

## Family and Medical Leave

1. Coverage. All employees.
2. Policy. Entitlement to Leave: Subject to certification by the appropriate health care provider, an eligible employee (as defined in the Employee's Guide to the Family and Medical Leave Act) shall be entitled to a total of twelve (12) unpaid workweeks of leave during any 12-month period for one or more of the following:
  - a. Because of the birth of a child of the employee and in order to care for such child.
  - b. Because of the placement of a child with the employee for adoption or foster care.
  - c. In order to care for the spouse, domestic partner, son, daughter, parent, or person living in immediate household of the employee if such spouse, domestic partner, son, daughter, parent, or person living in immediate household has a serious health condition.
  - d. Because of a serious health condition that makes the employee unable to perform the functions of the position of such employee.
3. Expiration of Entitlement. The entitlement to leave for the birth or placement of a child shall expire at the end of the 12-month period beginning on the date of such birth or placement.
4. Intermittent Leave or Reduced Hours of Schedule. Leave may be taken intermittently or a reduced hours schedule may be taken with the written recommendation of the appointing authority and approval of the County Manager.
5. Relationship to Paid Leave. The employee may request, or the employer may require an employee to substitute any of his/her accrued paid vacation leave, sick leave, or personal leave for any part of the 12-week period of such leave.
6. Notice. In any case where the expected leave is foreseeable, the employee shall provide not less than 30-day notice before the leave is to begin including the estimated date of return. In cases where such 30-day notice is impossible, the employee shall provide such notice as is practicable.
7. Employment and Benefits Protection. After return to work, provided the position is available, the employee shall be restored to the previous position with the same status, pay, length of service credit, and seniority as of the date of the leave. The employee shall not be entitled to the accrual of seniority or other employment benefit (vacation, sick, etc.) covered by these Bylaws during any period of unpaid leave.
8. Illness in the Family. The appointing authority may allow paid time off, not to exceed seven (7) days in case of serious illness in the immediate family of the employee which requires the personal presence of such employee. These seven (7) days need not be consecutive calendar days; they are charged to accrued sick leave. Immediate family shall, except in unusual circumstances, include: spouse, domestic partner, parent, child, brother, sister, or person living in the immediate household of the employee.

Note: The foregoing is meant as an explanation of the provisions of the Federal Family & Medical Leave Act (FMLA). A poster detailing employee rights under that law is posted at various places of work. Where the terms of the FMLA vary from the foregoing explanation, the provisions of that law will govern.

Commented [MT1]: Policy question