

Your Rights and Responsibilities under the Family & Medical Leave Act

Family Medical Leave (FML) will provide eligible employees with job-protected, unpaid leave. Employees receive up to 12 weeks within a 12-month period for the following: serious health condition of the employee; serious health condition of a spouse, child, or parent; foster care placement; and qualifying military exigencies. Employees receive up to 4 months for adoption or childbirth, and employees receive up to 26 weeks for military caregiver leave.

The 12-month period in which an employee is entitled to FML begins on the first day of the employee's first FML leave period of the year. For example, if an employee commences FML on February 1 and exhausts his or her leave, he or she will not be entitled to FML until February 1 of the following year. Upon return from FML, the employee will be restored to his or her position or to an equivalent position with equivalent pay, benefits, and other terms and conditions of employment.

While an employee is on paid medical leave, the university will continue to pay the employer's share of the basic group insurance premium up to 12 weeks. If the employee is on unpaid medical leave and wishes to continue the medical insurance, the employee must pay in advance a monthly or quarterly sum equal to his or her share of the premium to the HR-Benefits Office. If the employee does not pay premiums while on medical leave, coverage will lapse. Upon return from leave, the employee will have 30 days to reinstate prior coverage without providing evidence of insurability. Such coverage will apply to preexisting conditions. If the employee is in an unpaid status after 12 weeks of medical leave, the employee must pay the employee and employer shares of the premium. If the employee does not return from medical leave, the university may, with the approval of the Chief Financial Officer, require the employee to reimburse the university's share of the premiums paid. If the employee is on unpaid medical leave, membership may be continued in any of the group optional insurance plans to which the employee belongs prior to the leave. To do so, the employee must pay in advance a monthly or quarterly sum equal to the total of the premiums due on the plans that he or she wishes to maintain in force to the HR-Benefits Office. Employees on medical leave who allow coverage to lapse due to non-payment of premiums have 30 days from the leave return date to initiate reinstatement of coverage without evidence of insurability. Employees should contact the HR-Benefits Office at 901-448-4876 to arrange payments.

University of Tennessee Health Science Center policy requires employees on Family Medical Leave to adhere to the following:

Responsibilities

- Employees are required to give advance notice of their absence when the need for leave is foreseeable.
- Employees are required to schedule procedures and appointments during their time off or at a time that is not disruptive to business operations when they are able.
- Employees are required to follow proper call-in procedures in the event of an emergency absence. This includes any department specific requirement to speak to a person versus leaving a message on voice mail if applicable.
- Employees are required to exhaust, in order, unused compensatory time, sick leave, annual leave, and their personal day during FML. Leave after the exhaustion of accrued leave will be unpaid. You may opt to retain up to five (5) days of sick leave as long as you are in an active pay status and not using hours from the Sick Leave Bank.
- Employees are responsible for ensuring the accuracy of the FML records by informing Human Resources regarding changes in their leave status. Employees should code FML absences as such on their timesheets.