

Family Medical Leave Act	Procedure Number	UA-PTC AR 420.3.1
	Effective Date	May, 2019

1.0 PURPOSE

1 The purpose of this policy is to provide employees with a general description of their FMLA rights. Specific
 2 questions regarding the process should be directed to the Office of Human Resources.

2.0 REVISION HISTORY

3 Adopted on:
 4 Revised on:
 5 Supersedes: ARHR 2.52.1

3.0 PERSONS AFFECTED

Employees

4.1 PROCEDURE

A. General Provisions

6 Under this rule, the University of Arkansas - Pulaski Technical College (UA-PTC) will grant up to 12
 7 weeks (or up to 26 weeks of military caregiver leave to care for a covered service-member with a
 8 serious injury or illness) during a 12-month period to eligible employees. The leave may be paid,
 9 unpaid, or a combination of paid and unpaid leave, depending on the circumstances of the leave and
 10 as specified in this rule. An employee does not need to use leave in one block. When it is medically
 11 necessary or otherwise permitted, employees may take leave intermittently or on a reduced
 12 schedule.

B. Eligibility

- 13 1) The employee must have worked for the college for 12 months or 52 weeks. The 12 months or
 14 52 weeks need not have been consecutive.
- 15 2) The employee must have worked at least 1,250 hours during the 12-month period immediately
 16 before the date when the leave is requested to commence. This does not include time spent on
 17 paid or unpaid leave as hours worked.
- 18 3) Experienced an FMLA-qualifying event.

C. Type of Leave Covered

19 To qualify as FMLA leave under this rule, the employee must be taking leave for one of the reasons
 20 listed below:

- 21 1) The birth of a child or to care for that child.
- 22 2) The placement of a child for adoption or foster care and to care for the newly placed child.
- 23 3) To care for a spouse, child, or parent with a serious health condition.

- 24 4) The serious health condition of the employee that makes the employee unable to perform the
25 employee's job.
- 26 5) Qualifying exigency arising out of the fact that the employee's spouse, son, daughter or parent is
27 a military member on covered active duty.

28 An employee's spouse, children and parents are immediate family members for the purposes of FMLA.
29 Immediate family member includes a parent, but does not include a parent-in-law. The term son or
30 daughter does not include individuals age 18 or over unless they are incapable of self-care because of a
31 mental or physical disability limiting one or more major life activities as defined by Equal Employment
32 Opportunity Commission (EEOC) regulations under the Americans with Disabilities Act (ADA).

33 For specifics on the university's policy or other questions, contact the Office of Human Resources.

D. Employee Status and Benefits During Leave

34 While an employee is on leave, the college will continue the employee's health benefits during the
35 leave period at the same level and under the same conditions as if the employee had continued to
36 work. In addition, the employee will be able to return to their position or an equivalent position
37 upon the employee's return to work.

E. Use of Paid and Unpaid Leave

38 An employee who is taking FMLA leave because of the employee's own serious health condition or
39 the serious health condition of a family member must use all paid vacation, personal or sick leave
40 prior to being eligible for unpaid leave. Sick leave may be run concurrently with FMLA leave if the
41 reason for the FMLA leave is covered by the established sick leave rule.

F. Procedure for Requesting FMLA Leave

- 42 1) Request FMLA leave by contacting the Office of Human Resources 30 days before a
43 qualifying life event, if possible. HR will provide a packet of required forms. If it is not
44 possible to give 30-days' notice, an employee must notify Human Resources as soon as
45 possible. Employees are expected to follow UA-PTC's usual sick-leave procedures.
- 46 2) Employees do not have to share a medical diagnosis, but they must provide enough
47 information to UA-PTC so that it can determine if the leave qualifies under the FMLA.
48 Sufficient information should include information that the employee is or will be unable to
49 perform his job functions; that a family member cannot perform daily activities; or that
50 hospitalization or continuing medical treatment is necessary. Employees must inform the
51 employer if the need for leave is a reason for which FMLA leave was previously taken or
52 certified.
- 53 3) Complete the Request for Unpaid/Paid Leave form and the Family & Medical Leave Act of
54 1993 Procedures form and return them to HR.
- 55 4) Within 15 days of requesting leave, provide a written Certificate of Health Care Provider
56 form from your physician for personal illness or the physician of your family member for a
57 family illness.
- 58 5) UA-PTC may require a certification or periodic recertification supporting the need for leave
59 as set for the FMLA.

5.1 FORMS

60 [WH-380-E Certification of Health Care Provider for Employee's Serious Health Condition](#) (PDF)

61 [WH-380-F Certification of Health Care Provider for Family Member's Serious Health Condition](#) (PDF)

- 62 [WH-381 Notice of Eligibility and Rights & Responsibilities](#) (PDF)
- 63 [WH-382 Designation Notice](#) (PDF)
- 64 [WH-384 Certification of Qualifying Exigency For Military Family Leave](#) (PDF)
- 65 [WH-385 Certification for Serious Injury or Illness of Covered Service Member -- for Military Family Leave](#) (PDF)
- 66 [WH-385-V Certification for Serious Injury or Illness of a Veteran for Military Caregiver Leave](#) (PDF)

REQUIRED APPROVALS	NAME/SIGNATURE/TITLE	DATE
Originator(s) Name(s)	UA Policy Review	Oct, 2018
Ratified by	HR Office	July, 2019
Recommended by Chancellor (Signature)	Margaret Ellibee	August, 2019
UA Policy Alignment:		