

PERSONNEL 3.0

Attendance and Leave -- 3.3

Family Medical Leave Act -- 3.3.f

Date December 31, 1998

Issued:

Date Last March 23, 2011

Revised:

Signature:



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Bureau of Health Services

POLICY

Employees eligible under the Family Medical Leave Act of 1993 can take up to 12 workweeks of job protected leave each year for specified family and medical reasons, have continued health insurance coverage during the leave period and be re-instated to the same or an equivalent position once the leave period has ended. Employees are eligible for the Family Medical Leave Act if they have completed one (1) year of service which included at least 1250 hours over the past 12 months. All employees must be placed on Family Medical Leave on the 16th day following 15 consecutive days of leave. This requirement is mandatory whether the employee requests the Family Medical Leave or not.

APPLICABILITY

This policy applies to all eligible male and female employees of the Bureau of Health Services.

PURPOSE

To comply with federal regulations regarding the Family Medical Leave Act which became effective August 5, 1993.

PROCEDURE

All employees are to have access to the Department of Human Resource's policy and procedures regarding the Family Medical Leave Act (FMLA) by contacting the personnel officer in the regional/central office or going online to the Department of Human Resources website. This policy outlines FMLA requirements and indicates how these requirements should be interpreted and applied in relation to existing state laws and regulations. FMLA leave must be granted to eligible employees requesting leave for the following reasons:

1. The birth of a son or daughter and to care for the newborn child;
2. The adoptive or foster care placement of a son or daughter with the employee;
3. To care for the employee's spouse, son, daughter, or parent with a serious health condition;
4. The employee has a serious health condition resulting in his or her inability to perform one or more essential job functions.

Any employee considering FMLA leave should notify their supervisor of the need for leave and the anticipated timing and duration of the leave. The employee ordinarily must provide 30 days advance notice when the leave is "foreseeable." The supervisor may request additional information to determine if the employee is requesting FMLA specifically and to obtain the necessary details regarding the leave being taken.

Employees qualifying for FMLA will need to complete the **Leave Without Pay Insurance Options Form, FA-0867**, (if applicable) and submit it to the Bureau Office with the aforementioned paperwork, including a completed and approved **Personnel Request Form-3 Form, (PH-0078)**.

NECESSARY FORMS

1. Application for Family or Medical Leave, PR-0351
2. Certification of Health Care Providers, PR-0353
3. Leave Without Pay Insurance Options, FA-0867, if applicable
4. Personnel Request Form-3 Form, (PH-0078)

REFERENCE DOCUMENT

Family Medical Leave Act of 1993

OFFICE OF PRIMARY RESPONSIBILITY

Office of Human Resources, Department of Health, (615)741-6350