LEAVE OF ABSENCE
RESIDENT AND FELLOWS

Summary of Entitlements under FMLA and CFRA:

Family Medical Leave Act (FMLA) - Up to 12 workweeks of paid/unpaid medical leave in a 12 month calendar year, due to own serious illness or a family member’s serious illness. Family members considered under FMLA are specific. RMS Policy 350.14, 350.15 and 350.16

California Family Rights Act (CFRA)- Up to 12 workweeks of paid/unpaid medical leave in a 12 month calendar year, to care for newborn or newly placed adopted or foster child. This period is referred to as Baby Bonding. RMS Policy 350.14

Pregnancy Disability Leave (PDL) – Up to 17 1/3 workweeks of paid/unpaid medical leave in a 12 month calendar year. With adequate documentation, when required resident may be granted an additional 2 months of medical leave without salary pay under FMLA. Employee not required to work 12 months and 1250 hours to be eligible for PDL. RMS 350.13

Paternity Leave – Residents who are non-child bearers and have served for at least one year, eligible for 5 days of paid leave, taken at time of birth or adoption. The aggregate total of pregnancy/childbearing disability and parental leave (baby bonding) for child bearer will not exceed 28 workweeks for each birth. RMS Policy 350.15

University of California Davis RMS Policy, pregnancy leave allows an additional 6 weeks full salary pay for Residents that have completed at least 1 year of service. RMS 350.13

Eligible Criteria for FMLA and CFRA

Residents who have at least 12 accumulative months of University service and have trained/worked at least 1250 hours during the last 12 months are eligible for FMLA and CFRA. Exception: PDL is excluded from this requirement. RMS Policy: 350.14

Clarification: Non-child bearers (male/female) are entitled to 12 weeks of CFRA. Baby-bonding runs concurrently with the FMLA entitlement. The female employee (birth mother) is entitled to 12 weeks of FMLA and an additional 12 weeks of CFRA baby-bonding.

Family Medical Leave - non-child bearing residents can take up to 12 weeks of leave supported by the Medical Certification Form to care for a serious family member. With a certification form, signed by either the resident’s physician or family member’s physician.

CFRA (Baby Bonding) - up to 12 work weeks leave, without pay or use of vacation time only. Residents receive 20 vacation days and 4 educational days per year. When vacation/education days have been exhausted, remaining time off without pay is an option. CFRA also can be taken to care for a parent, spouse or child with a serious health condition.

Accrued Sick Leave – Sick leave is provided to residents in order to continue their salary during illness, disability, medical appointments and, on a limited basis, in the event of death or illness of a family member. RMS Policy 340.

When make-up time is required: Refer to RMS Policy, section 350.