



300 W Douglas, Suite 850, Wichita KS 67202 • Phone: 316 771 6602 • Fax: 316 771 6881

Workforce Alliance of South Central Kansas FMLA Policy

MATERNITY LEAVE OF ABSENCE

Request for maternity leave is to be submitted on the Leave Request Form, specifying approximate delivery date and length of leave. This documentation must be submitted 60 days in advance of due date.

FAMILY AND MEDICAL LEAVE ACT POLICY

Eligible employees may take up to twelve (12) workweeks of unpaid, job-protected leave under the Family and Medical Leave Act ("FMLA") in a 12-month period for specified family and medical reasons.

Employee Eligibility

To be eligible for FMLA leave, you must:

1. have worked at least 12 months for the WA;
2. have worked at least 1,250 hours for the Center over the preceding 12 months; and
3. work at a location where there are at least 50 employees within 75 miles.

Conditions Triggering Leave

FMLA leave may be taken for the following reasons:

1. birth of a child, or to care for a newly-born child;
2. placement of a child with the employee for adoption or foster care;
3. to care for an immediate family member (spouse, child, or employee's parent) with a serious health condition; or
4. employee's serious health condition, which makes the employee unable to perform the functions of the employee's job.

Duration of Leave

Eligible employees may receive up to 12 workweeks of unpaid leave during any "rolling" 12- month period, measured backward from the date of any FMLA leave. FMLA leave for the birth or placement of a child for adoption or foster care must be concluded within twelve (12) months of the birth or placement.

You may take FMLA leave intermittently, or by reducing your normal weekly or daily work schedule, when medically necessary for your own or immediate family member's serious health condition. Intermittent leave is not permitted for birth of a child, to care for a newly born child, or for placement of a child for adoption or foster care. Employees who require intermittent leave or reduced-schedule leave must try to schedule their leave so that it will not disrupt the Center's operations.



300 W Douglas, Suite 850, Wichita KS 67202 • Phone: 316 771 6602 • Fax: 316 771 6881

Benefits During Leave

Depending on the purpose of your leave request, you may choose (or the WA may require you) to use accrued paid leave, if available, concurrently with some or all of the FMLA leave. In addition, you will not be eligible to accrue seniority or benefits, including vacation and holidays, during any period of an FMLA leave.

Maintenance of Health Benefits

If you and/or your family participate in our group health plan, the WA will maintain coverage under the plan during your FMLA leave on the same terms as if you had continued to work.

If applicable, you must arrange to pay your share of health plan premiums while on leave. In some instances, the WA may recover premiums it paid to maintain health coverage or other benefits for an employee and family.

Job Restoration

Upon returning from FMLA leave, you will normally be restored to your original job or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions.

Notice and Medical Certification

When seeking FMLA leave, you must provide:

- Thirty (30) days' advance notice of the need to take FMLA leave, if the need is foreseeable, or notice as soon as practicable in the case of unforeseeable leave;
- Medical certification supporting the need for leave due to a serious health condition affecting you or an immediate family member must be returned before your leave begins, or if not possible, within fifteen (15) days of the WA request to provide the certification. If you fail to do so, we may delay the commencement of your leave or withdraw any designation of FMLA leave, in which case your leave of absence would be unauthorized, subjecting you to discipline up to and including termination. Second or third medical opinions and periodic recertifications may also be required;
- Periodic reports as deemed appropriate during the leave regarding your status and intent to return to work; and
- Medical certification of fitness for duty before returning to work, if the leave was due to your serious health condition.

Failure to comply with the foregoing requirements may result in delay or denial of leave.

Failure to Return After FMLA Leave

Any employee who fails to return to work as scheduled after FMLA leave or exceeds the 12-week FMLA entitlement may be subject to termination of employment.



300 W Douglas, Suite 850, Wichita KS 67202 • Phone: 316 771 6602 • Fax: 316 771 6881

Limited Nature of This Policy

This policy is intended to provide only those leave benefits and protection required by FMLA.

Service Member Family and Medical Leave

As of January 28, 2008, the federal Family and Medical Leave Act ("FMLA") was amended. It now entitles eligible employees to take leave for a covered family member's service in the Armed Forces of the United States of America ("Armed Forces"). This leave is known as Service Member FMLA Leave ("Service Member FMLA").

This policy is in addition to our FMLA policy and provides a summary and notice of an eligible employee's rights to Service Member FMLA Leave. An eligible employee's rights and obligations to Service Member FMLA Leave are also governed by our existing FMLA policy, with the following additions and exceptions:

An Eligible Employee's Service Member FMLA Leave

Service Member FMLA provides eligible employees with an *unpaid*, job protected leave for a combination or for any one of the following reasons:

- A "qualifying exigency" arising out of a covered family member's active duty or call to active duty in the Armed Forces in support of a contingency plan; and/or
- To care for a covered family member 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 family member medically unfit to perform duties of the member's office, grade, rank or rating.

Length of Service Member FMLA Leave

- *When Leave Because of a "Qualifying Exigency"*: Eligible employees may receive up to 12 workweeks of *unpaid*, (unless otherwise provided for by law) job protected leave during any "rolling" 12- month period, measured backward from the date of any FMLA / Service Member FMLA leave.
- *Leave to Care for an Injured or Ill Service Member*: Eligible employees may receive up to 26 workweeks of *unpaid*, (unless otherwise provided for by law) job protected leave during any "rolling" 12- month period, measured backward from the date of any FMLA / Service Member FMLA leave to care for the Service Member.
- Leave to care for an injured or ill Service Member, when combined with other FMLA qualifying leave, may not exceed 26 weeks in a single "rolling" 12-month period.
- Service Member FMLA runs concurrent with any other leave entitlements provided under federal, state and local law.

If you have any questions regarding Service Member FMLA leave, please feel free to contact your Center Director.



300 W Douglas, Suite 850, Wichita KS 67202 • Phone: 316 771 6602 • Fax: 316 771 6881

Military Leave of Absence

The Center provides unpaid military leaves of absence to employees who serve in the uniformed services as required by the Uniformed Services Employment and Reemployment Act of 1994 (USERRA) and applicable state laws.

Leave is available for active duty, active duty for training, initial active duty for training, inactive duty training, full-time National Guard duty and for examinations to determine fitness for any such duty. You should notify your supervisor and the Center Director as far in advance as possible and present a copy of your official call to duty orders.