

FAMILY AND MEDICAL LEAVE

WHAT IS FAMILY AND MEDICAL LEAVE (FML)?

FML is paid and/or unpaid leave (see below) that provides job and benefit protection if one or more of the following circumstances occurs.

1. The birth of your child and in order to care for the child.
2. The placement of a child with you for adoption or foster care.
3. To care for your spouse, child or parent during a serious illness or health condition. Care may include psychological comfort.
4. Your serious illness or health condition that makes you unable to perform the functions of your position.

Note: Spouses who both work for the Health Science Center may take a combined total of 12 weeks. If FML is used for the birth or adoption of a child, the eligibility expires 12 months from the date of the event.

WHO IS ELIGIBLE?

You must have been employed by the State of Texas for at least 12 months and have worked at least 1,250 hours during the last 12 months immediately preceding the request for FML.

WHAT IS THE PERIOD OF TIME COVERED?

FML covers 12 workweeks of leave during any twelve-month period. This leave may be taken on a continuous basis or intermittently.

Note: FML approved for the birth or adoption of a child or the placement of a child in foster care may not be taken intermittently unless agreed to in advance.

WHAT ARE THE BENEFITS OF FML?

When FML is approved, your job is protected. That is, you will be restored to the position held when the leave started or to an equivalent position with equivalent salary and benefits. Furthermore, your medical coverage will continue as if you were at work. The employer's contribution to medical insurance will continue but you will still be responsible for paying your out-of-pocket premiums for all coverages.

Note: If you fail to return to work at the end of the leave, you may be required to pay back the employer's contribution for medical insurance.

WHAT ABOUT MY SALARY DURING FML?

While on FML, you must use all appropriate paid leave (sick leave, vacation, compensatory time) before leave without pay can be used. Sick leave, however, can only be used as defined in the Personnel Policies and Procedures Manual, section 6.06 (see over). Employees on FMLA leave who are receiving temporary disability payments or workers' compensation benefits are not required to utilize paid vacation or sick leave while on such leave.

HOW DO I APPLY FOR FML?

You complete an application for FML in Human Resource Services and provide medical certification. Medical certification may be required every 30 days. The Health Science Center has the right to require a second and third opinion at its expense.

Note: Thirty days' notice must be provided for events such as childbirth. For unforeseeable events, notice should be given as soon as possible.

FOR FURTHER INFORMATION ABOUT FAMILY AND MEDICAL LEAVE, SEE SECTION 6.07 OF THE PERSONNEL POLICIES AND PROCEDURES MANUAL.

USE OF ACCRUED SICK LEAVE

You may use sick leave with pay for the following reasons.

1. When actually ill, injured or confined because of exposure to contagious diseases which require quarantine or isolation.
2. Sick leave may be taken when sickness, injury, or pregnancy and confinement prevent your performance of duty or when you are needed to care for and assist a member of your immediate family who is actually ill. Immediate family is defined as those individuals who reside in your household and are related by kinship, adoption or marriage, as well as foster children certified by the Texas Department of Protective and Regulatory Services. Your minor children whether or not living with you, will be considered immediate family. Your use of sick leave for family members not residing with you is strictly limited to the time necessary to provide care and assistance to your spouse, child or parent who needs that care or assistance as a direct result of a documented medical condition. In exceptional cases of family members who do not meet this criteria, the President may grant sick leave based on the merits of the case.
3. For maternity leave.
4. For medical and dental appointments, examinations or treatment.

FOR FURTHER INFORMATION ABOUT THE USE SICK LEAVE, SEE SECTION 6.06 OF THE PERSONNEL POLICIES AND PROCEDURES MANUAL.