

The Family Friendly Workplace Ordinance (FFWO) is a local City and County of San Francisco (City) ordinance that allows employees to request flexible or predictable working arrangements to assist with caregiving responsibilities for:

- A child or children for whom the employee has assumed parental responsibility
- A person or persons with a [serious health condition](#) in a [family relationship](#) with the employee
- A parent aged 65 or older.

Q: Who is eligible for FFWO?

A: Employees who have been employed by the City for six months or more and who regularly work at least eight hours per week are eligible under the FFWO.

Q: Are employees entitled to flexible or predictable working arrangements under the FFWO in order to deal with their own serious health conditions?

A: No. The FFWO allows employees to request flexible or predictable working arrangements to provide care to family members. Employees who wish to request time off due to their own serious health condition should request leave under the [Family and Medical Leave Act](#) (FMLA). To request leave under the FMLA print and complete the "FMLA #1A Request for Leave" form and have a healthcare provider complete the "FMLA #2 Certification of Healthcare Provider" form.

Q: Do all employees granted a flexible or predictable working arrangement under the FFWO also qualify for FMLA?

A: No. While some employees granted a flexible or predictable working arrangement under the FFWO might also be eligible for protection under the FMLA, not all employees will be eligible for both.

Q: What type of flexible or predictable working arrangements can employees request under the FFWO?

A: Employees can request changes in the terms and conditions of their employment that provide flexibility or scheduling predictability in order to assist with caregiving responsibilities. Requests may include, but are not limited to, changes in:

- The number of hours the employee is required to work
- The times the employee is required to work
- Where the employee is required to work
- Work assignments or other factors
- Predictability of the work schedule.

Q: How do employees make requests under the FFWO?

A: Requests for a flexible or predictable working arrangement under the FFWO must be made in writing on the "Request for Flexible or Predictable Working Arrangement" form and specify the arrangement applied for, the date on which the arrangement would become effective, the desired duration of the arrangement, and an explanation of how the request is related to caregiving. When the request is due to caregiving responsibilities for a family member with a serious health condition, a "Verification of Caregiving Responsibilities" form must also be provided.

Q: Can a department require verification of caregiving responsibilities under the FFWO?

A: Yes. A department may require verification of caregiving responsibilities as part of the written request¹.

Q: How often can an employee make a request under the FFWO?

A: A request may be made twice in a 12-month period, unless the employee experiences a [major life event](#), in which case the employee may make an additional request². Also, if a department revokes a flexible or predictable working arrangement the employee may submit an additional written request³ during the 12-month time frame.

Q: Can an approved flexible or predictable working arrangement be revoked?

¹ Section 12Z.4(c)

² Section 12Z.4(e)

³ Section 12Z.5(d)

A: Yes. Either the department or the employee may revoke a previously approved flexible or predictable working arrangement by providing the other party with 14 calendar days written notice⁴.

Q: For what reason(s) can a department deny an employee’s request under the FFWO?

A: A department could deny a request under the FFWO for reasons including, but not limited to:

- The employee hasn’t been working for the City for at least six months
- The employee doesn’t regularly work at least eight hours per week
- The employee works in a job classification that has been exempted from the FFWO
- A bona fide business reason, including, but not limited to:
 - The identifiable cost of the change in a term or condition of employment requested in the application, including, but not limited to, the cost of productivity loss, retraining or hiring employees, or transferring employees from one facility to another
 - Detrimental effects on the ability to meet customer or client demands
 - The inability to organize work among other employees
 - The insufficiency of work to be performed during the time the employee proposes to work.

Q: Is there a reconsideration process if an employee’s request for a flexible or predictable working arrangement is denied?

A: Yes. An employee whose request for a flexible or predictable working arrangement has been denied may submit a written request for reconsideration within 30 calendar days of the denial⁵.

Q: What is a “major life event,” as described in the FFWO?

A: Under the FFWO “major life event” means the birth of an employee’s child, the placement with an employee of a child through adoption or foster care, or an increase in an employee’s caregiving duties for a person with a [serious health condition](#) who is in a family relationship with the employee.

Q: What is a “family relationship,” as described in the FFWO?

A: Under the FFWO a “family relationship” means a relationship in which a caregiver is related by blood, legal custody, marriage or domestic partnerships, as defined in [San Francisco Administrative Code Chapter 62](#) or [California Family Code Section 297](#), to another person as a spouse, domestic partner, child, parent, sibling, grandchild or grandparent.

Q: What is a “serious health condition,” as described in the FFWO?

A: Under the FFWO a “serious health condition” means an illness, injury, impairment or physical or mental condition that involves either of the following:

1. Inpatient care in a hospital, hospice or residential healthcare facility
2. Continuing treatment or continuing supervision by a healthcare provider.

When requesting a flexible or predictable working arrangement to provide care to a family member with a serious health condition, employees must include a “Verification of Caregiving Responsibilities” form with their “Request for Flexible or Predictable Working Arrangement” form.

Q: Where can I read the whole text of the FFWO?

The [full text of the FFWO is posted here](#) for your reference. Definitions of the terms used in the FFWO can be found in section 12Z.3 of the ordinance.

⁴ Section 12Z.5(d)

⁵ Section 12Z.6(a)