

UNDERSTAND

The federal Family and Medical Leave Act (FMLA) provides job protected leave and benefits coverage entitlements to employees who meet FMLA eligibility requirements. The entitlements and eligibility requirements are described below.

FMLA Eligibility and Entitlements	
Family and Medical Leave Act	
FMLA Eligibility	<p>Generally, a qualifying leave (see next section) will be covered by the FMLA if an employee has worked for the UW or the state of Washington at least 60 % FTE for at least one year, and has not already used the annual 12 week FMLA leave entitlement.</p> <p>More specifically, an employee is covered by the FMLA if he or she meets the following eligibility requirements:</p> <ul style="list-style-type: none"> • Has completed 12-months of cumulative state service (or 52 weeks if the work is intermittent); and, • Worked for the state at least 1,250 hours*, including overtime, in the 12 months immediately preceding the date the FMLA leave will begin. (Working for the "state" includes University employment.) Except for military leave, paid and unpaid leave is not counted as part of the 1,250 hours*; and, • Has not already used the current year's 12 week FMLA leave entitlement. <p>*Hours worked are not counted for overtime exempt staff and for overtime exempt classified staff. These employees are automatically considered to have worked 1250 hours unless the work records clearly reflect otherwise (for example - a 50% FTE employee will normally not have worked 1250 hours in a 12 month period).</p>
Employee Leave Entitlements	<p>The FMLA guarantees that an eligible employee can have job protected time off work as follows:</p> <p>A) Up to 12 workweeks of job protected time off work per year because of:</p> <ol style="list-style-type: none"> 1. A serious health condition, 2. A family member's serious health condition, 3. Parental leave to care for a newborn or newly adopted or placed child. (NOTE: for birth mothers, any period of pregnancy related temporary disability is not deducted from the 12 week parental leave entitlement). 4. A qualifying exigency arising out of the fact that the employee's family/household member is on active duty (or has been notified of

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	<p>an impending call or order to active duty) in the Armed Forces Reserves or National Guard in support of a contingency operation. Qualified exigency leave is not available to employees whose family members are already on active duty in the regular U.S. Armed Services or whose family members are National Guard members called to state service by a governor.</p> <p>and/or</p> <p>B) If the employee is an eligible family member or next of kin the employee can have up to 26 workweeks of "Service Member Family Leave" during a single 12-month period to care for a covered service member who is:</p> <ul style="list-style-type: none"> • Undergoing medical treatment, recuperation, or therapy, • Otherwise in outpatient status, or • On the temporary disability retired list, for a serious injury or illness. <p>If FMLA covered leave is taken under A and B above, the combination of leave taken may not exceed 26 workweeks in a single 12-month period. The amount of leave taken under A may never exceed 12 weeks during the single 12-month period, even if the employee takes fewer than 14 weeks of FMLA leave under B. Where medically necessary leave may be taken on an intermittent basis or as a reduced work schedule</p> <p>Husband and Wife: The combined number of workweeks of leave to which both that husband and wife may be entitled under "A4" and "B" above may be limited to a combined total of 26 workweeks during the single 12-month period.</p>
Employee Notice and Certification Requirements	<p>Employees are expected to give at least 30 days notice of the need for leave, where the need for leave is foreseeable; or,</p> <p>For leave under A4 in the preceding row of this table, when the need for is not foreseeable the employee must provide notice as soon as both possible and practical.</p> <p>Employers may require certification for the reason for taking FMLA covered leave. Contact your Human Resources Consultant for assistance.</p>
Use of Paid Leave	<p>If the employee has paid leave, compensatory time, or a personal holiday that the employee is eligible to use, the employee can choose to use it while on FMLA leave</p>

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	Use of donated shared leave is normally covered by the FMLA, providing the employee meets both the FMLA and shared leave eligibility criteria.
Intermittent Leave or Working a Reduced Schedule	<p>The FMLA guarantees an employee the right to take FMLA covered leave intermittently or as part of a reduced work schedule when medically necessary.</p> <p>For parental leave, the supervisor may require that leave be taken in one continuous period of time away from work. Under state law, a birth mother's period of temporary pregnancy-related disability is not deducted from the 12-week FMLA leave entitlement.</p>
Unpaid Leave	Under the FMLA, the employee is guaranteed time away from work. However, if the employee does not have available paid leave, the time off is taken as leave without pay.
Benefits Entitlements	<p>During a leave covered by the FMLA, the UW pays the employer-paid portion of medical benefits coverage for up to 12 workweeks or up to 26 workweeks for "B" in "Employee Leave Entitlements" above. The employee is responsible for any insurance co-payments, extra premiums to cover family members, life insurance, long term disability insurance, parking fees, or other payroll deductions.</p> <p>For employees whose leave extends beyond the FMLA-covered period, employer paid medical benefits coverage is continued as long as the employee is in pay status for at least eight (8) hours during each month of leave. Employees who do not have available paid leave may self pay in order to continue basic medical benefits coverage.</p>
Return to Work Rights	The FMLA entitles an employee to return to the position held prior to the leave or to a position that is virtually identical (i.e. job title, work location, salary, work hours etc.). A notice that the employee is cleared to return to work is required by the employee's doctor.