

BOARD POLICY

WESTERN IOWA TECH COMMUNITY COLLEGE

Series Number 400.35

Title All Personnel

Family and Medical Leave Act (FMLA)

Notwithstanding unpaid leave which may be granted under the provisions of Board Policy 400.25, Leave of Absence, an employee who has been employed for at least 12 months and for at least 1250 hours of service during the previous 12-month period, may be granted unpaid leave for one or more of the following reasons:

1. Birth of son or daughter and in order to care for such son or daughter.
2. Placement of son or daughter with the employee for adoption or foster care.
3. To care for a spouse, son, daughter, or parent who has a serious health condition.
4. Because of a serious health condition which renders the employee incapable of performing the functions of his or her position.

A total of 12 workweeks of leave during any 12-month period may be granted under this policy. "Twelve-month period" shall be that period of consecutive calendar months, or portions thereof, which begins with commencement of the first day of leave under the FMLA and/or this policy. Such leave must be taken on a sustained or uninterrupted basis, except that intermittent leave may be taken for serious health care of the employee, child, spouse, or parent.

The employee shall use all available paid leave time to which he or she is entitled, prior to commencement of unpaid leave. The employee shall provide as much prior notice as possible, preferably a minimum of 30 days.

The employee will be allowed to return to the same job or an equivalent position with equivalent pay and benefits. Previously accrued benefits will not be forfeited; however, additional benefits or seniority will not accrue during the absence.

Group insurance benefits will be continued during an approved FMLA absence, provided the employee continues to remit his or her share of the premium, if applicable.

Medical certification of a serious medical condition of the employee, spouse, parent, or child shall be required, and a second opinion may be requested by the college, at the college's expense.

For purposes of this policy, "health care provider" shall be defined as a doctor of medicine or osteopathy and anyone else designated by the Secretary of Labor to be capable of providing health care services.

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Family and Medical Leave (continued)

Furthermore, "serious health condition" shall mean an illness, injury, impairment, or physical or mental condition that involves (a) inpatient care in a hospital, hospice, or residential medical care facility, or (b) continuing treatment by a health care provider.

Terms of a collectively bargained master agreement regarding family and medical leave, if any, shall prevail.

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Date of Adoption 9/13/93

Legal Reference: P.L. 103-3

Date Last Revised _____

Family and Medical Leave Act

Date of current revision 12/11/95

Related Administrative Procedures and Cross References: _____

B O A R D P O L I C Y

WESTERN IOWA TECH COMMUNITY COLLEGE
