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# Family and Medical Leave Policy

## **POLICY**

Issued: DATE

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The Company supports a work environment that offers solutions to the complex issues individuals face in balancing their work and family commitments. Family and Medical Leave (FML) provides eligible faculty and staff up to 12 workweeks (480 hours) of leave during any 12-month period for one or more of the following qualifying status changes:

- a serious personal health condition that prevents an employee from performing his or her job.
- care for a child during the first year following birth, adoption, or foster care placement.
- care for a family member who has a serious health condition.

Any leave taken for one of the reasons stated above will be designated as FML. This leave will be concurrently counted toward both the 12 weeks of FML and the appropriate paid or unpaid leave balances. FML is not intended to cover short-term illnesses that do not meet the definition of a serious health condition, where treatment and recovery are brief. Health plan benefits provided to an employee prior to taking FML will be maintained. These benefits are subject to changes that occur within the group plan while the individual is on leave. When leave is concluded, the individual will return to the same or an equivalent position with equivalent benefits, pay, and other terms and conditions of employment.

## **POLICY GUIDELINES**

### **I. Definitions**

A. Leave - All leaves are subject to departmental approval. A summary of the leave policies referred to within this document include:

1. Paid leave

- a) Sick leave - paid leave that is used in the event of personal illness or injury; or illness, injury, or death of an immediate family member.
- b) Vacation leave - paid leave that is used at the employee's discretion.
- c) Compensatory time - paid leave that is used at the employee's discretion.

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2. Unpaid leave

- a) Medical leave - leave without pay for personal illness, including any pregnancy related illness.
- b) Personal leave - leave without pay for any reason.

B. Child - a biological child, adopted child, foster child, stepchild, legal ward, or a child of a person standing in loco parentis.

C. Equivalent position - a position with the same pay, benefits, and working conditions, the same or similar responsibilities and duties and requiring substantially equivalent skill, effort, responsibility, and authority. Benefits are subject to changes that occur within the group plan while the individual is on leave. If an employee is unable to fulfill the

essential functions of the job as a result of a serious health condition, accommodations may be made in accordance with the [Americans with Disabilities Act \(ADA\)](#).

D. Health care providers - must be licensed by the state to deliver health care services in order to certify FML. Health care providers may be a doctor of medicine, osteopathy, dentist, clinical psychologist, social worker, optometrist, podiatrist, chiropractor, nurse practitioner, nurse mid-wife, or Christian Science practitioner who certify within the scope of their practice.

E. Immediate family - spouse, domestic partner, mother, father, sister, brother, daughter, son, grandparent, grandchild, mother-in-law, father-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, grandparent-in-law, grandchild-in-law, or corresponding relatives of the employee's partner, other persons for whom the employee is legally responsible, and anyone who stood in loco parentis to the employee as a child. To use leave for the care of a domestic partner or for the corresponding relative of the partner, a completed [Affidavit of Domestic Partnership](#) must be on file with the department and with the Office of Human Resources, [Benefits Services](#).

F. Intermittent leave - leave taken in nonconsecutive blocks of time rather than for one continuous period of time, which may include leave periods from an hour or more to several weeks.

G. Need to care for a family member - encompasses both physical and psychological care as certified by a health care provider. This includes situations where a family member is unable to provide his or her own medical, hygienic, nutritional, safety, and/or transportation needs.

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