

FACT SHEET
Federal Family and Medical Leave Act (FMLA)

1. FMLA provides up to 12 weeks of job-protected leave in a 12-month period, providing the employee has worked for a covered employer for at least one year and has worked 1250 actual work hours in the previous 12 months.
2. Leave may be taken for the following reasons: incapacity due to pregnancy, prenatal medical care or child birth; to care for the employee's child after birth, or placement for adoption or foster care; to care for the employee's spouse, son or daughter, or parent who has a serious health condition; or for a serious health condition that makes the employee unable to perform the employee's job.
3. Employees requiring leave of absence to care for a family member on active military duty may be eligible for up to 26 weeks protected leave.
4. The University has elected to use a "rolling" 12-month period measured backward to calculate FMLA usage. The 12-month period measured backward from the date an employee uses any FMLA leave. Under the "rolling" 12-month period, each time an employee takes FMLA leave, the remaining leave entitlement would be the balance of the 12 weeks which has not been used during the immediately preceding 12 months.
5. Employee should submit leave request at 30 days in advance, when possible. If soon as soon as possible.
6. Requested leaves will count against any available annual leave entitlement.
7. You are required to have your physician complete a Certificate of Healthcare Provider Form. This form must be received by Human Resources within 15 calendar days of the employer's request for medical certification.
8. If your physician recommends an extension of your medical leave of absence beyond the end date of your approved leave, you must provide further medical documentation to Human Resources prior to your stated return to work date. The note must include the duration of the continued absence and the expected return to work date.
9. If your leave of absence extends past the 12 week limitation for FMLA, you must contact Human Resources.
10. You are required to furnish further certification if you request a leave extension or if circumstances described by the original certification change significantly.

11. Continuation of benefits:

- a. You may continue benefit programs in which you are enrolled in at the time of the FMLA leave. If you are on an unpaid leave, in order for the coverage to be continued, you will be responsible for your portion of the cost (percentage of the cost of health and prescription or the 1.5% of salary, whichever is higher) for up to three months. If your unpaid leave extends beyond the three month period, you will be responsible for the full cost of your health and prescription benefits. Payment is due the first of each month. Dental benefits would be available through COBRA.
- b. If payment is not made on time, your group health insurance may be cancelled. You will be provided notification in writing at least 15 days before the date that your health coverage will lapse. The University is not responsible for the employee's share of health insurance premiums while the employee is on a leave of absence without pay.

12. On the actual day that you are scheduled to return to work, you are required to bring to Human Resources documentation from a medical professional regarding your ability to return to work. If such documentation is not received, your return to work may be delayed until the documentation is provided.

13. An employee who leaves State service or goes on a leave of absence without pay before the end of the calendar year shall have his or her leave prorated based on time earned, except that the leave of an employee on a voluntary furlough or furlough extension leave shall not be affected. An employee who is on the payroll for 23 days or more shall earn a full month's allowance, and earn one-half month's allowance if he or she is on the payroll for greater than 14 calendar days, but less than 23 calendar days in a month.

- a. An employee shall reimburse the appointing authority for paid working days used in excess of his or her prorated and accumulated entitlements.
- b. An employee who returns to work from a leave of absence shall not be credited with paid vacation or sick leave until the amount of leave used in excess of the prorated entitlement has been reimbursed.
- c. In State service, intermittent days off without pay other than voluntary furlough or furlough extension days shall be aggregated and considered as a continuous leave without pay for calculation of reduced vacation and sick leave credits. When intermittent days off without pay other than voluntary furlough or furlough extension days equal 11 working days, the employee's vacation and sick leave credit shall be reduced by one-half of one month's entitlement. Union leave days pursuant to a negotiated agreement shall not be included in such calculations.