

HUMAN RESOURCES MEMORANDUM 20-003		DATE ISSUED: 01/29/2020
SUBJECT: NON-INDUSTRIAL DISABILITY INSURANCE – FAMILY CARE LEAVE BENEFIT FOR EXCLUDED EMPLOYEES		REFERENCE: CalHR 1411
TO: DGS Managers, Supervisors, Employee Resource Liaisons and Attendance Clerks		SUPERCEDES: <i>HR Memo 19-010</i>

PLEASE ENSURE THAT THIS INFORMATION IS SHARED WITH YOUR EMPLOYEES

Purpose

The purpose of this memo is to provide additional information on the Non-Industrial Disability Insurance – Family Care Leave (NDI-FCL) benefits program available to eligible State employees excluded from bargaining.

Background

Under the NDI-FCL Program, which became available on July 1, 2019, excluded employees who are enrolled in the Annual Leave Program* are eligible to take up to six weeks (42 days) within any 12-month period and receive 50 percent of their average weekly salary during that time. They will have the option to supplement that income with accrued leave time, to receive a full paycheck during their time off. All other NDI rules, requirements, and processes remain the same.

*The one-time open enrollment period offered to those excluded employees who recently elected the Vacation/Sick Leave Program or switched to the Vacation/Sick Leave Program and have not met the 24-month requirement has now closed as of August 29, 2019 (*HR Memo 19-010*). Employees who did not [elect to switch](#) to the Annual Leave Program during that open enrollment period must remain in the Vacation/Sick Leave Program until they meet the 24-month requirement before they can have the option to switch leave programs.

Guidelines for Applying NDI-FCL

To qualify for NDI-FCL, employees must be unable to perform their regular or customary work due to the need to care for a seriously ill family member or bond with a new child. A family member for purposes of NDI-FCL means child, parent, parent-in-law, grandparent, grandchild, sibling, spouse, or registered domestic partner.

NDI-FCL can be taken all at once or intermittently, any day of the week, including their regular days off or on holidays. Each day an employee claims NDI-FCL is deducted from their 42-day entitlement. NDI-FCL is used in one day increments; therefore, employees cannot work a partial day and use NDI-FCL the same day.

Prior to taking NDI-FCL, employees are required to communicate their leave plan with the Office of Human Resources, Personnel Transactions’ Senior Personnel Specialist by completing and submitting the [NDI-FCL Designation Form \(CalHR 143\)](#) by the 15th of each pay period in order to avoid overpayments and underpayments. If any changes are made to the leave plan after submission, the employee must submit a new NDI-FCL Designation Form, with supervisor approval, immediately.

Additional Information

For additional information on the program and the claim process, visit the [Employment Development Department website](#) or [NDI-FCL Frequently Asked Questions](#) (FAQ). The California Department of Human Resources has also published a [FAQ](#).

Questions

Questions regarding this memorandum may be directed to the Disability Unit inbox at OHRDTU@dgs.ca.gov.

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Office of Human Resources

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