

**CITY OF STOCKTON, CALIFORNIA
CITY MANAGER ADMINISTRATIVE DIRECTIVE**

Subject: FAMILY AND MEDICAL LEAVE ACT AND CALIFORNIA FAMILY CARE AND MEDICAL LEAVE ACT	Directive No: HR-59	Page No. 1 of 2
	Effective Date: 4/18/11	Revised from: 7/21/2008

I. PURPOSE

To assist employees in dealing with the competing demands of work productivity and family medical needs, it is the purpose of this policy to implement the requirements of the Family and Medical Leave Act of 1993 (29 U.S.C. § 2601, *et seq.*); the California Family Rights Act (2 C.C.R § 7297, *et seq.*); the Americans With Disabilities Act of 1990; and any other federal and state laws applicable to employee medical leaves.

II. POLICY

A. It is the administrative policy of the City of Stockton ("City") to provide family and medical leave for eligible employees as required by state and federal law. This policy sets forth rights and obligations with respect to such leave. In accordance with the Family and Medical Leave Act of 1993 (FMLA) and the California Family Rights Act (CFRA), eligible City employees are entitled to leave up to a total of 12 workweeks in a 12-month period for the following reasons:

1. The birth of the employee's child or to care for a newborn of the employee;
2. The placement of a child with the employee in connection with adoption or foster care;
3. To care for a child, parent, or spouse/domestic partner who has a Serious Health Condition, when medically necessary; or
4. A Serious Health Condition that makes the employee unable to perform the functions of his/her position.

B. It is the policy of the City that employees are not required to choose between continuing employment and attending to the needs of seriously ill family members or their own medical needs. Toward that end, an eligible employee (as defined in Section III. D.) is entitled to be restored to the same or an equivalent position upon return from FMLA leave, in accordance with the provisions of Section IV. H.

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- C. A separate Policy and Procedures Manual is maintained by the Human Resources Department and can be found on the City's Intranet site (CityLink) under "Departments", "Human Resources", "FMLA Documents")
- D. The City Manager will review and approve any changes to the Policy and Procedures Manual.
- E.. This policy shall be administered by the Human Resources Department; although each department head, or a designated person in each department, shall ensure that the procedures set forth in this policy are followed.
- F.. The Human Resources Department shall periodically schedule training classes on the guidelines and procedures set forth in this policy, which shall be mandatory for all city employees to attend.

APPROVED



**BOB DEIS
CITY MANAGER**