2.8.8. FAMILY AND MEDICAL LEAVE ACT OF 1993

A. PURPOSE

The Family and Medical Leave Act of 1993 is intended to allow employees to balance their work and family life by taking reasonable unpaid leave for medical reasons, for the birth or adoption of a child, and for the care of a child, spouse, or parent who has a serious health condition. The Act is intended to balance the demands of the workplace with the needs of families, to promote the stability and economic security of families, and to promote national interests in preserving family integrity. It was intended that the Act accomplish these purposes in a manner that accommodates the legitimate interests of employers, and in a manner consistent with the Equal Protection Clause of the Fourteenth Amendment in minimizing the potential for employment discrimination on the basis of sex, while promoting equal employment opportunity for men and women.

B. PROCEDURES

1. Eligibility

   a. All employees who have been employed for twelve (12) months and who have worked for at least 1250 hours during the 12 months preceding the start of a leave, are eligible for up to 12 weeks of unpaid leave for certain qualifying events. Qualifying events include:

      1. The birth of and care for a child.

      2. The placement of a child by adoption or foster care.

      3. To care for a spouse, child or parent if the family member has a serious health condition.

      4. An employee who is unable to perform the functions of their position because of their own serious health condition.

   b. Requests for leave along with pertinent certification documents should be forwarded by the employee’s supervisor and department director to the Employee Relations Section of the Human Resource Management Department. The Human Resource Management will determine the employee’s eligibility under the Family and Medical Leave Act.
2. **Requirements**

   a. The University shall require thirty (30) days advance notice of the request, whenever reasonable. (Certification as to the authenticity of the precipitating event will be required.)

   b. Employees must use any accrued paid leave for the 12 weeks prior to being placed in an unpaid leave status.

   c. The University’s portion of employee health coverage will be maintained while the employee is in the leave without pay status as long as the employee pays his/her portion of the health coverage. LSU will not contribute to other benefit plans during periods of unpaid leave.

   d. Employees returning to work from Family and Medical Leave will be restored to the same jobs held prior to going on leave, or an equivalent position with the same pay, benefits, and other terms and conditions of employment.

   e. It is the responsibility of the employee to notify their supervisor when they return from FMLA. The supervisor is required to contact Human Resource Management.