

**GREATER  
JOHNSTOWN  
CAREER &  
TECHNOLOGY CENTER**

SECTION: EMPLOYEES

TITLE: FAMILY AND MEDICAL  
LEAVES

ADOPTED: January 22, 2008

REVISED:

335. FAMILY AND MEDICAL LEAVES	
<p>1. Authority 29 U.S.C. Sec. 2601 et seq 29 CFR Part 825</p>	<p>The Joint Operating Committee adopts this policy to address leaves of absence for specific family and medical issues for administrative, professional and support employees, in compliance with the Family Medical Leave Act, hereinafter referred to as FMLA.</p>
<p>2. Delegation of Responsibility</p>	<p>The Administrative Director or designee shall develop and implement administrative regulations governing leaves for family and medical reasons that comply with law.</p>
<p>3. Guidelines</p>	<p>Required notices shall be posted by the center.</p> <p>Guides advising employees of their rights and responsibilities shall be developed and posted. The guides shall be given to employees upon request; whenever an employee requests an FMLA leave; and whenever the center designates a leave as an FMLA leave.</p> <p>All requests for leave, both FMLA leave and non-FMLA leave, shall be made in writing on a designated form. The form shall request sufficient information to determine whether the leave qualifies as an FMLA leave.</p> <p>Medical certification forms shall be required whenever allowed or authorized by provision of the FMLA.</p> <p>If the employee requesting an FMLA leave qualifies for and is entitled to any paid leave under an administrative compensation plan, individual contract, collective bargaining agreement, Joint Operating Committee policy or statutory mandate, the employee is required to utilize such leave during the FMLA leave.</p> <p>Employees shall be required to provide a fitness-for-duty certificate upon returning from an FMLA leave when the leave was taken because of the employee's own serious health condition, except where such a requirement would be in violation</p>

of an administrative compensation plan, individual contract, or collective bargaining agreement, or where the employee has taken a paid leave concurrent with the FMLA leave and Joint Operating Committee policy and the center's practice has not required a fitness-for-duty certificate to be provided.

Seniority shall accrue for all purposes during FMLA leaves, and credit shall be given during FMLA leaves for accruals for other leaves.

For purposes of determining whether an eligible employee under the FMLA has exhausted the twelve (12) weeks of leave in any twelve-month period, the center shall utilize a rolling twelve-month period measured backwards from the date leave is used, to avoid stacking of back-to-back leave entitlements.

An employee will be denied intermittent leave or leave on a reduced leave schedule to care for an immediate family member (spouse, child, parent) with a serious health condition, or if the employee has a serious health condition, when:

1. The employee fails to establish, through medical certification, that there is a medical need for such a leave (as distinguished from voluntary treatments and procedures).
2. The employee has failed to establish, through medical certification, that it is medically necessary for the leave to be taken intermittently on a reduced leave schedule.

Eligibility for an FMLA leave shall be based entirely on the eligibility criteria established by the FMLA. This policy shall not be construed to expand eligibility for an FMLA leave beyond what is required by the law.

Instructional employees may be required to continue FMLA leave to the beginning of a grading period or term if conditions of leave are those specified in the law.

References:

Family And Medical Leave Act – 29 U.S.C. Sec. 2601 et seq.

Family And Medical Leave, Title 29, Code of Federal Regulations – 29 CFR Part 825