

**THE FOLLOWING CONSTITUTES AN AGREEMENT
BETWEEN THE STATE OF CALIFORNIA AND THE CALIFORNIA CORRECTIONAL PEACE
OFFICERS ASSOCIATION REGARDING
A CHANGE IN THE APPLICATION OF FMLA/CRFA**

THE PARTIES AGREE AS FOLLOWS:

1. The change to the calendar year method will be effective January 1, 2012.
2. Medical certifications from providers may cover periods in two or more calendar years. Where a current certification extends into a new calendar year, Unit 6 employees will not be required to submit a new certification unless the medical conditions change or the certification period has expired.
3. Prior to distribution to Unit 6 employees, the State will provide CCPOA with an advance copy of the notification to be provided to Unit 6 employees describing the change to the 12 month calendar year method.
4. Copies of training or instructional materials relative to the implementation of this change, if any, will be provided to CCPOA.
5. A good faith effort will be made to insure that correct information and instruction are provided to the field.
6. This agreement represents the complete understanding of the parties concerning the above-referenced implementation.
7. This agreement is subject to Section 27.01 of the Unit 6 Memorandum of Understanding.

STATE OF CA

~~CCPOA~~

S. J. Best 9/15/11
Candace Munch
Rebecca Bayliss
Steph Lomada
B. B. B. B.
Marilyn Monahan

CCPOA

W. J. J. J.
M. M. M. M. 9/15/11
Robert L. Cop
J. L. L. L. 9/15/11
Paul W. W. W. 9/15/11
Mike B. B. B.

**Department of Personnel Administration
Memorandum**

TO: Personnel Management Liaisons (PML)

SUBJECT: Family and Medical Leave Act (FMLA) and California Family Rights Act (CFRA) - Bargaining Unit 6	REFERENCE NUMBER: 2011-031
DATE ISSUED: 07/29/11	SUPERSEDES:

This memorandum should be forwarded to:

**Personnel Officers
Personnel Transactions Supervisors
Employee Relations Officers**

FROM: Department of Personnel Administration
Labor Relations Division

CONTACT: Personnel Services Branch
(916) 323-3343
Fax: (916) 324-2914
Email: psb@dpa.ca.gov

Beginning with the calendar year 2012 the method for calculating Family and Medical Leave Act (FMLA) and California Family Rights Act (CFRA) leave for represented employees in State Bargaining Unit 6 has been changed from the 12-month rolling year method to the 12-month calendar year method.

Under the calendar year method, an employee is entitled to 12 weeks of FMLA leave any time during the calendar year.

Employees will retain the full benefit of 12 weeks of FMLA/CFRA leave with the change to the new method. For example, regardless of how much FMLA/CFRA leave has been taken during the past 12 months under the rolling-year method, employees are now entitled to a full 12 weeks of FMLA/CFRA leave benefit during calendar year 2012 and each calendar year thereafter.

Prior to implementing this change, departments are required to provide a 60-day notice to all current BU 6 represented employees.

A sample "Notice to BU 6 Represented Employees" is attached for departments to model when informing their BU 6 represented employees of this new procedure.

Personnel staff with questions may contact the Personnel Services Branch at the phone number or email listed above.

/s/Julie Chapman

Julie Chapman
Deputy Director of Labor Relations

TABLE NEGOTIATIONS

ISSUE: NOTICE OF CHANGE TO FAMILY MEDICAL LEAVE ACT POLICY
(FMLA)
AND CALIFORNIA FAMILY RIGHTS ACT (CFRA)
DATE: 9-15-11

STATEWIDE LOCAL

Agency: CDCR

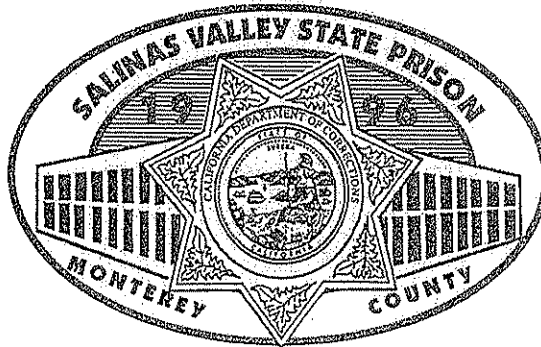
CCPOA [Please Print]

- 1) Steve Berretost Title: CCPOA - Field Rep - Fros.
- 2) Paul Wenning Title: Pelican Bay state Prison
- 3) MIKE BAYLESS Title: CCPOA - Field Rep
- 4) Troy Testo Title: MTA - DMH / SUSP
- 5) Bob Cox Title: CCPOA - DVI
- 6) Don Cathy Title: CCPOA - CEE
- 7) Jessica Hawthorne Title: CCPOA - Staff Counsel

STATE [Please Print]

- 1) Nikki Mordyniewicz Title: Labor Relations Counsel
- 2) Becky Bayliss Title: Personnel Program Analyst
- 3) STACY MIRANDA Title: Labor Relations Analyst
- 4) Candace Murch Title: Chief, LR DMH
- 5) STEVE BOSTA Title: DPA, LPO
- 6) Adela Barriga Title: COOL manager II - Personnel
- 7) Margaret Monahan Title: CDCR Labor Relations Manager

NOW HEAR THIS



August 18, 2011
11-064

Family and Medical Leave Act (FMLA) and California Family Rights Act (CFRA)

This letter is to notify you of a change in the method of calculating FMLA/CFRA leave for Bargaining Unit 6 employees. This notice is required by the Code of Federal Regulations [29 C.F.R.825.200 (d) (1)] and California Code of Regulations [7297.3 (b)].

Under current practice, FMLA/CFRA leave is calculated using the 12-month rolling year method. Effective January 01, 2012 the practice will change to the calendar year method. All FMLA's will expire by December 31st 2011 and will require re-certification for the new year.

Regardless of how much qualifying FMLA/CFRA leave has been taken during the past 12 months, when recertified, employee will start a new 12 weeks of leave under the new calendar year (rolling year) method.

Questions regarding this notice may be directed to the personnel office.


A. HEDGPETH
Warden
Salinas Valley State Prison