

FAMILY AND MEDICAL LEAVE

I. SCOPE

All employees.

II. PURPOSE

To comply with the *Family and Medical Leave Act*

III. POLICY

This policy applies to all employees who have worked for the University of St. Thomas for at least twelve months and worked at least 1,250 hours during the twelve months preceding the leave. Eligible employees may be granted up to twelve (12) weeks of unpaid leave per year for:

Newborn or newly-adopted children

Eligible employees may request a leave of absence to provide care for a child following the child's birth, adoption, or foster placement in the employee's home. This leave must be taken within a year after the child is born, adopted or placed in the employee's home.

Illness of a family member

Employees may request a leave of absence to provide care for a child, parent or spouse who has a serious health condition.

Illness of an employee

Employees may also request a leave of absence if they are unable to work due to their own serious health condition.

The family and medical leave will start on the first day of absence and run concurrently with any vacation, sick time, unpaid leave or short-term disability program that the employee may qualify for. No loss of seniority will occur while the employee is on this leave of absence.

IV. PROCEDURE

Applying for a Family and Medical Leave

Employees must request family medical leave in writing prior to the commencement of the leave or, in the case of unforeseen circumstances, no later than after one week of absence.

In the case of a medical leave, the University requires a physician's statement specifying the date the individual first became unable to work and the anticipated date for return to work.

Pay and benefits during Family and Medical Leave

Family leaves are unpaid, although employees may draw on available sick time and vacation according to University policies. Employee medical leave may be paid according to University policies. Eligible employees must pay their portion of the cost of their group health and welfare insurance premiums. Failure to pay for insurance premiums may result in the loss of insurance benefits.

Return to work

Employees who return to work from a family or medical leave of absence that does not exceed 12 weeks will be reinstated in the same or equivalent position.

Employees on leave must notify their supervisor at least two (2) weeks prior to end of leave to inform the University of their availability to return to work. The University may require appropriate medical certification before an employee returns to work.

An employee's failure to return from leave, or failure to contact his or her immediate supervisor or the Office of Human Resources on the scheduled date of return, will be considered a voluntary resignation.

Employees are expected to report for work when they are not on leave status.

Employment may be terminated if:

- the individual resigns
- the individual fails to report for work when no longer on leave
- the employee refuses an equivalent position that has been offered, after the employee is able to return to work and prior to the expiration of the 12-week period
- a disabled employee with accommodations (that are not an undue burden) is unable to perform the essential functions of the job or to perform his or her duties in a manner that would not endanger the health and safety of the employee or of others.