

## **Procedure 5050-PR(4): Personnel Leave Opportunities - Family Medical Leave Act (FMLA)**

**Original Date:**

**Status:**

### PURPOSE

Employees may be entitled to a leave of absence under the Family and Medical Leave Act (FMLA). This policy provides information regarding FMLA eligibility and administration. Questions regarding FMLA should be directed to the Santa Cruz County Provisional Community College District (SCCPCCD) Human Resources Department.

### ELIGIBILITY REQUIREMENTS

Employees eligible for leave under the FMLA are those who: (1) have worked at least 12 months for SCCPCCD; (2) have worked for at least 1,250 hours during the 12-month period immediately preceding the start date of the requested leave; and (3) are employed at a worksite where 50 or more employees are located within 75 miles of the worksite.

### BASIC FMLA LEAVE ENTITLEMENT

The FMLA grants up to 12 weeks of unpaid leave to eligible employees for the following reasons: (1) to care for the employee's child following birth or placement for adoption or foster care; (2) to care for the employee's spouse, son, daughter or parent (but not in-law) who has a serious health condition; (3) for the employee's own serious health condition (including any period of incapacity due to pregnancy, prenatal medical care, or childbirth) that makes the employee unable to perform one or more of the essential functions of the employee's job; or (4) because of any qualifying exigency arising out of the fact that an employee's spouse, son, daughter, or parent is a covered military member who is a member of a regular component of the Armed Forces on active duty or who has been notified of an impending call or order to active duty status for deployment to any foreign country in the regular or reserve components of the Armed Forces, including the National Guard or Reserves.

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.

Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.