

Family and Medical Leave

Employees – Exempt Employee Code

CWU Policy 305-27

Effective: September 5, 2012

Policy Review Date: YEAR

Policy Executive: Senior Vice President – Finance and Administration

Responsible Office/Unit: Human Resources

Policy Statement:

Applicability:

Content:

Policy

Appendix A - Family and Medical Leave Procedure

- (1) In accordance with the Family and Medical Leave Act (FMLA) and this section, CWU shall grant eligible employees applicable paid and unpaid leave for up to 12 work weeks during a 12-month period for any of the following events: the birth or adoption of a child, or the foster care placement of a child; the care of an employee's spouse or same or opposite sex domestic partner, son, daughter, or parent if that individual has a serious health condition; or a serious health condition of the employee that renders the employee unable to perform regular assigned job functions.
- (2) The servicemember family leave section of the FMLA covers a qualifying exigency arising from the fact that the spouse, son, daughter, or parent of the employee is on active duty or has been notified of an impending call to active duty in the Armed Forces in support of a contingency operation; or to provide care for a covered servicemember who is suffering from a serious illness or injury incurred in the line of duty. Servicemember family leave shall be allowed to an eligible employee who is the spouse, son, daughter, parent or next of kin of a covered servicemember and shall be for a period of up to twenty-six (26) workweeks of leave in a single twelve (12) month period. During the single twelve (12) month period during which servicemember family leave is taken the employee may only take a combined total of twenty-six (26) workweeks of leave for servicemember family leave and leave taken for other FMLA qualifying reasons. The definitions for servicemember family leave are covered in the university administrative policies and procedures.
- (3) For purposes of this code, an eligible employee is an exempt employee who has worked for the university for at least 12 months and for at least 1,250 hours during the previous 12-month period. For part-time employees who meet this requirement, the 12 weeks of leave shall be provided on the same pro rata basis that their employment schedule bears to a full-time schedule. The employee may

choose to use appropriate accrued paid leave and/or leave without pay for absence granted in accordance with FMLA. All elected paid leave is to be taken before leave without pay with one exception: employees will reserve and use sufficient paid leave each pay period during leave without pay to cover the employee paid premiums for continuing insurance coverage.

- (4) An eligible couple (husband and wife or same or opposite sex domestic partners), who are both employed by CWU, are each entitled to 12 work weeks of FMLA leave (or a combined total of 26 workweeks of leave for servicemember family leave and leave taken for the other FMLA qualifying reasons) during a 12-month period. However, their combined leave per incident of birth, adoption, foster child placement, and exigency may not exceed a total of 12 weeks or a combined total of 26 workweeks of leave for servicemember family leave and leave taken for the other FMLA qualifying reasons.

History:

EEAGB: 4/7/08; BOT: 6/6/08; BOT: 2/09; BOT: 6/09; Responsibility: CFO/BFA; Authority: President's Office; Reviewed/Endorsed Cabinet/PAC; Review/Effective Date: 9-5-12; Approved by: James L. Gaudino, President Reformatted and Assigned new Policy Number - Previous Policy CWUP 6-60-030, June 2025 Attached Procedure CWUR 6-60-030 as Appendix A, June 2025

Appendix A - Family and Medical Leave Procedure

- (1) The amount of intermittent paid leave necessary to cover an employee's cost of the benefits' premiums will be calculated by Human Resources in accordance with established benefit and payroll procedures. Employees must submit leave slips to their supervisor and/or leave record keeper to document their absences and to indicate how leave balances should be applied. Employees without sufficient paid leave to cover their premiums must contact the benefits office to arrange premium payment to avoid cancellation of insurance.
- (2) If leave is foreseeable, based on planned medical treatment, birth, placement of adopted or foster child, or call to active duty, the employee shall provide a written request to take leave to his/her supervisor and appointing authority thirty (30) days in advance. If the medical treatment, placement, or call to active duty requires leave to begin in less than thirty (30) days, the employee shall provide such notice as is reasonable.
- (3) When leave is requested the appointing authority, employee, or supervisor must notify Human Resources which will determine whether the leave period is FMLA qualifying and so notify the employee. In circumstances where the employee has been absent for more than five days (continuously or intermittently) but has not requested FMLA leave, Human Resources may, by proper notification to the employee, designate the entire leave period as FMLA leave if it so qualifies.
- (4) The appointing authority, supervisor, or Human Resources may require that a request for such leave be accompanied by appropriate documentation issued by a licensed health care provider, social service agency, or military authority supporting the need for the leave. If the leave is for medical reasons, the university may require a second opinion at its own expense and may require that the employee periodically provide re-verification from a health care provider of the need for leave.
- (5) Leave for the serious health condition of the employee, a family member, or a covered servicemember may be taken on an intermittent or reduced schedule where medically necessary. Intermittent leave or a reduced schedule for the birth, adoption, or foster child placement may be approved by the department head; approval may be delegated to the supervisor.
- (6) The university shall maintain health care coverage for up to 12 weeks of family medical leave (or a combined total of 26 workweeks of leave for Servicemember Family Leave and leave taken for the other FMLA qualifying reasons) in accordance with the requirements of the Public Employees' Benefits Board. As specified in the federal Family and Medical Leave Act, the university may recover the premium for maintaining coverage during the period of family medical leave if the employee does not return to work for a reason unrelated to the absence.