

Family Medical Leave Act of 1993

Eligibility

Employees eligible to take a family medical leave of absence are those with at least twelve months of service who have worked at least 1,250 hours during the twelve months immediately preceding the commencement of the leave. Eligible employees are entitled to up to a total of 12 work weeks of family and medical leave during the rolling 12-month period measured backward from the date an employee uses any family or medical leave. Up to 26 weeks of leave is available for situations involving a covered family member's service in the Armed Forces.

Reasons for Leave

Family or medical leave will be granted to an employee only for one or more of the following reasons: the birth of a son or daughter, and to care for the newborn child; the placement of a son or daughter with an employee for adoption or foster care, and to care for the newly placed child; to care for a spouse, son, daughter, or parent who has a serious health condition; or a serious health condition that makes an employee unable to perform the functions of his or her position. If both spouses work for Hope College, combined leave time for new child leave or leave to care for a parent with a serious health condition is twelve weeks.

Eligible employees may also take leave for a covered family member's service in the Armed Forces ("Servicemember FMLA"). Servicemember FMLA provides eligible employees unpaid leave for any one, or for a combination, of the following reasons: a "qualifying exigency" arising out of the fact that the employee's spouse, son, daughter, or parent is on active duty, or has been notified that he or she will be called to active duty, in the Armed Forces in support of a contingency operation. An eligible employee may take up to 12 workweeks of leave during any rolling 12-month period measured backward from the date an employee uses any family or medical leave. Leave for this reason, when combined with other FMLA-qualifying leave, may not exceed 12 workweeks in the rolling 12-month period: to care for a servicemember who is the employee's spouse, son, daughter, parent, or next of kin who has incurred an injury or illness in the line of duty while on active duty in the Armed Forces, provided that such injury or illness may render the servicemember medically unfit to perform duties of the member's office, grade, rank or rating. An eligible employee may take up to 26 workweeks of leave during a single 12-month period to care for the servicemember. Leave to care for an injured or ill servicemember, when combined with other FMLA-qualifying leave, may not exceed 26 weeks in a single 12-month period.

Notice of Leave

In cases involving the birth or adoption of a child, planned medical treatment, or other circumstances where the need for leave is foreseeable, employees must give the College at least 30 days' prior notice of the need for a family or medical leave. In extenuating circumstances where 30 days' notice is not possible, the employee must give as much advance notice as is practicable. Employees must make a reasonable effort to schedule any medical treatment for a serious health condition so as not to unduly disrupt or interfere their duties and/or the operation of the College. Employees must also follow the College's process for reporting absences even though the absence may be FMLA-covered.

Additional Information and Questions

FMLA has many facets and is complex, please review complete policy at http://www.hope.edu/admin/hr/benefits/forms/fmla_policy.pdf and/or if you have any questions about FMLA leave or would like to confidentially discuss if a particular situation is eligible for FMLA, please contact the Human Resources Department. This policy replaces any prior College FMLA policies.