appearance Personal Necessity (Self Only)
SAPN	School Activities Personal Necessity (Child Pre-K – 12)	SAUP	School Activities Unpaid (Child Pre-K – 12)	PUP	Religious Holiday/Court Appearance Unpaid (Self Only)

Compensation for absences to care for family members is through Kin-Care, Personal Necessity, and Vacation only. Once exhausted, any additional absence time is unpaid.

When an Employee Injury Occurs



Workers' Compensation

What is Workers' Compensation?

- State mandated program for employees who sustain a work related injury
- LAUSD contracts with Sedgwick a third party administrator for the management of the claims
- The District does not have an insurance policy and pays for the actual costs of each claim

If an employee reports an injury

- **If an emergency call 911**
- If not an emergency and employee requests medical care
 - Report the injury to Sedgwick: 800-LAUDWC (528-7392)
 - Sedgwick Nurse Triage can assist with selecting a medical provider or medical care
 - Speak to a Telephonic Nurse
 - Refer the employee to the medical provider network for medical care
 - Report serious injury/hospitalization to OSHA
 - Complete ISTAR – Incident report
 - Provide a claim form (DWC-1)
 - Investigate injury

Medical Treatment

1. Protocol for Medical Treatment:
 - a. Call 911 for serious injuries
 - b. Non-emergency medical care is provided by the Medical Provider Network
 - c. A Telephonic Nurse is available to assist in non-emergency medical care

2. If employee declines to speak with a Telephonic Nurse:
 - a. Complete medical authorization form and give the form to the employee to take to the physician
 - b. Complete temporary pharmacy card and give the card to the employee

Pre-designation of Physician

1. Can injured employees be treated by their own doctor?
 - a. Yes, if they pre-designated the physician before the injury
 - b. Pre-designation form must be in employee's personnel file prior to injury
 - c. Physician must meet state pre-designation qualifications
 - d. Sedgwick adjuster will verify physician is qualified for pre-designation

Report to Cal/OSHA if “serious injury” occurs

1. State requirement to report within 8 hours.
2. “Serious injury” is defined as death, amputation, permanent disfigurement or hospitalization of more than 24 hours
3. Report to closest Cal/OSHA office:
 - West Covina 626-472-0046
 - Los Angeles 213-576-7451
 - Torrance 310-516-3734
 - Van Nuys 818-901-5403
4. Cal/OSHA imposes fine for late reporting

Procedures for State Claim Form (DWC-1)

1. Provide DWC-1 claim form to employee within 24 hours of your knowledge of an injury
 - a. In person or
 - b. Via certified mail
2. DWC-1
 - a. Send original to Sedgwick
 - b. Provide a copy to employee
 - c. Place a copy in the employee workers' compensation file

Codes for Time Reporting

1. RG - Date of injury
2. WC – Time off
 - a. Sedgwick will notify payroll if WC time is authorized
 - b. If Sedgwick does not authorize time, it is charged to illness regardless of how you report it
3. FWC – If injury qualifies as FMLA
 - a. Designates WC time as FMLA-protected for up to 12 weeks per FMLA year
4. For intermittent or partial days (doctor’s appointments) use salary continuation verification form

While Employee is Off Work

1. Keep in touch with employee
2. Do not comment on compensability of claim; Sedgwick makes that determination
3. All District policies regarding illness time apply to WC time as well
 - a. Over 20 days of absence – employee must file leave
 - b. Designate as FMLA if applicable – WC & FMLA run concurrently – up to 12 weeks of protected leave
 - c. Employee needs to comply with absence reporting procedures

Reporting Suspected Fraud or Abuse

1. If you suspect fraud or abuse – report it to one of the following:
 - a. Office of Inspector General (213) 241-7778, (866) 528-7364
 - b. Fraud hotline (866) 247-2287 ext. 79271
 - c. Sedgwick Adjuster (866) 247-2287

Resources

Los Angeles Unified School District's IDM website (Tools & Resources):	http://achieve.lausd.net/idm FAQs; Resources/Forms; Notices; Bulletins; Job Aids
FMLA/CFRA/PDL Guidance and Support:	213.241.3954; fmla@lausd.net
Reasonable Accommodations/Stay-at-Work Guidance and Support:	213-241-3138 disabilitymanagement@lausd.net
Staff Attendance Guidance and Support:	213-241-3138 absencemanagement@lausd.net
Workers Compensation Guidance and Support:	213-241-3138
Workers' Compensation Mandatory Posters	https://achieve.lausd.net//site/Default.aspx?PageID=1846
Workers' Compensation Reference Guide	https://achieve.lausd.net//site/Default.aspx?PageID=1845
Collective Bargaining Agreements on Staff Relations website:	From LAUSD's homepage: http://www.lausd.net , go to "Offices" then "Office of Labor Relations"
Personnel Commission Rules	From LAUSD's homepage: http://www.lausd.net , go to "Offices" then "Personnel Commission"