



**POLICY: Family Medical Leave Policy**  
**Effective February 15, 2013**

**PURPOSE**

This Department of Anesthesiology's Family Medical Leave Policy sets forth the guidelines in which faculty (Instructors, Senior Instructors, Assistant Professor, Associate Professor, Professor, and Emeritus) and other eligible staff (Exempt Professionals, Classified Professionals and UPI Staff) may take up to 12 weeks of unpaid leave during a 12-month rolling period for certain family and medical reasons under the Family Medical Leave Act (FMLA).

**SCOPE/PERSONNEL**

Eligible faculty and staff members who support the University of Colorado School of Medicine Department of Anesthesiology's Clinical, Educational and Research enterprises.

**PROCEDURE/POLICY**

- For eligible faculty and staff the department may grant FMLA-covered leaves of absence for the following reasons:
  - Medical Leaves
    - Serious health condition or pregnancy disability of faculty or staff that makes him/her unable to perform one or more of the essential functions of his/her position.
  - Family Leaves
    - The birth of a faculty or staff's child and to care for the child (leave must be completed within 12 months of the date of birth).
    - Placement of a child with faculty or staff for adoption or foster care.
    - To care for the faculty or staff's spouse, child or parent with a serious health condition.
- **Eligibility:** To be eligible for FMLA leave, faculty or staff must be employed within the Department for at least 12 months prior to requesting leave and have worked at least 1,250 hours during the 12 months preceding the commencement of leave. The 12 work weeks are prorated for eligible part-time faculty or staff.
- **Substitution of Leave:** FMLA leave is generally unpaid. However, a faculty/staff member may choose to or may be required to substitute accrued paid leave (vacation or sick) for unpaid FML. If the leave is for a serious health condition for the employee or family member of the employee, s/he will be required to substitute accrued sick leave for unpaid FMLA. Faculty or staff must first exhaust sick leave prior to utilizing vacation leave when on extended FML.
  - **Leave without pay**, except furloughs, will not be granted until all vacation leave is exhausted, unless otherwise requested by the faculty or staff and approved by their supervisor.
- **Approval:** Department approval for any leave must first be granted to the employee requesting leave by the direct supervisor and the Chair of the Department. Approval is dependent upon department needs and will be reviewed on a case-by-case basis. All department approval of FML is subject to the final review and approval of the appropriate

Human Resources department (UCD or UPI), depending upon the employing institution of the requesting employee.

- **Documentation:**
  - If the need for leave is foreseeable, faculty or staff should provide notice to his/her supervisor and the appropriate HR department at least 30 days prior to the leave so necessary approval and arrangements can be made.
  - Requests for leaves should be made in writing, stating the reason for the leave, the starting date and the planned date for return to work.
  - Appropriate certification for any serious health condition is required.
  - Documentation confirming family relationship, adoption or foster care may also be required.
- **Periodic reporting:** Faculty or staff on leave may be required to report on their status and intent to return.
- **Spouse limitation:** There may be circumstances in which both spouses work for the department and both are eligible for leave. In such cases, the spouses are only entitled to a combined 12 workweeks of leave taken for birth, adoption, foster care or to care for a parent. This provision may be waived by the supervisor for good cause after consultation with human resources.
- **Return from leaves:** Upon return from leaves, the faculty or staff will be returned to the same position he/she held when the leave began or to an equivalent position with equivalent compensation.

#### **Intermittent or reduced leave schedule**

Leave may be taken intermittently or on a reduced leave schedule if the faculty or staff provides certification of medical necessity. Faculty or staff requiring intermittent leave or leave on a reduced leave schedule must attempt to schedule their leave so as not to disrupt the operations of his/her department. All leave scheduling arrangements must be agreed upon by stakeholder personnel to ensure appropriate coverage of responsibilities. These stakeholders potentially include, but are not limited to: OR Scheduling Committee, direct supervisor, Director of Finance and Administration, and Chair of the Department.

#### **Certification upon return**

Faculty or staff returning to work because of his or her own serious health condition may be required, consistent with FML regulation 825.310, to present written documentation that he/she is able to return to work.

#### **COMPLIANCE**

Please note that this policy is in compliance with the University of Colorado Administrative policy: Family Medical Leave for Faculty and Exempt Professional Staff, effective September 1, 2005: The policy is located [here](#).

For questions, concerns, or advice related to FMLA, please contact your appropriate Human Resources representative.