



MILWAUKEE POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE

080 – FAMILY MEDICAL LEAVE ACT AND OTHER LEAVES

GENERAL ORDER: 2026-28
ISSUED: June 17, 2026

EFFECTIVE: June 17, 2026

REVIEWED/APPROVED BY:
Assistant Chief Craig Sarnow
DATE: April 14, 2026

ACTION: Amends General Order 2024-45 (October 11, 2024)

WILEAG STANDARD(S): 2.4.2

ROLL CALL VERSION

Contains only changes to current policy.
For complete version of SOP, see SharePoint.

080.00 PURPOSE (WILEAG 2.4.2)

To outline the eligibility requirements and administrative procedures regarding the Family and Medical Leave Act (FMLA), ~~maternity leave, childrearing leave,~~ unpaid leaves of absence, and reinstatement for employees of the Milwaukee Police Department under the Wisconsin Family and Medical Leave Act ([Wis. Stat. § 103.10](#)) and the Federal Family and Medical Leave Act (29 U.S.C.).

080.05 WISCONSIN FMLA REQUIREMENTS AND BENEFITS

B. BENEFITS UNDER THE WISCONSIN FMLA

An employee qualifies for Wisconsin FMLA benefits in at least one of the following situations:

3. For the birth of the employee’s child, placement for adoption or as a precondition to adoption under [Wis. Stat. § 48.90\(2\)](#) or to care for the employee’s newborn child (6 weeks).

Wisconsin FMLA leave in connection with the birth or placement for adoption of a child may be taken in ~~one continuous block or as~~ blocks of time, one continuous block, or segmented increments (intermittent leave) (e.g., days, hours) and must begin within sixteen (16) weeks of the birth or placement for adoption of the child. Intermittent use must also begin within 16 weeks of the date of birth or adoption, and the last segment of intermittent leave must begin within that 16-week period.

080.15 FEDERAL MILITARY FAMILY LEAVE REQUIREMENTS AND BENEFITS

A. ELIGIBILITY FOR FEDERAL MILITARY FAMILY LEAVE

2. ~~Employees may not substitute paid sick leave for Federal Military Family Leave.~~ Other forms of accrued paid leave, however, such as vacation and compensatory time, may be substituted for Federal Military Family Leave.

080.25 REQUESTS FOR FMLA LEAVE DUE TO BIRTH OR PLACEMENT OF A CHILD

- A. Under the Wisconsin FMLA, up to six (6) weeks of leave may be taken as paid (if the employee has accrued paid leave available for substitution) or unpaid leave in blocks of time, one continuous block, or as segmented leave. These blocks of time, six (6) week continuous block, or all segmented portions thereof, must begin within sixteen (16) weeks of the birth or placement for adoption. The leave may be unpaid or a maximum of six (6) weeks of sick leave, or any amount of other accrued paid leave may be substituted. Under no circumstances may an employee utilize more than six (6) weeks of sick leave pay while on Wisconsin FMLA leave in connection with the birth or placement of a child.
- B. After an employee's entitlement to Wisconsin FMLA leave has ended with the conclusion of the last segment of leave that began within sixteen (16) weeks of the birth or placement of the child, any additional leave under the federal FMLA must can be taken as blocks of time or a single continuous block of time and concluded within twelve (12) months of the birth or placement of a child. The leave may be unpaid or accrued paid leave (e.g., vacation, compensatory time) may be substituted. However, sick leave may not be substituted for leave in conjunction with the birth or placement of a child under the federal FMLA.

