

MEMORANDUM

TO: All Supervisors
FROM: Human Resources
RE: Family and Medical Leave Act Policy
DATE: June 8, 2009

Since The University of Findlay has more than 50 employees, we are subject to the Family and Medical Leave Act of 1993 (FMLA). A notice containing the specific obligations and employee rights under the FMLA is posted at each of The University of Findlay locations.

In order to comply with the requirements of the FMLA, we provide eligible associates with 12 weeks of unpaid, job-protected leave for any of the following family and medical reasons according to the FMLA.

Your own serious health condition, as defined, that makes you unable to perform the essential functions of the job.

To care for your spouse, child (under the age of 18), or parent with a serious health condition.

To care for your newborn child, newly adopted child, or newly placed foster child as long as the leave is taken in the year following the child's birth or placement.

To attend to a qualifying exigency relating to a spouse or child on active military or reserve duty.

As a supervisor, your role is vitally important to ensure that we remain in compliance with this federal law. Accordingly, if you have an employee that requests time-off for one of the above listed reasons or is expected to be absent from work for more than three days, please immediately notify the Human Resources Office. Also, it is worth noting that FMLA allows employees to take leave on an intermittent basis or through a reduced work (i.e. part-time) schedule. Therefore, the Human Resources Office must also be notified when an employee requests any time-off on an intermittent basis for an FMLA qualifying reason (see above). Once notified, we will determine whether the absence qualifies under the FMLA and will begin the process of notifying the employee.

While birth, adoption and foster care placement are self-explanatory; the definition of a serious health condition can be somewhat subjective. However, according to the FMLA regulations, a serious health condition is defined as an illness, injury, impairment, or physical or mental condition that involves:

An inpatient (i.e. overnight) stay in a hospital, hospice or residential medical care facility;

Prenatal care;

Any period of incapacity requiring **absence of more than three (3) calendar days** from work, school or other regular daily activities that also involves continuing medical treatment by (or under the supervision of) a health care provider; or

Continuing treatment by (or under the supervision of) a health care provider for a **chronic or long-term health condition** that is incurable or so serious that, if not treated, would likely result in a period of incapacity of more than three (3) calendar days.

In general, the FMLA does not apply to medical ailments that are short-term in nature or require minor treatment and brief recovery periods. Accordingly, the definition of a serious health condition does not include the flu, common colds, earaches, an upset stomach, minor ulcers, headaches (other than migraines), routine dental or orthodontic care and periodontal disease. As a result, the Human Resources Office does not need to be notified in those situations. However, if a minor ailment changes due to medical complications, please notify us immediately.

Obviously, the FMLA was passed in order to help employees balance their personal and family obligations with the demands of the workplace. We appreciate your assistance in helping us meet the requirements of the law while assisting employees when the need arises. Please call us if you have any questions concerning the FMLA.

Thank you.