

Culver School District 4J

Code: GCBDA/GDBDA-AR(5)

Adopted: 06/08/09

Revised: 07/12/17

Sample Designation Letter to Employee FMLA/OFLA Leave

The following is a sample cover letter to an employee notifying the employee that the employer is treating a request for leave as a request for FMLA and/or OFLA leave (either paid or unpaid) that will reduce the employee's FMLA and/or OFLA leave entitlement. This letter, along with Designation Notice FMLA/OFLA form GCBDA/GDBDA-AR(6), or the FMLA/OFLA Eligibility Notice form GCBDA/BDBDA-AR(4), should be mailed to the employee within five working days after receiving enough information to determine whether the leave qualifies under FMLA or OFLA.

Dear _____(Employee):

On _____ (date) _____ you advised the district that you were requesting a leave that may qualify for protected time under the Family and Medical Leave Act (FMLA) and/or the Oregon Family Leave Act (OFLA). Under our policy, a leave of absence that qualifies for family and medical leave under federal law (FMLA) may run concurrently with other types of leave such as sick leave, vacation leave, short-term disability leave, OFLA and leave for a workers compensation injury or illness. A leave of absence that qualifies for family and medical leave under state law (OFLA) may run concurrently with other types of leave such as sick leave, vacation leave, short-term disability leave but cannot run concurrently with a leave for workers compensation injury or illness (unless you refuse a light-duty assignment).

[IF APPROVED: We have determined the purpose of your requested leave qualifies as family or medical leave under [state] [and/or federal] law. Accordingly, this letter is to notify you that the leave will be counted against your annual family and medical leave entitlement. Also attached is a form titled Designation Notice which contains other information for you regarding federal and state family medical leave rights, including an estimate of time that will count toward your protected time.]

[IF NOT APPROVED: [We have determined the purpose of your requested leave does NOT qualify as family or medical leave under state and/or federal law. You may be entitled to other leave time, under Board policy or other a collective bargaining agreement, however the protections of FMLA/OFLA will not be observed for this leave.]]

If you have any questions regarding your leave, now or at any time during your leave, please contact the personnel office as soon as possible.

Sincerely,

[Superintendent]

Enclosure (FMLA and/or OFLA Designation Notice form)

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