080.35 MATERNITY AND CHILDREARING LEAVE (CONTRACT PROVISIONS)

- ~~A. Sworn members belonging to the Milwaukee Police Association (MPA) are entitled to maternity leave and child rearing leave. Sworn members shall refer to their respective negotiated labor agreement for the specific requirements related to maternity and childrearing leave.~~
- ~~B. Please see Appendix A for a chart summarizing FMLA, maternity, and childrearing leave benefits and requirements pursuant to the birth of an employee's child, placement for adoption or as a condition to adoption, or to care for an employee's newborn child.~~

080.4035 PAID PARENTAL LEAVE (MPSO AND CIVILIAN MEMBERS ONLY)**D. USE OF PAID PARENTAL LEAVE**

2. Parental leave shall begin within sixteen (16) weeks of the qualifying event in one continuous blocks of time, one continuous block of time, or intermittently for eligible qualifying events. Intermittent use of parental leave shall only be utilized in the case of birth or placement qualifying events. The last segment of intermittent use of parental leave must begin within the 16-week period. Employees are prohibited from deferring paid parental leave time. For miscarriage or stillbirth, leave must be taken immediately at the time of the qualifying event.

E. RELATION TO OTHER LEAVE TIME

4. If a civilian employee is using paid parental leave for a full week in which a City holiday falls, the employee will be paid holiday pay in lieu of paid parental leave for that holiday. If a sworn employee in a 5 day on – 2 day off, 4 day on – 2 day off (off

group) is using paid parental leave for a full week in which a 5th regular off day within that pay period falls, the employee will be paid using their own accrued time with the exception of sick leave (e.g., vacation, holiday, or compensatory pay) in lieu of paid parental leave for that holiday. This time will still count against the employee's six (6) weeks of paid parental leave.

5. Birthing parents enrolled in the City's short term disability program should consult with the Human Resources Division – Medical Section on the timing of short term disability with paid parental leave.

F. REQUESTING PAID PARENTAL LEAVE

1. Employees requesting paid parental leave shall ensure the completion of the following forms and submit them to their commanding officer/supervisor for review:

c. Absence Analysis Calendar (located in the N: drive Forms FMLA Forms folder)

4. Within five (5) business days of the receipt of the request, the Human Resources Division – Medical Section will provide the employee a *Paid Parental Leave Eligibility Form*, which includes a request for supporting documentation of the qualifying event.
5. ~~The employee shall provide a timely response to the Human Resources Division request for documentation.~~ The employee shall submit the documentation to their commanding officer/supervisor for review and approval. Supporting documentation shall be submitted within fifteen (15) calendar days of the request for leave or within fifteen (15) calendar days of the qualifying event based on the circumstances. Employees may request reasonable extensions for providing documentation.
6. The employee shall provide a completed *Paid Parental Leave Payroll Form* to their ~~commanding officer/supervisor~~ Human Resources Division – Medical Section for each pay period in which leave is used.
7. The employee shall provide any new certifications requested by the Human Resources Division – Medical Section and keep them informed of any major changes in the employee's need for leave.

H. PAID PARENTAL LEAVE PAYROLL FORM

Employees must complete a *Paid Parental Leave Payroll Form* and submit it to ~~the their commanding officer/supervisor~~ Human Resources Division – Medical Section for each continuous or intermittent leave approved for payroll purposes.

I. PROOF OF RELATIONSHIP

For purposes of confirming family relationship, the Human Resources Division – Medical Section may require the employee provide reasonable documentation or statement of family relationship. This documentation may take the form of a marriage certificate, court documents, birth certificate, etc.

J. HUMAN RESOURCES DIVISION RESPONSIBILITIES

1. Paid Parental Leave Eligibility Form

Within five (5) business days of notice of an employee's potential need for paid parental leave or an employee's request for paid parental leave, whichever is earlier, the Human Resources Division – Medical Section must provide the employee a completed Paid Parental Leave Eligibility Form. ~~Typically, the Paid Parental Leave Eligibility Form will be accompanied by an FMLA Notice of Eligibility.~~ This Paid Parental Leave Eligibility Form will inform the employee of their eligibility and required documentation.

