



# WESTERN ILLINOIS UNIVERSITY

## FAMILY AND MEDICAL LEAVE ACT (FMLA)

The Family and Medical Leave Act (FMLA) provides certain employees with up to 12 weeks of unpaid, job-protected leave per year. It also requires that their group health benefits be maintained during the leave. FMLA is applied at Western Illinois University per the Board of Trustees Regulations, Section II.A.9.1.

The primary purpose of FMLA is to restore an eligible employee to the original position held prior to the beginning of the FMLA leave period. Circumstances for which FMLA leave is requested include, but are not limited to, the medical care needs of:

- A newborn child after birth or for placement for adoption or foster care\*
- A spouse, child, or parent with a serious health condition
- The employee with a serious health condition that does not allow you to perform the duties of your job.

\*Parental Leave will be counted toward the 12 weeks allowed under the FMLA for eligible employees, pursuant to UPI Agreement, Articles 27.4 and 41.4.

Federal law requires a minimum period of 12 weeks be extended to an employee for FMLA leave per year. *Year* may be defined by the employer; it is defined at WIU as a *fiscal year* period. *Week* is defined at WIU as *work week*. Work week includes the time an employee is required to perform services. Holidays are included in the 12-week period. Break periods for teaching faculty are not included as part of the 12-week period. Although most leaves will be continuous, some leaves may require intermittent leave or a shortened work day to adapt to the need.

An employee may wish to preserve unused accrued leave and invoke FMLA prior to the depletion of existing accrued leave.

### Employee Eligibility

You are eligible for FMLA leave if you have worked at WIU for at least one year and have worked 1,250 hours over the last 12-month period.

### Protection of Your Job and Benefits

- While on FMLA leave, WIU will continue your insurance coverage as it existed prior to your leave. You will be billed for normal payroll deductions. You may be liable for health insurance reimbursement if you do not return to your original position.
- When you return from FMLA leave, you will be restored to your original position.
- If you use FMLA leave, you will not lose any employment benefit that accrued prior to the start of your leave.
- You will not accrue vacation/sick benefits while on FMLA leave.
- While on unpaid FMLA leave, the State University Retirement System (SURS) allows employees to make retirement contributions.

### Application for FMLA Leave

Your immediate supervisor and the Provost's Office should be notified 30 days prior to going on leave under the FMLA, or as soon as possible. In the case of a serious medical condition, you will be required to provide certification of the medical condition from a health care provider as soon as possible but no later than 15 calendar days following the requested beginning date for FMLA leave.

Academic/Administrative employees at WIU are required to complete an FMLA Application form. The application should be submitted and approval granted prior to the begin date of FMLA leave.

For additional information, contact the Office of Academic Personnel, 202 Sherman Hall, 309.298.2216.

You may also visit the U.S. Department of Labor website at <http://www.dol.gov/whd/regs/compliance/whdfs28.htm> to view a Fact Sheet on the FMLA Act of 1993.