

Protected Leaves 101



These are just a few of the many reasons an employee may need to take a leave of absence.

Are you
planning on
having a baby?

Are you
adopting a
child this year?

Do you need
time off to
care for a
loved one?

Are you planning
to donate bone
marrow or an
organ to someone
in need?

Do you need
some time off to
support a child,
spouse or partner
in the military?

The County of Los Angeles Board of Supervisors declared the month of February as "*Protected Leaves Awareness Month*." As part of the focus on protected leaves, the Department of Human Resources (DHR) will publish weekly newsletters over the next four (4) weeks. Each newsletter will offer valuable information and resources related to protected leaves of absence. We are excited to share what you need to know about protected time off in hopes that you will have enough information and resources to feel supported and at ease should you need to take a leave of absence.

What are protected leaves, and what should I know about them?

The most important thing you should know is that time off taken under these leaves of absence means you are "protected" from discrimination, retaliation, or any other adverse actions for requesting or taking this time. Some leaves also guarantee your return to the position you held before going on leave of absence.

It is tough to keep up with changes to protected leaves of absence but we make it easy for you to stay up to date! Please continue reading about the exciting new updates for 2023!

This first newsletter, Protected Leaves 101, covers basic information about protected leaves and will explain what you need to do when applying for a protected leave of absence.

HERE IS A LIST OF PROTECTED LEAVES THAT ARE AVAILABLE TO ELIGIBLE EMPLOYEES UNDER STATE AND FEDERAL LAW

- [Americans with Disability Act \(ADA\)](#)
- [California Family Rights Act \(CFRA\)](#)
- [Crime Victims Leave](#)
- [Family and Medical Leave Act \(FMLA\)](#)
- [Jury Duty](#)
- [Kin Care](#)
- [Leaves for Victims of Domestic Abuse, Sexual Abuse, and Stalking](#)
- [Military Family Leave](#)
- [Military Service Leave](#)
- [Organ & Bone Marrow Donation Leave](#)
- [Pregnancy Disability Leave \(PDL\)](#)
- [School Appearance & Activities Leave](#)
- [Voting Leave](#)
- [Witness Leave](#)

Bone Marrow/Organ Donation Leave

In November 2022, the County introduced a leave of absence that allows employees to take time off for bone marrow and/or organ donation. As with other leaves, your time off can be paid or unpaid. Contact your Leave Coordinator or consult the policy regarding pay during these leaves. If you want to read the policy document, click [HERE](#).



Expanded Coverage under CFRA

The California Family Rights Act (CFRA) is the State's version of the federal Family and Medical Leave Act (FMLA). This year, California expanded the list of people for whom you can take time off to care for, and now includes a “designated person.” As of January 1, 2023, eligible employees are able to take this protected leave to care for a “designated person” with a serious health condition. Before this change, you could take leave under CFRA to care for your spouse, domestic partner, child, parent, parent-in-law, grandparent, grandchild, and sibling. Now, you can also take time off to care for anyone who is related to you by blood, or whose relationship with you is equal to a family or close relationship. We will do a deeper dive into this topic in the last newsletter of our series. General information about CFRA can be found [HERE](#).

There are so many leaves! How would I know which one to ask for?

Each protected leave has specific eligibility rules that determine whether or not an employee can use them. Under FMLA and CFRA, employees must have worked for 1,250 hours in the past 12 months and must have completed 12 months of County service in the past seven (7) years.

Other leaves have different requirements. For example, an employee is eligible for Pregnancy Disability Leave (PDL) from their first day of employment.

It is easy to assume that you do not qualify for a leave. Please contact your Departmental Leave Coordinator (DLC) for guidance. Your DLC is a subject matter expert on protected leaves and can help you answer your questions and determine if there is a leave available to support you.



How much leave can I take?

The amount of leave allowed, also known as “leave entitlement,” varies depending on the leave type. Under FMLA and CFRA, you may be eligible for up to 12 weeks of unpaid, job-protected* time off. Under PDL, you may be eligible for up to 17 1/3 weeks' worth of unpaid, job-protected* time off. Leave time can be taken a couple of different ways, depending on your needs.

For example:

Continuous Leave – You can take this time in full-day increments over a period of consecutive days.

Example: An employee is placed off work by their doctor for six (6) consecutive weeks following surgery.

Intermittent Leave - You can take this leave in blocks of time as small as 15 minutes to meet specific needs.

Example: An employee brings a note from their healthcare provider that reads, “My patient needs to be off work three (3) times per month for up to four (4) hours per episode to take their mother to treatment sessions.” Or an employee might bring a note that reads, “My patient can only work three (3) days per week for the next two (2) months.”

Although the time under this leave can be taken as needed, an employee can only take a total of 12 weeks' worth of time over a 12-month period.

* “Job-protected” means that you will be returned to your position after you return from leave, or if your position is no longer available, you would be returned to a similar position.

Will I be paid while I am on leave?

While some protected leaves only offer unpaid time off, you may choose to use your available accrued benefit time, such as sick and vacation time, to cover your leave of absence. Your DLC can help you figure out how to use your accrued benefit time to cover your time away.



How can I ask for a protected leave of absence?

You don't need to send a special email or take any special steps. Once you know that you will need to take a leave of absence, get in touch with your DLC and your immediate supervisor right away.

How do I find out who my Departmental Leave Coordinator is?

No problem! No matter what department you are in, you can easily reach your leave coordinator. Click [HERE](#) for your department's leave management unit email address. If you need additional assistance, feel free to email DHR Protected Leaves at ProtectedLeaves@hr.lacounty.gov.

OK! You have my attention!

How can I learn more about protected leaves?

You can get additional information about protected leaves of absences on the MyHR-Leave website at:
<https://employee.hr.lacounty.gov/leave/>.

Keep an eye out for our next newsletter!

We'll be sharing tips about how to prepare to go on leave, things you should know while you are on leave, and what you should do to make your return to the workplace easier when your leave is over.