

FAMILY & MEDICAL LEAVE

Summary: The Family and Medical Leave Act requires employers with 50 or more employees to provide employees to take up to 12 weeks of protected leave each year for specified family and medical reasons. During the leave an employee is entitled to job protection and the retention of health benefits as if employment were continuous. Upon return from the leave an employee must be reinstated to his/her former or an equivalent position.

Eligibility:

To be eligible for FMLA benefits, an employee must have worked for the University for at least 12 months and have worked 1,250 hours over the prior 12 months.

Leave Entitlement:

Eligible employees will be granted a leave during any 12-month period for one or more of the following reasons:

- * For the birth or placement of a child for adoption or foster care;
- * To care for an immediate family member (spouse, child, or parent) with a serious health condition; or,
- * To take a medical leave when the employee is unable to work because of a serious health condition.

Spouses employed by the same employer are jointly entitled to a combined total of 12 workweeks of Family & Medical Leave for the same reasons stated above.

Intermittent Leave:

Under some circumstances, employees may take FMLA leave intermittently. This means that an employee may take his/her leave in blocks of time, or by reducing his/her normal weekly or daily work schedule. All Intermittent Leaves are subject to supervisory approval.

Employees requesting an intermittent leave are responsible for scheduling their leave in a manner that does not unduly disrupt the department's operation. If an intermittent leave is requested for medical treatment said leave is also subject to the approval of the health care provider if applicable.

There may be occasions when an employee will be temporarily transferred to another position of equivalent pay and benefits in order to accommodate the planned personal medical treatment.

Eligible Benefits During Leave:

Employees receiving a FMLA Leave are required to use all available vacation and sick leave according to the schedule described below:

- * An employee requesting FMLA due to a birth of a child is entitled to sick leave, Short Term Disability, available vacation time and 12 weeks of FMLA leave (to be taken in the order described). (Vacation and FMLA is an aggregate amount of leave time not to exceed 12 weeks.)
- * An employee requesting the FMLA to care for a child after birth, adoption or foster care, or to care for an immediate family member (spouse, child or parent) with a serious health condition, must take his/her available vacation time. (Vacation and FMLA is an aggregate amount of leave time not to exceed 12 weeks.)

An employee receiving Family & Medical Leave will continue to receive health benefits, life insurance, long term disability, etc. through the duration of the approved leave. The employee will continue to be responsible for the employee's cost portion of these benefits.

If an employee does not return to the University at the end of the approved leave for reasons other than recurrence or onset of a serious health condition, or circumstances that are beyond the control of the employee, he/she will be responsible for reimbursing the University for its share of the cost of medical benefits paid on his/her behalf during the leave.

All benefits such as pension, sick leave and vacation will continue to accrue through *paid leave status*. Once an employee is placed in an *unpaid, leave, status*, benefits will *stop* accruing. Upon return from FMLA leave, most employees will be restored to his/her original or equivalent position with equivalent pay, benefits and other seniority.

Advance Notice and Medical Certification:

An employee requesting FMLA must provide advance notice and medical certification. A request for a leave may be denied if the following requirements are not met:

- * 30 days notice should be given to a supervisor when the leave is "foreseeable".
- * If the need for the leave is unforeseen, notice must be given as soon as practical.
- * Certification is required to support a request for leave because of a serious illness, care for your child after birth, placement of a child with you for adoption or foster care.