

## Family Leave

**Eligibility** Any Regular employee who has completed 12 months of benefits-eligible employment may request Family Leave, which is unpaid, job-protected leave. The "rolling" 12-month method is used for calculating Family Leave, which is measured backward from the date an employee uses any Family Leave. Each time an employee takes Family Leave the remaining entitlement would be any balance of the 12 weeks.

**Basic Family Leave** A maximum of 12 weeks may be granted for the following reasons:

- A serious health condition that makes the employee unable to perform his/her job;
- To care for the employee's spouse, son, daughter, or parent, who has a serious health condition;
- Incapacity due to pregnancy, prenatal medical care or child birth; or
- To care for the employee's child after birth, or placement for adoption or foster care.

Leave may be taken for the birth or placement of a child only within 12 months of that birth or placement. Appropriate paid leave will run concurrently with Family Leave. When available, all appropriate paid leave must be used prior to the commencement of unpaid Family Leave.

**Military Family Leave** Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

A special leave entitlement permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

**Leave Requests** Employees must submit a written request at least 30 days prior to the commencement of leave in cases where the leave is foreseeable and make reasonable efforts in scheduling leave to avoid disrupting the work unit. When an employee becomes aware of a need for Family Leave less than 30 days in advance, the employee must provide notice as soon as practical.

**Intermittent Leave** Leave for a serious health condition may be taken intermittently or the employee may work a reduced schedule if "medically necessary." Leave may be taken on an intermittent basis or work schedule may be reduced for the birth or placement of a child only if the arrangement is agreed to by the employer.

**Certification** Family Leave requests must be documented by a health care provider's certification of a serious health condition for the employee or that of a family member (spouse, child, or parent). Recertification will be required as needed. A Certification of Health Care Provider form is available in the Office of Human Resources or can be downloaded at the Human Resources website under Employee Forms. For paid sick leave to be used for absences relating to childbirth, personal illness, or the illness of a family member covered by the Sick Leave policy, a health-care provider's certification is also necessary (see "Sick Leave" section). A copy of the adoption papers and an indication of the expected return-to-work date in the written leave request are sufficient to document the use of Family Leave for adoption purposes. Failure to provide medical certification in a timely fashion may delay the commencement of leave or result in denial of the request for Family Leave.

**Serious Health Condition** A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of his/her job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

**Pay Status** Absences in excess of accrued sick leave (when appropriate) and annual leave are unpaid. Although there are some exceptions (e.g., absences connected to work-related injuries), the university generally is not able to hold jobs for more than 12 weeks. If an employee is unable to return to work at the end of the 12 week Family Leave absence, employment will be terminated.

**Benefits Eligibility** During an approved Family Leave, an employee remains eligible to continue in the medical, SEF, life, accidental death & dismemberment, long term disability, and tuition remission plans. Continued eligibility is contingent upon timely receipt of the employee premium contribution. The university will continue to contribute its portion of the total premium. Arrangements for paying such premiums should be made with the Office of Human Resources prior to the commencement of the leave.

## PARENTAL LEAVE

**Definition.** Parental Leave is the limited use of accrued sick leave for the birth or adoption of a child during the first six months following the date of birth or placement. All other uses of sick leave require the employee or his/her dependent to be ill.

**Eligibility.** Any Regular staff or faculty employee who has completed 12 months of benefits-eligible employment may request to use accrued sick leave for Parental Leave. The use of Parental Leave reduces the amount of unpaid Family Leave (as defined by the federal statute) available to the employee. After Parental Leave is exhausted, an employee may still be eligible for unpaid Personal Leave (contact Human Resources for more information).

**Leave Requirement.** Generally, sick leave may be used to pay for up to two months of Parental Leave (two calendar months for faculty, 340 hours for staff) pro-rated based upon the percentage of employment for part-time staff and faculty. Prior to using Parental Leave, employees must use **all** other appropriate paid leaves. Parental Leave may be used only to pay for the difference between the absence covered by other appropriate leave and two months. Ex: Birth father has three weeks (120 hours) of annual leave and ten weeks (400 hours) of sick leave. Following the birth of his healthy child, father uses all appropriate leave (three weeks or 120 hours annual leave). He is then entitled to use five and one-half (220 hours) of his ten weeks of sick leave as Parental Leave. He is in a paid, non-working status for approximately two months following the birth of his child. If he had three weeks of annual leave and only two weeks of sick leave, he would be in a paid status only five weeks, the last two of which would be sick leave used as Parental Leave.

**Leave Requests.** Although all employees are encouraged to discuss any potential absences with supervisors as soon as anticipated, employees must submit a written request at least 30 days prior to the commencement of leave in cases where the leave is foreseeable and make reasonable efforts in scheduling leaves to avoid disrupting the work unit. Where leave is not foreseeable, the written request must be submitted to the employee's supervisor before the commencement of paid Parental Leave. Failure to submit a written request and appropriate supporting documentation in a timely fashion may result in disapproval of the request for paid Parental Leave.

**Intermittent Leave.** Parental Leave may be taken on an intermittent or reduced basis only if the arrangement is agreed to by the employee's supervisor.