Family Medical Leave Act (FMLA)

I. Who is Eligible

a. Full-time employees who have worked at Roosevelt University for 12 months or more as of the date the leave is requested.

b. Employees who are less than full-time who have worked at Roosevelt University for at least 1,250 hours (25 hours per week on average) during the 12-month period preceding the request for the leave.

c. If you are a highly compensated employee, certain provisions of the plan may not apply to you.

II. What is Provided by Roosevelt University

a. Twelve workweeks of leave in a 12-month period for:
   i. the birth of a child and to care for the newborn child within one year of birth;
   ii. the placement with the employee of a child for adoption or foster care and to care for the newly placed child within one year of placement;
   iii. to care for the employee’s spouse, child, or parent who has a serious health condition;
   iv. a serious health condition that makes the employee unable to perform the essential functions of his or her job;
   v. any qualifying exigency arising out of the fact that the employee’s spouse, son, daughter, or parent is a covered military member on “covered active duty;” or

b. Twenty-six workweeks of leave during a single 12-month period to care for a covered service member with a serious injury or illness if the eligible employee is the service member’s spouse, son, daughter, parent, or next of kin (military caregiver leave).

c. FMLA leave will run concurrently with any other paid or unpaid leaves an employee may be entitled to which are taken for any of the reasons indicated in A above (i.e. maternity, paternity, sick, disability or personal leave). If the benefits provided under one of these leaves are more generous than under the FMLA leave, those benefits will continue to be provided to the extent allowed.

d. Continuation of health insurance coverage as though you were actively at work (University and employee continue their usual share of premium costs). There will be no other benefits continued or seniority accrued during the period of the leave; however, any seniority or benefits accrued before the start of the leave will be preserved and restored upon return to active employment (except for paid vacation, sick or other paid time used as part of the family leave time).

e. After the leave, you will return to your former position or to a comparable position with equivalent pay, benefits, and other terms and conditions of employment.

III. What Are Your Responsibilities

a. Whenever possible, you must give 30 days’ notice before taking leave; otherwise, you must notify the University as early as possible. The University reserves the right to delay the start of your leave until the 30-day notice period is met providing the leave is not medically necessary.
b. You must provide medical certification from you or your family member’s health care provider for any leave for serious health condition. The certification must include the date the condition started, the probably duration of the condition and a statement that you are unable to perform your duties (or that you’re needed to care for the family member who is ill). The University may request periodic or on-going certification of your or your family’s member’s medical condition.

c. If it is medically necessary for the leave to be on an intermittent basis, you must make a reasonable effort to schedule medical treatments so as to disrupt as little as possible the ongoing operation of your job, subject to the approval of the health care provider involved. You must provide medical certification as noted in (b) above of the medical necessity of an intermittent leave.

d. Whenever possible, provide the University with at least two weeks’ notice of your return to work; otherwise, give as much notice as possible. You will be required to provide written medical certification of your ability to return to work if the leave was for a medical necessity.

e. If you elect to continue your health insurance coverage during the period of your FMLA leave, your share of the premium costs must be paid monthly to the University by the same date as the premium would have been deducted from your paycheck. There is a 30-day grace period from the date the payment is due. If used, this option may be continued on a reimbursement basis.

IV. Other Provisions of the Leave

a. If you and your spouse both work for Roosevelt University, you are entitled to a combined total of 12 weeks per year for the birth or adoption of a child, foster care placement, or care of a sick parent.

b. You may substitute any accrued paid vacation or annual leave time for part of the 12 unpaid weeks provided under this leave policy.

c. At its discretion and own expense, the University may require you to have a second doctor’s opinion for any serious medical condition for you or the immediate family member involved in your request for leave. If the second opinion differs from the first, a third and final opinion may be required.

d. If you request an intermittent or reduced-time leave, the University reserves the right to transfer you to an alternative position that can better accommodate the necessary reduced schedule.

e. The full 12 weeks of leave must be taken within one year of the birth or arrival of the child.

f. If you are a highly compensated employee, the University may be unable to reinstate you if your reinstatement would cause “substantial and serious economic injury” to our operations. If the impact is not realized until after your leave has started, we will notify you immediately and provide you the option of returning to work, with job restoration, within two weeks of your receipt of the notice. If you do not return to work after such notice, you may be considered terminated from employment at the end of the 12-week period of leave.

g. If you do not return to work at the end of the leave the University will charge you retroactively for the full premium costs of the health insurance coverage provided to you during the leave. The University may waive the charge due to unusual circumstances.

Please refer to Fact Sheet #28: The Family Medical Leave Act

rev 09/12