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**OGMEMAW COUNTY  
FAMILY MEDICAL LEAVE  
POLICY**

**PURPOSE:**

This policy will establish guidelines for the employees that exercise their rights under the Family Medical Leave Act. The Family Medical Leave Act allows employees to balance their work and family life by taking reasonable unpaid leave for certain family and medical reasons. The FMLA seeks to accomplish these purposes in a manner that accommodates the legitimate interests of employers, and minimizes the potential for employment discrimination on the basis of gender, while promoting equal employment opportunity for men and women.

**AUTHORITY:**

This authority for the establishment of these guidelines is vested in and dictated by the Ogemaw County Board of Commissioners.

**APPLICATION:**

This policy applies to all eligible employees of the County of Ogemaw as set forth by the guidelines of the Family Medical Leave Act.

**EMPLOYEE NOTICE:**

Eligible employees seeking to use FMLA leave shall be required to provide thirty (30) day advance notice of the need to take FMLA leave when the need is foreseeable and notice as soon as practicable when the need for FMLA leave is unforeseeable. "As soon as practicable" generally means at least verbal notice to the employer within one (1) or two (2) business days of learning of the need to take FMLA leave.

**LEAVE ENTITLEMENT:**

An eligible employee shall be granted up to a total of twelve (12) weeks of unpaid leave in a twelve (12) month period measured forward from the date of the eligible employee's FMLA leave usage for reasons stipulated under the Family Medical Leave Act.

**INTERMITTENT/REDUCED SCHEDULE LEAVE:**

FMLA permits employees to take leave on an intermittent basis or to work reduced schedules under certain circumstances. In the event an employee needs to use FMLA intermittent leave, the employee shall notify the employer (department head or immediate supervisor) no later than one (1) hour prior to the start of the scheduled work shift and state that the absence

is FMLA. Employees needing intermittent/reduced schedule leave for foreseeable medical treatment shall work with their employer to schedule the leave so as not to unduly disrupt the employer's operations, subject to the employee's health care provider. Employees may be temporarily transferred to an alternative job, with equivalent pay and benefits, that accommodates recurring periods of leave better than the employee's regular job.

**SUBSTITUTION OF PAID LEAVE:**

Eligible employees *shall be required* to use available paid sick, vacation and personal leave during their FMLA absence. The use of paid sick, vacation and personal leave will run concurrently with FMLA and/or Worker's Compensation.

**MEDICAL CERTIFICATION:**

Employees shall be required to complete a Certification of Health Care Provider for Employee's Serious Health Condition (Form WH-380-E) and/or Certification of Health Care Provider for Family Member's Serious Health Condition (Form WH-380-F). Employees shall also be required to provide periodic reports on their status, as deemed appropriate by the employer, and intent to return to work while on FMLA leave. Furthermore, employees shall be required to provide a Medical Certificate of Fitness for Duty prior to returning to work and may be denied reinstatement if the employee fails to provide such certification.

**HEALTH BENEFITS:**

Arrangements will need to be made for employees taking unpaid FMLA leave to pay their share (co-payments) of health insurance premiums prior to foreseeable FMLA leaves. If the FMLA leave is unforeseeable the employee shall make arrangements as soon as practicable. Those employees who receive bi-weekly payments in lieu of health insurance will not receive payment during periods of unpaid FMLA leave. Ogemaw County reserves the right to charge employees for reimbursement of any County paid health insurance premiums if the employee fails to return to work after taking FMLA leave.

**OTHER BENEFITS:**

Paid sick leave shall not accrue for employees on unpaid FMLA leave. *M.E.R.S.* Service Credit shall be approved during employee unpaid FMLA leave. The employee will need to make arrangements for other benefits, such as elected life insurance coverage and *AFLAC* premiums prior to foreseeable FMLA leaves. If the FMLA leave is unforeseeable the employee shall make arrangements as soon as practicable.

**JOB RESTORATION:**

Upon returning from FMLA leave, an employee shall be restored to his/her original job, or to an "equivalent" job, which means virtually identical to the original job in terms of pay, benefits and other employment terms and conditions, provided the employee furnishes a Medical Certificate of Fitness for Duty.

**OTHER PROVISIONS:**

Any employee who is off work for three (3) or more days may be required to use Family Medical Leave. *All regulations as set forth in the Family Medical Leave Act shall be applicable as a component of this policy.*

Policy Adopted: \_\_\_\_\_ by Ogemaw County Board of Commissioners.

Attest: Gary R. Klacking  
Ogemaw County Clerk/Coordinator