

FAMILY AND MEDICAL LEAVE

Family & Medical Leave refers to unpaid family, caretaking and medical leave for eligible employees. Eligible employees may be able to take unpaid family, caretaking or medical leave under Federal and/or State law.

Wisconsin law allows employees who have worked at least 1,000 hours in the past 12 months to take the following leave in a calendar year:

1. Up to 6 weeks of family leave for the birth or adoption of a child. This leave must begin and end within 16 weeks of the birth or adoption of a child.
2. Up to 2 weeks of family leave to care for a child, spouse, parent or spouse's parent suffering from a serious health condition.
3. Up to 2 weeks of medical leave for an employee to care for his/her own serious health condition, which render him/her unable to perform the essential functions of the job.

Federal law allows employees who have worked at least 1,250 hours and 12 months to take up to 12 weeks of leave during a twelve month period commencing with the first day of FMLA usage for one or more of the following reasons:

1. Family leave for the birth of an employee's child or because of the placement of a child with the employee for adoption or foster care.
2. Family leave to care for a child, spouse or parent suffering from a serious health condition. Federal law does not provide for leave for a spouse's parent.
3. Medical leave for an employee to care for their own serious health condition which renders them unable to perform the essential functions of the job.

If the employee qualifies for leave under both the Wisconsin and Federal leave, the leaves will run concurrently and will be deducted from an employee's leave entitlement under state and federal laws.

Each work day or work week in which an employee works fewer than the regularly scheduled hours for that employee by using partial or intermittent leave, the specific amount taken will be deducted for purposes of computing leave taken and leave remaining. Intermittent leave may not be taken in increments of less than ½ hour.

Procedure: Employees who need to take family leave for birth/adoption/foster care placement must request leave from their supervisor at least 30 days in advance of the need. Employees who take medical leave should make reasonable efforts to schedule planned medical treatments so as not to unduly disrupt business operations. Employees must provide at least 30 days notice for planned medical treatments for themselves or family members, and as much notice as practicable in emergency

situations. Request for leave forms are available from the County Administrator's Office.

Employees on medical leave will be required to provide a "fitness for duty" certification before they return to work to indicate that they can perform the essential functions of the job. This should be obtained from the health care provider.

Prior to leave commencing, an employee's health care provider may be required to complete and sign the necessary forms and medical certifications. These forms are available from the County Administrator's Office. If required, the completed certification must be returned no later than 15 days of receipt.

An employee may substitute accrued paid sick leave or other accrued leave for any portions of the unpaid 12-week leave period. However, after the first two weeks (caretaking leave and medical leave) or the first six weeks (family/parental leave) the County may require that any paid vacation or sick leave be substituted for the remaining leave period.

Upon return from family or medical leave, an employee will be returned to the position he/she held immediately prior to the leave if the position is vacant. If the position is not vacant, the employee will be placed in an equivalent employment position.

This policy provides an introduction to the rights provision of the family and medical leave laws. Specific questions an employee may have about this law, substitution, insurance and benefits, etc. should be directed to the County Administrator's Office.