

Family & Medical Leave Guidelines

The Family and Medical Leave Act (FMLA) is intended to balance the demands of the workplace with the needs of families. The FMLA entitles eligible Fredonia employees to take leave for qualified family and medical reasons. Employees and supervisors should notify the Human Resources Benefits Coordinator when an absence falls under one of the categories listed below, *regardless of whether accruals will be charged*. As allowable, FMLA runs concurrent with other paid or unpaid leaves (i.e. extended sick, sick leave at half, disability, Workers' Compensation, childcare, etc.).

CATEGORIES OF FMLA LEAVE

- Birth of a son or daughter, and to bond with the newborn child;
- Placement with the employee of a child for adoption or foster care, and to bond with that child;
- Provide care for an immediate family member with a serious health condition (spouse, child, or parent – but not a parent “in-law”);
- Medical leave when the employee is unable to work because of a serious health condition; or
- Military family: exigency or caregiver

ELIGIBILITY

- To be eligible, employee must have completed 12 cumulative months of NY State service; **AND** must have worked a minimum of 1,250 hours during the 52 weeks immediately prior to the start of leave. Hours actually worked include overtime but do not include holiday, vacation, sick and other paid or unpaid leave.
- Employees not eligible for FMLA leave may have other leave options available, subject to provisions of the Attendance Rules and applicable Bargaining Agreement.

BENEFITS

When a leave is qualified under FMLA, Fredonia employees are entitled to:

- Up to 12 weeks of unpaid leave entitlement per calendar year (26 weeks for military caregiver)
 - Leave can be paid if employee elects to charge appropriate leave accruals.
- Maintenance of health benefits
 - If leave is paid, premiums will continue to be deducted from paycheck
 - If leave is unpaid, premiums will be billed at the same cost as active employees
- Restoration to original or equivalent position upon return from FMLA leave

REQUESTING LEAVE

- Absences expected to last 5 days or longer for medical and family medical reasons require employees to complete a [Family & Medical Leave Request Form](#) and submit to their immediate supervisor a minimum of 30 days before leave begins. For emergency leave, employee and supervisor should notify HR as soon as possible.
- HR will make a determination regarding eligibility and approval for FMLA.

DESIGNATION

- Medical Certification is required to support FMLA absences and the use of sick leave accruals.
- Absence due to reasons stated above may be designated as FMLA leave by Human Resources even when medical leave is not requested by employee.
- Workers' Compensation leave runs concurrent with FMLA entitlement.

RETURN TO WORK

No less than 24 hours PRIOR to reporting for work, an employee on medical leave must submit to HR documentation from their health care provider stating they are cleared to work *without restrictions*, including the date. Employees unable to return to work as anticipated must provide updated medical documentation to Human Resources.

Important Considerations for FMLA Leave

- Employees may take FMLA time unpaid OR charge leave accruals of their choice to remain in paid status. Employees must contact HR prior to electing unpaid leave or exhausting leave accruals while on leave.
- Employees are required to inform their immediate supervisor whether an absence is FMLA and record all FMLA absences accurately on attendance records.
- Employees must continue to follow department time off request and call-in procedures.
- For intermittent leave and leave for chronic/lifetime conditions, updated medical Certification must be provided for every 6 months in which leave is required.
- Employees are required to inform their supervisor and HR Benefits Coordinator of all status changes (i.e., early return, extended absence, etc.)

Annual FMLA Entitlements

- Run per calendar year, January 1-December 31.
- *37.5 hour employees* are entitled to no more than 450 hours (37.5 hours x 12 weeks).
- *40 hour employees* are entitled to no more than 480 hours (40 hours x 12 weeks).
- *Part-time (PT) employees* have their maximum entitlement prorated based on FTE (weekly hours x 12 weeks).
- If annual FMLA entitlement is exhausted, non-FMLA leave options may be available (subject to provisions of the Attendance Rules and applicable Bargaining Agreement).

Charging accruals (for paid leave):

- Accruals must be charged to maintain pay status during FMLA leave.
- Employees on *continuous FMLA leave* must charge in full business week increments (5 days) to remain in full-pay status.
- Employees on *intermittent or reduced schedule FMLA leave*, only charge the amount of leave actually taken.

Holidays:

- When a holiday falls during a week in which an employee is taking the full week of FMLA leave, the entire week is counted as FMLA leave.
- When a holiday falls during a week when an employee is taking less than the full week of FMLA leave, the holiday is not counted as FMLA leave unless the employee was scheduled and expected to work on the holiday and used FMLA leave for that day.

The most current information regarding family and medical leave is available online at www.fredonia.edu/humanresources/fmla.asp

For additional assistance or to request a leave consult for family or medical reasons please contact Human Resources at 716-673-3434.