2. Human Resources Division – Medical Section Review

Upon receipt of required documentation from the employee, the Human Resources Division – Medical Section will issue a determination. Determinations will be issued within five (5) business days of receipt of the documentation, absent extenuating circumstances. Copies of the determination will be provided to the employee, ~~employee's commanding officer/supervisor, Payroll Section, and Human Resources Division.~~

3. Return to Work Notice

At the time leave is approved, the Human Resources Division – Medical Section will notify employees in writing whether a return to work release is required prior to returning to work. A return to work release will be required from employees returning from continuous leaves of five (5) days or longer for their own serious health condition.

K. PROTECTIONS

2. During leave, the City will maintain the employee's benefit insurance coverage if the employee is enrolled in the City's benefit plans. Employees will continue to pay their share of the premium contributions for benefit coverage during the time of their leave. Questions should be directed to the ~~Human Resources Division~~ Department of Employee Relations – Benefits Division.

080.4540 MEDICAL LEAVE OF ABSENCE

080.5045 DONOR PROGRAM

080.5550 WORKER'S COMPENSATION TOTAL TEMPORARY DISABILITY BENEFITS (TTD)

080.6055 DUTY DISABILITY RETIREMENT / ORDINARY DISABILITY RETIREMENT

080.6560 SPECIAL ANNUAL PAYMENTS

080.7065 EMPLOYEE RESPONSIBILITIES

G. FILING REQUESTS FOR LEAVES – FAMILY MEDICAL LEAVE OF ABSENCE

Employees requesting FMLA shall ensure the completion of the following forms and submit them to their commanding officer/supervisor for review:

1. *Request For Leave Under the Family Medical Leave Act* (form PM-6E);

H. FILING REQUESTS FOR LEAVES – MEDICAL LEAVES OF ABSENCE, MATERNITY LEAVE, OR CHILDREARING LEAVE

Employees requesting leave under a combination of FMLA and/or other leaves (e.g., maternity, childrearing, medical leave of absence) shall ensure the completion of FMLA forms and the following forms and submit them to their commanding officer/supervisor for review:

1. *Request for Medical Leave of Absence* (form PM-33);
2. *Medical Leave of Absence Certification* (form PM-33A);
3. *Department Memorandum* (form PM-9E);
4. Absence analysis calendar indicating time off and regular off days.
5. When applicable, a formal letter from the agency verifying adoption or placement for adoption/foster care containing the following:
 - a. Agency letterhead and agency contact person;
 - b. Employee name;
 - c. Age(s) of child/children;
 - d. Type of placement (e.g., adoption, placement for adoption or foster care);
 - e. Date of placement or adoption.

L. COURT APPEARANCES

1. Employees on approved leaves of absence, except approved FMLA, shall be required to appear for all subpoenas, charging conferences, jury duty, etc., unless they are incapacitated by a serious medical condition or a condition rendering them non-ambulatory. When these conditions exist, employees are obligated to notify the Court Administration / Central Booking Division concerning their inability to honor the subpoena.
2. Members who are on approved FMLA shall provide notice of their unavailability to attend court appearances, in accordance with SOP 150.25, as soon as practicable. Members who fail to appear for lawfully issued subpoena's may be subject to contempt of court, as determined by the Court of Record for from which the

subpoena is made.

080.7570 REINSTATEMENT FROM FMLA OR MEDICAL LEAVES (PAID OR UNPAID)

- A. An employee returning to duty from an approved medical leave of absence shall submit such notice in writing to their commanding officer/supervisor at least two (2) weeks prior to the date of return to allow for normal processing of payroll records and administrative notifications prior to reinstatement to duty. Written notice shall be in the form of a *Department Memorandum* (form PM-9E). The commanding officer/supervisor shall ensure the original report is immediately forwarded to the Human Resources Division – Medical Section.
- D. Medical information shall be forwarded to the Medical Section. ~~No~~ Copies shall be maintained at the work location in the member's medical file.
- ~~G. Employees on a family medical leave of absence or a medical leave of absence over 90 consecutive days shall be required to submit to a drug screen.~~

080.8075 COMMANDING OFFICER'S / SUPERVISOR'S RESPONSIBILITIES

- F. Whenever an employee uses sick leave pay for some or all of the approved FMLA leave ~~or medical leave, or maternity leave,~~ an *Application for Sick Leave* (form PS-16S) shall be completed. The "FMLA box" shall be checked on the top portion of the PS-16S form.

