

REQUEST FOR FAMILY and MEDICAL LEAVE
MONTANA STATE UNIVERSITY-BOZEMAN

Family and Medical Leave is provided under the FAMILY and MEDICAL LEAVE ACT of 1993. Please see the reverse side for a summary of the FMLA, or contact Personnel and Payroll Services at 994- 3651.

I am requesting Family and Medical Leave for the following reason:

_____ to care for my child after birth or because of the placement of a child with me for adoption or foster care;

_____ to care for my spouse, child or parent, who has a serious health condition*
_____ spouse, _____ child, or _____ parent (check one);

_____ for a serious health condition* that makes the me unable to perform my job.

* If requested by MSU-Bozeman, I will provide a medical certificate within 15 days if a serious health condition is involved.

This leave is requested for the following period:

Start Date _____ End Date _____ (up to 12 work weeks)

I understand that employer contributions of insurance premiums while on unpaid Family and Medical Leave are to be reimbursed to MSU-Bozeman should I chose not to return to work for reasons unrelated to this medical circumstance.

Name _____ SSN # _____

Department _____

Employee Signature & Date _____

Department Head Signature & Date _____

Eligibility Requirements - to be completed by Personnel & Payroll Services

12 months service: Hire date _____ Last FMLA Used _____

.50 FTE+ (minimum of 1040 hrs) paid in past 12 months: _____ (FTE) _____ hrs worked

cc: Employee Personnel File
Benefits Lead
Employee Relations Specialist

YOUR RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT OF 1993

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to "eligible" employees for certain family and medical reasons. Employees are eligible if they have worked for a covered employer for at least one year, and for 1,250 hours over the previous 12 months, and if there are at least 50 employees within 75 miles.

REASONS FOR TAKING LEAVE: Unpaid leave must be granted for any of the following reasons:

- to care for the employee's child after birth, or placement for adoption or foster care;
- to care for the employee's spouse, child, or parent who has a serious health condition;
- for a serious health condition that makes the employee unable to perform the employee's job.

At the employee's or employer's option, certain kinds of paid leave may be substituted for unpaid leave.

ADVANCE NOTICE and MEDICAL CERTIFICATION: The employee may be required to provide advance leave notice and medical certification. Taking of leave may be denied if the requirements are not met.

- The employee must ordinarily provide 30 days notice when the leave is "foreseeable";
- An employer may require medical certification to support a request for leave because of a serious health condition, and may require second or third opinions (at the employer's expense) and a fitness for duty report to return to work.

JOB BENEFITS and PROTECTION:

- For the duration of FMLA leave, the employer must maintain the employee's health coverage under any "group health plan."
- Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits and other employment terms.
- The use of FMLA leave cannot result in the loss of any employment benefits that accrued prior to the start of an employee's leave.

UNLAWFUL ACTS BY EMPLOYERS: FMLA makes it unlawful for any employer to:

- interfere with, restrain or deny the exercise of any right provided under FMLA;
- discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

ENFORCEMENT:

- The U.S. Department of Labor is authorized to investigate and resolve complaints of violations;
- An eligible employee may bring a civil action against an employer for violations.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State, local or collective bargaining agreement which provides greater family or medical leave rights.

