

Matt Blunt
Governor



Chester L. White
Director

Larry W. Schepker
Commissioner

State of Missouri
OFFICE OF ADMINISTRATION
Division of Personnel
430 Truman Building, 301 West High Street
Post Office Box 388
Jefferson City, Missouri 65102
INTERNET: <http://www.oa.mo.gov/pers>
E-MAIL: persmail@oa.mo.gov

(573) 751-4162
FAX (573) 751-8641

June 11, 2008

TO: Personnel Officers and Appointing Authorities
FROM: Gary Fogelbach, Division of Personnel
SUBJECT: FMLA Provisions and SAM II HR/Payroll Codes

On January 28, 2008 the Family Medical Leave Act (FMLA) was amended to provide eligible employees working for covered employers two important new leave rights related to military service. These new rights, as well as new SAM II HR Payroll codes to affect these new rights, are as follows:

(1) New Qualifying Reason for Leave

Eligible employees are entitled to up to 12 weeks of leave because of “*any qualifying exigency*” arising out of the fact that the spouse, son, daughter, or parent of the employee is on active duty, or has been notified of an impending call to active duty status, in support of a contingency operation. By the terms of the statute, this provision requires the Secretary of Labor to issue regulations defining “any qualifying exigency.” In the interim, employers are encouraged to provide this type of leave to qualifying employees.

| Code | Long Description | Primary Category | Secondary Category |
|-------------|--------------------------------|-------------------------|---------------------------|
| ALEFM | ANNUAL - EXIGENCY ACT DTY/FMLA | ANNUL | FMLA |
| HCEFM | HOL COMP-EXIGENCY ACT DTY/FMLA | HCOMP | FMLA |
| LNPEF | LV WO PY-EXIGENCY ACT DTY/FMLA | LWOP | FMLA |
| SCEFM | ST COMP-EXIGENCY ACT DTY/FMLA | SCOMP | FMLA |
| SHEFM | SHAR LV-EXIGENCY ACT DTY/FMLA | SHARE | FMLA |
| SLEFM | SICK - EXIGENCY ACT DTY/FMLA | SICK | FMLA |

(2) New Leave Entitlement

An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered servicemember who is recovering from a serious illness or injury sustained in the line of duty on active duty is entitled to up to 26 weeks of leave in a single 12-month period to care for the servicemember. This provision became effective immediately upon enactment. This military *caregiver* leave is available during “a single 12-month period” during which an eligible employee is entitled to a combined total of 26 weeks of all types of FMLA leave.

| Code | Long Description | Primary Category | Secondary Category |
|-------------|-------------------------------|-------------------------|---------------------------|
| ALCFM | ANNUAL - SRVC MBR CARE/FMLA | ANNUL | FMLA2 |
| HCCFM | HOL COMP-SRVC MBR CARE/FMLA | HCOMP | FMLA2 |
| LNPCF | LV W/O PAY-SRVC MBR CARE/FMLA | LWOP | FMLA2 |
| SCCFM | ST COMP - SRVC MBR CARE/FMLA | SCOMP | FMLA2 |
| SHCFM | SHAR LV-SRVC MBR CARE/FMLA | SHARE | FMLA2 |
| SLCFM | SICK - SRVC MBR CARE/FMLA | SICK | FMLA2 |

Additional information on the amendments and a version of Title I of the FMLA with the new statutory language incorporated are available on the FMLA amendments Web site at http://www.dol.gov/esa/whd/fmla/NDAA_fmla.htm.

The above codes are available and ready for use in SAM II with an effective date of 1/28/08. The “qualifying exigency” type of leave, according to the U.S. Department of Labor, will not become effective until final regulations defining “exigencies” are released, probably in late 2008. The 26 weeks of caregiver leave became effective when the bill was signed into law by President Bush.

Additional information on how to apply and/or report on these new leave events and categories in SAM II HR is available through the Division of Personnel’s Pay Leave and Reporting Section at 522-1260.

Original FMLA Poster:

<http://www.dol.gov/esa/regs/compliance/posters/pdf/fmlaen.pdf>

FMLA Poster Insert for Military Family Leave Amendments:

<http://www.dol.gov/esa/whd/fmla/NDAAAmndmnts.pdf>