The following special earn codes shall be used during an approved FMLA leave only. Special earn codes are not to be used in conjunction with other leaves such as ~~maternity, childrearing, or a medical leave of absence.~~

SPECIAL EARN CODES

Prior Year Vacation Time	Code 041 241
Sick Leave Incentive Pay	Code 062 262
Current Year Vacation Time	Code 242
Sick Leave	Code 243
Holiday Off	Code 245
Total Vacation Accrual (TVA)	Code 254
Compensatory Time	Code 266
Unpaid Leave	Code 299

080.8580 HUMAN RESOURCES DIVISION - MEDICAL SECTION RESPONSIBILITIES

080.9085 BENEFIT RESOURCES



JEFFREY B. NORMAN
CHIEF OF POLICE

APPENDIX A

CHILDREARING LEAVE	MATERNITY LEAVE
Sworn Female or Male Members (MPA Only) (no medical documentation needed)	Sworn Female Members Only (MPA Only) (medical documentation needed)
Female members can use up to 130 consecutive calendar days (including regular off days) beginning when her maternity leave ends and/or birth of child.	Granted for the sole purpose of medical disability associated with pregnancy
Female members can use accumulated/accrued paid time off (vacation, holiday, compensatory time). However, sick time cannot be used.	Begins on the date treating physician determines and ends no later than 135 consecutive calendar days after the delivery date (birth of the child) (includes regular off days)
Male members can use up to 130 consecutive calendar days (including regular off days) beginning on the date their spouse gives birth to the child.	It must be taken in one block of time and cannot be segmented. Off from the date determine by the doctor until the baby is born
Male members can use accumulated/accrued paid time off (vacation, holiday, compensatory time). However, sick time cannot be used.	MPA/MPSO contract allows for an extension beyond the 135-day post-delivery maximum date.
Childrearing leave cannot be segmented. Once the member stops using childrearing leave, the remainder of the time cannot be used (even if he/she does not exhaust their 130 days).	Accrued paid time off it can be used (sick leave vacation, holiday, compensatory time)
Childrearing leave must be 130 consecutive calendar days (not sporadic or intermittent days).	Once maternity leaves stops, it cannot be continued at a later date. Maternity Leave must be 135 consecutive calendar days. (not sporadic or intermittent days)
PAID PARENTAL LEAVE (medical documentation needed)	
MPSO and Civilian Members Only	
MPSO Sworn and civilian members are eligible for up to six (6) weeks of paid parental leave for one qualifying event per calendar year.	Must begin within sixteen (16) weeks of qualifying event. This runs concurrently with any state or federal FMLA to which the employee may be eligible.
STATE FMLA (medical documentation needed)	FEDERAL FMLA (medical documentation needed)
Total six (6) weeks (240 hours)	Total six (6) weeks (240 hours)
Can be used intermittently, in blocks of time, or the entire block of six (6) weeks. State FMLA begins on the day the baby is born.	Other accrued paid time can be used until it is exhausted and then it can be taken as unpaid time. Sick time cannot be used.
Must start prior to sixteen (16) weeks after the birth of the baby. This can start as late as week fifteen (15), day six (6).	Federal FMLA must be used by the baby's 1 st birthday (e.g., baby's 1 year old birthday)
Member may use as much sick time as they are entitled to (if they have six (6) weeks of sick leave available they can use all 6 weeks as sick leave).	Federal FMLA can only be used in one consecutive block of time.
Member may use other accrued paid time off (e.g., vacation, holiday, compensatory time).	
If the member elects unpaid time only, two (2) weeks (80 hours) of unpaid time can be used if the member has other accrued time on the books.	
State And Federal FMLA run concurrent to each other beginning with State FMLA (cannot not exceed twelve (12) weeks of FMLA).	