

FAMILY LEAVE

The Family and Medical Leave Act of 1993 (FMLA) requires certain employers to allow eligible employees to take up to twelve (12) weeks of leave (paid and/or unpaid) to care for a newborn or newly adopted child, to recuperate from their own serious illness, or to care for a seriously ill family member. Also, certain family members of the Armed Forces are allowed twenty-six (26) workweeks of leave to care for ill or recuperating family members as described below. An eligible employee is one who has at least twelve (12) months of employment with the State of Arkansas and has worked at least 1,250 hours during the previous twelve (12) month period.

POLICY

An eligible employee may take up to twelve (12) weeks of family medical leave during a “ROLLING” backward twelve (12) month period for specified reasons. Under the rolling backward method, the twelve (12) month period will be measured backward from the date an employee requests FMLA Leave to determine whether the employee is eligible for any additional leave.

Family and medical leave may be requested for:

1. Birth, adoption, or foster care: A new parent, foster parent or adopting parent may apply for leave within one (1) year after the child is born or placed in the parent’s home. If both parents work for the UA Cossatot, they will be entitled to a total of twelve (12) weeks between them.
2. The employee’s serious health condition, as defined by law: This includes an employee who requires inpatient treatment, has a chronic health problem, is incapacitated for more than three consecutive calendar days while receiving medical treatment, or has a non-chronic health condition that could result in a period of incapacity for more than three (3) calendar days without medical treatment or is pregnant (including prenatal appointments for both mother and father), or is receiving treatment for substance abuse.
3. A serious health condition, as defined by law, of an employee’s spouse, child, or parent and for whom the employee is needed to provide care.
4. The spouse, son, daughter, parent, or next of kin who is needed to care for a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness. The relative listed above is allowed to take up to twenty-six (26) workweeks of leave.
5. Any qualifying exigency arising out of the fact that the employee’s son, daughter, or parent is a covered military member on active duty (or has been notified of an impending call or order to active duty) in support of a contingency operation.

HLC Criterion: 2A

Policy History:

November 3, 2014
January 1, 2011
November 26, 2001
July 30, 2001

PROCEDURE: NONE