



LEAVE MANAGEMENT SOLUTIONS
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CFRA Denial Not Eligible - PDL Conditional Designation Letter - SDI - PFL- Training
Narrative (CA3203)

Purpose: Use to designate leave as PDL when the employee is not eligible for CFRA.

Remember, if they become eligible during the PDL you will need to later designate CFRA Baby Bonding leave. Note, although CFRA does not run concurrent to PDL, they may use CFRA once PDL has exhausted if they are still disabled due to their pregnancy, even if they have not have the baby yet. CFRA protects their health care benefits when FEHA/ADA does not so they may elect to use CFRA if eligible once PDL is exhausted. This notice may be necessary to inform the employee WHEN they will be eligible for CFRA.

After you have downloaded the form from our webpage, save it to your computer.

We recommend grouping the letters/forms by leave type, and then have separate folders for the letters and forms. You may want to organize it like our Table of Contents so you can easily cross-reference our list with your folders to easily determine what letters you have or do not have.

Once the document is saved, open it so you can create your company template by updating all the **blue highlights** within the document.

The **yellow highlights** are employee specific details and will be changed with individual situations.

To update the blue highlights, begin by executing a “Find and Replace” for the word “Company.” Replace “Company” with your organization’s business name.

- Select the method your organization calculates CFRA eligibility. This will either be roll forward, rollback or annual/calendar year. *Please note: If your policy does not speak to this and your notification letters do not tell the employee which way you calculate, the employee will get to choose which calculation benefits her or him the most.*
- If your policy manual does not specify, work with whomever in your company can help you make this decision and integrated into the letters first and then into your policy manual as soon as possible. *(We suggest Roll-Forward. Call us to schedule a consultation to discuss why we believe this is the better choice or how to make the switch to roll forward)*



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- Check the appropriate box indicating why the employee is not eligible for CFRA leave at this time.
- Under PDL, Enter the Smallest Increment of time used in your payroll system.
- In the Medical Certification paragraph, enter the title of the point of contact and update all appropriate sections.
- Next input the address, fax number and telephone number for the HR Department or person(s) responsible for getting the information. *NOTE – if you give the fax number it must be a confidential fax line to protect the employee's privacy rights.*
- Under Compensation During Leave:
 - Determine whether your policy manual says the employees must use or may use sick leave and update the appropriate sections. Remember you may not require an employee to use PTO/Vacation during PDL.
 - Also determine whether the employee must or may use vacation after PDL has been exhausted or has ended.
 - Verify if your paystubs list the amount of accrued leave for your employees. If it does not, change this to reflect how your employees can verify the amount of accrued leave they have.
- Under Company Benefits:
 - Input any company sponsored benefits here such as other leaves of absences that are available, 401(k) information, Short-Term or Long-Term Disability information, etc.
- Add any company policies that will continue to protect the employee's job after PDL have ended or exhausted.
- Enter the title for the person the employee needs to provide her contact information to.
- Enter your name, title and telephone number.



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- Under Enclosures:
 - Be sure to verify you have leave policies and include a Leave Request Form with the letter. If you do not, delete these references.

You have successfully completed your template! Save it so it can be used when customizing the yellow highlights.

- The first few yellow highlights include the current date and the name and address of the employee. Date the letter the day it will be mailed to the employee.
- Under CFRA:
 - Chose the appropriate box for the reason the employee is not eligible for CFRA at this time.
- Under PDL:
 - Enter the total number of hours available for the employee. If the employee normally works 40 hours per week, her benefit will be 693 hours. If the employee only works 20 hours per week her benefit would be 346.5 hours. You will base her hourly benefit on the total hours per week she works on average. Also enter this average hours per week for NORMAL HOURS WORKED PER WEEK.

Under Required Medical Certification:

- Enter the date that her medical certificate will be due – 15 calendar days from the dale of the letter.

Under the enclosures section:

1. PDL Medical Certification Form (CA3001)
2. Include a blank Authorization for Release of Medical Information (GE1004) if you do not have one on file. These are always nice to have, however it is not required to obtain information that allows to understand if the employee is a Qualified Individual with a Disability and to determine if an accommodation is required to perform the functions of the job. It is not appropriate to inquire into the medical history of the employee. Stay focused on what



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functions of the job they can perform with or without accommodation. This completed form allows you to engage in conversations with the medical provider if you need obtain additional information to determine if you can provide accommodation(s) without causing your organization undue hardship and the employee has been unsuccessful in providing it to you. However, we always suggest you do so with the employee present.

3. Certification of Health Care Provider for Employee Return to Work Form (GE1003). Remember, if an employee requests to return to work early, an employer must reinstate her within two business days of her request to return to work.
4. CFRA Fact Sheets
5. COMPANY's Leave Policies
6. COMPANY Leave Request Form (IF APPLICABLE)

Once the letter has been completed, we recommend reading through it or having someone else proofread it to be sure that it makes sense and sections weren't missed. We also recommend sending the letter via regular and certified or return receipt mail so that there isn't any question that the employee has received the letter. Maintain a copy of the letter sent in the employee medical file, and if you are utilizing our Medical Leave Management (MLM) timeline (GE1007), update the timeline with the title of the letter and the date sent along with any other important dates such as a medical certificate expiration date, due dates, benefit expiration, etc.

It's important to document ALL conversations with the employee as well as maintaining a record of all documents sent to and received from the employee on the MLM timeline.