Delaware County Community College complies with provisions of the Federal Family Medical Leave Act (FMLA) and provides eligible employees with FMLA leave in accordance with the law and regulations as summarized below:

**Reason for Leave**

1. For the birth and care of the newborn child of the employee or the placement with the employee of a son or daughter for adoption or foster care.
2. To care for an immediate family member (spouse, domestic partner, child, or parent) with a serious health condition.
3. To take medical leave when an employee is unable to work because of a serious health condition.

**Eligibility**

To be eligible for this leave you must be employed by the College for at least 12 months before the commencement of the leave and must have worked at least 1,250 hours during the 12-month period preceding the leave.

**Notice of Leave**

If your need for family medical leave is foreseeable, you must give the College at least 30 days prior written notice. If this is not possible, you must give notice as soon as practical (within one to two days of learning of your need to leave). In the event of any reported absence falling within the FMLA criteria, the Office of Human Resources will automatically designate it as an FMLA leave on the 3rd day of the absence. However, should you subsequently fail to provide any requisite supporting documentation (such as a medical certification) your leave of absence may cease being considered as an FMLA leave of absence. You will be notified in writing that an absence is being designated as FMLA leave.

**Medical Certification**

The College requires any employee requesting leave based on his/her own serious health condition or for purposes of caring for an ill spouse, domestic partner, child, or parent to submit a certification from a health care provider stating:
1. which part of the definition of “serious health condition” if any applies and the medical facts that support the certification;
2. the date on which the health condition began;
3. the probable duration of the condition; and
4. a statement that the employee is needed for the care of a child, spouse, domestic partner or parent when applicable, and the estimated amount of time needed.

In the case of the employee’s own illness, the certification must state that the employee is unable to perform the functions of the employee’s position. Based on the medical certifications provided, the College may require a second opinion of a health care provider designated or approved by the College at its expense.

The employee must present a return to work certification from his/her doctor that the employee is able to resume work when returning from a medical leave due to the employee’s own illness.

**Duration of Leave**

You are eligible to take up to 12 weeks of FMLA leave within any 12-month period and be restored to the same or equivalent position upon your return from leave. The 12-month period commences on the first day family/medical leave is taken. All accrued paid leave such as vacation, sick days, or personal days must be used as part of, and not an extension of family leave.

If the reason for the leave is due to the employee’s own serious health condition, those weeks in which the employee is disabled will be applied towards the FMLA leave, as well as any unused sick days.

Leave may be taken on a reduced workweek basis or intermittently when medically necessary for the employee’s own serious medical condition or when caring for a family member with a serious health condition. Medical certification will be required. Business circumstances permitting, reduced workweeks and intermittent leaves may be granted in the event of a birth, adoption, or placement of a child.

Spouses and domestic partners employed by the same employer are jointly entitled to a **combined** total of 12 weeks of family leave for the birth and care of the newborn child, for placement of a child, for adoption or foster care, and to care for a parent who has a serious health condition. Leave for the birth and care or placement for adoption or foster care must conclude within 12 months of the birth or placement.

**Reporting While on Leave**

If you take leave because of your own serious health condition or that of a family member, you must contact the Office of Human Resources on a regular basis regarding the status of the condition and your intention to return to work.
**Medical and Other Benefits While on Leave**

During an approved leave, the College will maintain your health benefits as if you continued to be actively employed. You will be required to pay your share of the health premiums that you would have paid as an active employee.

**Job Reinstatement**

Employees will be returned from FMLA leave to their former position or an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment. Exceptions to this provision may apply if business circumstances have changed (e.g., the employee’s position is no longer available due to job elimination). Exceptions may also apply for certain highly compensated employees under certain conditions.