



## Fire and Police Commission

**Griselda Aldrete**  
Executive Director

**Nelson Soler**  
Chair

**Angela McKenzie**  
Vice-Chair

**Ann Wilson**  
**Steven M. DeVougas**  
**Fred Crouther**  
**Everett Cocroft**  
**Raymond Robakowski**  
Commissioners

### Memorandum

To: Nelson Soler, Chair  
Griselda Aldrete, Executive Director

From: Jack McNally, Compliance Auditor

Date: 10/27/2020

RE: Review of SOP 080 – Family Medical Leave Act and Other Leaves

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#### Number – Title:

General Order 2020-XX; Amends 2018-34  
Family Medical Leave Act and Other Leaves

#### Proposed Implementation Date:

November 16<sup>th</sup>, 2020

#### Recommendation of Reviewer:

- ☒ Administratively Approve by Chair and Executive Director
- ☐ Place on a Regular Meeting Agenda  
Next Meeting Date:
- ☐ Administratively Deny by Chair and Executive Director  
Rationale:

Standard Operating Procedure 080 outlines the eligibility requirements and administrative procedures for FMLA and other types of leave.

The change now sought by MPD is characterized as a response to recent policy changes implemented on a City-wide level. On October 15<sup>th</sup>, 2020 a notice was circulated among City departments, publicizing Common Council File #191473, which amended Chapter 350-37 of the City Code. The change permits employees to use sick leave to care for not only themselves but also to care for an immediate family member as defined by the FMLA guidelines, which includes an employee's spouse, child, or parent. An additional change resulting from this Common Council action amends Chapter 350-237 of the City Code in relation to seasonal laborer leave accrual and vacation time usage, but this change is not relevant here.

#### Analysis

This proposed change would add language to 80.10 (C) (1) and (2), memorializing the ability of civilian employees to substitute accrued sick leave for their own serious health condition or for the serious health condition of an immediate family member, defined as a spouse, child, or parent. This change



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applies to civilian members only, as the process for sworn members is governed by their specific bargaining agreement.

### **Conclusion**

This amendment is the direct result of guidance provided to the department by the Labor Negotiator and in accordance with Common Council action. It is a direct response to the pandemic and is intended to make the procedures for caring for sick family members more accessible to employees. Given the guidance from the Labor Negotiator and the legal guidance provided to the Council prior to passage of this file, it would be appropriate to Administratively Approve this amendment.