

Procedure 506-2 – Caregiver Leave

Eligibility

Employees classified as full-time regular, part-time partial-plus, and part-time partial are eligible for paid caregiver leave. There is no waiting period for use of caregiver leave. The employee need not be eligible for leave under the Family and Medical Leave Act (FMLA) to use paid caregiver leave. Spouses and domestic partners who are both eligible employees may each take the maximum amount of available leave under this policy for the same qualifying event; they are not required to share the allotted leave hours.

Qualifying Events

Employees may use caregiver leave to provide care for an immediate family member under the following circumstances:

- To provide care for an immediate family with a serious health condition as defined under the FMLA.
- To provide assistance to an immediate family member with a serious health condition or who otherwise needs assistance due to aging with (1) arrangements for care in a facility or in-home care, including researching options, touring facilities, interviewing providers, completing paperwork, (2) legal and financial matters such as estate planning, establishing power of attorney, completing Medicaid or disability applications, attending related meetings; (3) other matters consistent with the purposes of this procedure as approved by the Department of Human Resources.

An “immediate family member” means a parent, child, spouse, sibling, corresponding step, in-law and domestic partner relationships, and members of the employee’s household. “Parent” includes a person who stood in place of a parent when the employee was a minor child. When the employee stood in place of a parent for a minor child, “child” includes that individual.

Caregiver leave may not be used for the employee’s own serious health condition.

Annual Leave Limits

Employment Status	Annual Maximum
Part-time Partial	40 hours
Part-time Partial-Plus	60 hours
Full-time Regular (40-hr/wk or 12-hr shifts)	80 hours
Full-time Regular (24-hour shift)	120 hours

The annual maximum is based on the payroll processing schedule. Employees must use available hours by the last day of the last pay period ending in December, which may be prior to December 31. Unused hours do not carry over to the following year and are not paid out on separation.

Requests

Employees must follow department/agency/office leave procedures when requesting caregiver leave. Where practical, employees should provide reasonable notice of their need for leave. Leave is subject to department/agency/office approval and the County may require documentation of the need for leave. Such documentation will be provided to the Department of Human Resources, not the employee’s department/agency/office.

Use

Caregiver leave may be used on a continuous, intermittent, or reduced schedule basis subject to department/agency/office approval. Paid caregiver leave will be recorded in ¼ hour increments for non-exempt employees and in half-day or full-day increment for exempt employees. Employees may not be paid more leave per day than they are normally scheduled to work. Paid caregiver leave will not count as hours worked for purposes of calculating overtime.

Relationship to FMLA and Other Leave Policies

If the employee qualifies for leave under the FMLA, the paid caregiver and FMLA leave will run concurrently if the reason for the caregiver leave is a qualifying event under the FMLA. In such cases, caregiver leave will be applied to FMLA prior to any other form of paid leave. Employees are not required to exhaust vacation or sick leave before using paid caregiver leave.

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