



FMLA Policy	Employee
	Effective Date: March 27, 2019
	Approved Revision Date: March 27, 2019

- (1) Dixie Tech fully complies with the Family and Medical Leave Act of 1993 ("FMLA"). Under the FMLA:
 - (a) To be eligible for FMLA leave, the employee must have been employed by the college for at least one year AND have worked 1,250 hours during the previous 12 consecutive months.
 - (b) Eligible employees may take up to 12 work weeks of leave during a rolling calendar year for the following:
 - (i) The birth of the employee's child or placement of a child with the employee for adoption or foster care;
 - (ii) The employee's own Serious Health Condition (as defined by the FMLA);
 - (iii) To care for the employee's spouse, child, or parent with a Serious Health Condition.
 - (iv) Certain other requests related to active military duty.
 - (c) Medical certification of the Serious Health Condition and the employee's need for leave is required.
- (2) The employee is required to give at least 30 days of prior notice if the need for leave is foreseeable. If the need for leave is not foreseeable, the employee must give notice as soon as possible and practicable.
- (3) If an employee needs to take leave for a reason that may qualify for protection under the FMLA, the employee must complete and deliver to the college's HR Officer as soon as possible the Request for Family and Medical Leave of Absence form and the following forms:
 - (a) The Parental Leave Request for the birth or placement of a child for adoption or foster care;
 - (b) The Certification of Health Care Provider Employee Health Condition for the employee's own serious health condition; or
 - (c) The Certification of Health Care Provider Family Member Health Condition for a family member's serious health condition.
- (4) Intermittent leave or a reduced leave schedule for medical reasons can be taken when medically necessary. Intermittent leave or reduced leave scheduled to care for a new child can be taken only if the employee and the HR Officer mutually agree to the arrangement.
 - (a) "Intermittent leave" is leave that is not taken consecutively.
 - (b) A "reduced leave schedule" means a leave schedule that reduces the usual number of hours per workweek or hours per workday.
- (5) FMLA leave is unpaid unless the employee uses accrued vacation or sick leave. If an employee taking FMLA leave desires to take vacation or sick leave, the employee must request it as provided in the college's vacation and sick leave policies.
- (6) During a period of family medical leave, the employee will be retained on his/her group health plan and other insurance under the same conditions that applied before the leave commenced. If the employee receives no pay during a pay period while on FMLA leave:
 - (a) The employee portion of health care premiums (medical, dental and vision) and any other insurance will be paid by the college on behalf of the employee. During the next pay period when the employee receives pay that is sufficient to recover those premiums, the portion of

premiums that were paid by the college on behalf of the employee will be deducted from the first paycheck received.

(b) The employee is not entitled to the accrual of retirement, vacation or sick leave.

- (7) An employee must notify the HR Officer before he or she can be returned to active status, and supply the HR Officer with a doctor's note certifying the employee may return to work.
- (8) If the employee does not return from leave, the employee is eligible for COBRA. Eligibility for COBRA begins at the end of leave or when the employer is made aware of the employee's intention not to return from leave. The employee will be required to reimburse the college for the employee portion of health care premiums (medical, dental and vision) and any other insurance paid by the college on behalf of the employee.