

3358: 14-3-27 Family and Medical Leave Act.

Statement of purpose: To establish and notify employees of rules and procedures concerning the Family and Medical Leave Act (FMLA). In accordance with federal law, family and medical leave is a benefit available to all eligible employees. Northwest state community college is subject to the Family and Medical Leave Act (FMLA), a federal law enforced by the United States Department of Labor, and strives to comply with its FMLA obligations.

- (A) The college administers FMLA leave in accordance with the rights and restrictions in the FMLA statutes, regulations, and interpretive case law. The college reserves the right to use any procedures or requirements permissible under law whether or not specifically mentioned in this policy or subsequent procedure. See 29 U.S.C. 2601, et seq. and 29 C.F.R. 825 for specific statutes and regulations governing the FMLA.
- (B) Basic leave entitlement - FMLA requires covered employers to provide up to twelve weeks (twenty-six weeks for qualifying exigency) of unpaid, job-protected leave to eligible employees for the following reasons:
- (1) For incapacity due to pregnancy, prenatal medical care or child birth;
 - (2) To care for the employee's child after birth, or placement for adoption or foster care;
 - (3) To care for the employee's spouse, son or daughter, or parent, who has a serious health condition;
 - (4) For a serious health condition that makes the employee unable to perform the employee's job; or
 - (5) For a qualifying exigency arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on active duty (or has been notified of an impending call or order to active duty) in the armed forces in support of a contingency operation.

During a twelve month period, an employee is entitled to a combined total of twenty-six workweeks of leave. The twelve month period is measured as a twelve month look back for eligibility.

C) Eligibility requirements employees are eligible if they have worked for a covered employer for at least one year, for twelve hundred fifty hours over the previous twelve months, and if at least fifty employees are employed by the employer within seventy-five miles.

Effective: 03/16/2015

CERTIFIED ELECTRONICALLY

Certification

03/04/2015

Date

Promulgated Under: 111.15
Statutory Authority: 3358
Rule Amplifies: 3358