Background

This policy applies to employees who are not covered by a collective bargaining agreement or for whom the agreement contains no provision regarding this subject.

To define eligibility, duration and return requirements for granting a leave of absence for medical care reasons for an immediate family member as defined in Human Resources Policy 21-01. Absences of 15 consecutive calendar days or more are considered a leave of absence, however, the leave is effective retroactively to the first day of absence.

Policy

1. An employee may be granted a Leave of Absence for Family Member Medical Care Reasons for the duration of his or her accrued sick time, subject to the approval of the administrative authority unless the employee is using the sick leave (time) for a certified qualifying condition under the Family and Medical Leave Act (FMLA), in which case the sick leave (time) will be approved.

2. If the employee is eligible to receive leave under the Family and Medical Leave Act (FMLA), the period of absence shall, when appropriate, be designated as and counted against his or her remaining FMLA leave balance, up to the full allowed 12 work weeks.

3. The employee must furnish the administrative authority with a Certification of Health Care Provider form from a licensed health care professional certifying the need for continuous absence. The statement must include the employee’s expected date of return to work.

4. In the event an employee has exhausted all available sick leave (time), and has exhausted any vacation or compensatory time he or she has elected to use, he or she may be granted a Leave of Absence for Family Member Medical Care Reasons Without Pay for up to six months, subject to approval of the administrative authority unless the employee is using the sick leave (time) for a certified qualifying condition.
under the Family and Medical Leave Act (FMLA), in which case the sick leave (time) will be approved. If necessary, prior to the expiration of the initial leave of absence without pay, the employee may request from his or her administrative authority an extension of the leave of absence without pay. This extension shall not exceed an additional six months.

5. An employee shall not receive pay for holidays which fall within the period of the Leave of Absence for Family Member Medical Care Reasons Without Pay.

6. The university shall continue to contribute to its portion of the cost of benefits during the period an employee is on a Leave of Absence for Family Member Medical Care Reasons so long as the employee contributes his or her portion of the cost of such benefits.

7. An employee receiving a Leave of Absence for Family Member Medical Care Reasons Without Pay must make arrangements with the Human Resources Department in order to continue payments for benefits (if applicable) during the period for which no salary is paid.

8. Retirement plan contributions will be made pursuant to the rules and regulations of the applicable pension system or plan.

9. Upon return to work from a Leave of Absence for Family Member Medical Care Reasons With Pay, the employee is to be returned to the position formerly occupied or, under certain circumstances to an equivalent position unless the original position has been abolished.

10. If the employee’s absence for a Leave of Absence for Family Member Medical Care Reasons Without Pay exceeds six months or the probable date of return is beyond six months from the start of the leave without pay, the position may be filled unless the employee is within the time frame where he or she is entitled to FMLA protection.

11. Any person appointed to the position while an employee is on Leave of Absence for Family Member Medical Care Reasons With Pay or during the first six months of leave without pay is to be appointed on a temporary basis for the duration of the leave only.

12. If an employee fails to return to work at the expiration of an approved Leave of Absence for Family Member Medical Care Reasons With or Without Pay and is notified by certified mail of the failure to return at the appointed date, the employee may be reported as "absent without authorized leave" and may be subject to disciplinary action up to and including termination of employment.
Procedure

1. Employees must complete and submit the appropriate Time Off From Work Form or other form (electronic or otherwise) as designated by their organizational unit to their administrative authority for approval as soon as possible.

2. Follow university leave of absence administration processes.