

Notice to SCUPA Employees Family and Medical Leave Act/Military

within a single 12 month period for reasons, and 26 weeks (with or without pay) with benefits reasons, as long as the employee was employed at least one year and worked at least 1,250 hours during the previous 12 month period. Absences for the above reasons are designated as FMLA leave in accordance with the provisions of the FMLA.

Absence Reasons

Sick, Parental and Family Care

This is a paid or unpaid absence from work with benefits due to the serious health condition of an employee, the serious health condition of a qualifying family member when the employee is attending to the medical needs of the family member, or for the birth, adoption or foster care placement of a child.

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Family member for this purpose is a spouse, parent, child, or other person qualifying as a dependent under IRS eligibility criteria. A parent can be a biological, adoptive, step or foster parent or an individual who stood as a parent (in loco parentis) to the employee when the employee was a child. A child can be a biological child, adopted child, foster child, stepchild, legal ward, or a child in the care of a person who is standing as a parent (in loco parentis); a child must be under age 18, or if 18 years or older, must be incapable of self-care because of a mental or physical disability.

Military Exigency

This is a paid or unpaid absence from work with benefits arising from the fact that a spouse, parent or child of any age is either a member of a reserve component or a national guard member on covered active duty during deployment to a foreign country under a Federal call, or order to active duty under a provision of law referred to in section 101(a)(13)(B) of Title 10 of the United States code which is during a war or national emergency declared by the president or Congress; or an active member of a regular component of the Army, Navy, Air Force, Marine Corps, or Coast Guard.

- e. To attend counseling for the employee, covered military member or child provided by someone other than a health care provider provided the need for counseling arises from the active duty or call to active duty status. Note: For military exigency absence used under this section, the definition of child is a biological child, adopted child, foster child, stepchild, legal ward, or a child in the care of a person who is standing as a parent (in loco parentis); a child must be under age 18, or if 18 years or older must be incapable of self-care because of a mental or physical disability at the time the leave is to commence;
- f. To spend time with a covered military member who is on short-term rest and recuperation during the period of deployment. Up to fifteen days may be used for each instance;
- g. To attend arrival ceremonies, reintegration briefings and events and any other official ceremony or program sponsored by the military 90 days after release from active duty; or to address issues arising from the death of a covered military member while on active duty;

Absence Entitlement

Sick, Parental, Family Care and Military Exigency Absence

Employees who meet eligibility are entitled to up to 12 weeks¹ of absence within a rolling year for all events.

caregiver absences that are medically necessary may be taken on an intermittent or reduced-time basis for up to 26 weeks within a single 12 month period.

For all intermittent or reduced-time absences for planned medical treatment, the employee shall attempt to develop a schedule, working cooperatively with the supervisor, which meets the employee's needs with consideration to the times that are least disruptive to normal operations, subject to the approval of the health care provider. Employees are expected to continue to follow applicable procedures for requesting absences, including the call-off notification procedures.

Required Medical/Proof Documentation

Sick and Family Care Absences

Medical documentation on a Serious Health Condition Certification form must be provided within 15 calendar days of receiving a written request for the medical documentation. The request for leave could ultimately be denied if complete information is not provided or the medical information provided does not certify a serious health condition. Medical recertification of the need for FMLA absence may be requested as often as every 30 calendar days in connection with intermittent absence, upon expiration of the initial certification and/or upon changed circumstances. A second and third medical opinion may be ordered at the University's expense. Failure to provide timely and complete documentation may result in the delay or denial of FMLA absence.

Parental Absences

Proof of the child's birth, adoption, or foster care placement must be provided within 15 calendar days of the event.

