Family Medical Leave Policy

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General Description

Policy Summary:

Trinity University provides family medical leave to employees in accordance with applicable law.

Purpose:

This policy aims to provide employees with information about the availability of family medical leave and the process for requesting and reporting such leave.

Scope:

This policy applies to all Trinity University faculty and staff.

Exceptions:

The applicable Vice President must approve exceptions to this policy in consultation with Human Resources.

Policy Content

Family Medical Leave

The Family and Medical Leave Act (FMLA) allows eligible employees to take up to 12 weeks of job-protected leave for qualifying family and medical reasons during a rolling 12-month period, and up to 26 weeks for military caregiver leave during a single 12-month period.

Eligibility

Employees are eligible to take FMLA if they have worked for the University for at least twelve months and have worked 1,250 hours of service (in paid status) during the 12-month period immediately preceding the request for leave.

An employee may request a maximum of twelve weeks leave during the twelve-month period which is a “rolling” twelve-month period measured backward from the date the employee uses any FMLA leave.

Family and Medical Leave may be granted for:

1. the birth of the employee's child, and to bond with the newborn child;
2. the placement of a child with the employee for adoption or foster care, and to bond with the child;
3. the care of an immediate family member (spouse, child, or parent) with a serious health condition;
4. the employee's own serious health condition;
5. any qualifying exigency arising out of the fact that a spouse, son, daughter, or parent is a service member on covered active duty or call to covered active duty status as a member of the National Guard, Reserves, or Regular Armed Forces; or
6. the care of acovered service member with a serious injury or illness as defined by the U.S. Department of Labor if the employee is the covered service member's spouse, child, parent or next of kin ("Military Caregiver Leave").

Employees who are disabled due to their own serious health condition may be eligible for the University's short-term disability insurance. Employees who qualify for disability insurance will receive the benefit amount as determined by the insurance provider.

Employees who have incurred a work related injury may be eligible for workers' compensation insurance. Employees who qualify for workers' compensation insurance will receive the benefit amount as determined by the insurance provider.

Amount of Leave

Provided all the conditions of this policy are met, an employee may take a maximum of 12 weeks of family care, medical, and military exigency leave in a rolling 12-month period measured backward from the date the employee's leave commences.

Employees who take leave for the birth, adoption or foster care placement of a child must conclude their leave within the first year of the birth, adoption or placement.

For Military Caregiver leave, eligible employees may take up to 26 work weeks of unpaid, job-protected leave during a "single twelve-month period" to care for a covered servicemember with a serious injury or illness, when the employee is a spouse, son, daughter, parent or next of kin of the servicemember. The "single twelve-month period" for Military Caregiver Leave differs from the twelve-month period used for other FMLA leave reasons.

Intermittent Leave

Unlike a continuous period of absence, intermittent leave under this policy refers to leave taken in separate blocks of time or a reduction in an employee's normal weekly or daily work schedule due to a single qualifying reason (e.g., a serious health condition requiring periodic treatment).

When it is medically necessary, an employee may request intermittent leave (separate blocks of time due to a single qualifying reason) or a reduced work schedule (less hours per workweek or work day). The medical necessity of intermittent or reduced leave must be certified as described below. If intermittent leave or reduced hours are medically necessary and foreseeable for planned medical treatment, the employee must make a reasonable effort to schedule the treatments so as to not unduly disrupt the operations of the university. Periodic re-certification may be requested, including if the medical circumstances of the original certification change significantly (for example duration of the illness, nature of the illness, additional leave time beyond the original request). During the period of intermittent or reduced scheduled leave that is foreseeable based on planned medical treatment, the employee may be temporarily transferred to an alternative position that better accommodates the recurring periods of leave.

Requesting Family and Medical Leave

Employees must notify Human Resources of any request for leave for family care, medical, military exigency, or military caregiver leave under the FMLA. In cases where the leave is foreseeable, the request must be submitted at least thirty days before the commencement. For unforeseeable events 30 days in advance, the employee must provide notification as soon as practicable and generally comply with the call-in or notice procedures. In addition, when possible, employees should make reasonable efforts in scheduling leaves to avoid disrupting the work unit. Family and medical leave requests must be documented by a physician or health care provider, except in cases of the birth or adoption of a child. Medical certification forms are available from the Office of Human Resources. The requested leave will be coordinated with Human Resources and the applicable supervisor.

All requests for family care, medical, military exigency, and military caregiver leave should include enough information to inform the University that the employee needs qualifying leave and the anticipated timing and duration of the leave, if known. Sufficient information may include that the employee cannot perform job functions, the family member cannot perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave.

Employees also must inform the University if the requested leave is for a reason for which FMLA (or similar state law) leave was previously taken or certified.

Any requests from an employee for an extension of leave under this policy must be submitted to Human Resources as soon as is practicable, and, absent unusual circumstances, at least 10 days before the employee's currently certified return to work date. A request for an extension of leave must include the revised anticipated date(s) and duration of the leave, as well as a properly completed healthcare provider's medical certification substantiating the need for such extended leave. To the extent

permitted by law, the University reserves the right to deny requests for extensions or deny reinstatement to an employee who does not follow these procedures or who exceeds the leave amounts provided by this policy. However, extensions will be considered depending on circumstances, in the University's discretion, in limited circumstances, and/or where required by law. In addition, if an employee has a disability, the employee may be eligible for leave as a form of accommodation under the Americans with Disabilities Act ("ADA") or state law. For more detailed information on extended leaves of absence, please contact Human Resources.

Salary and Benefits during Family Medical Leave

Staff will be required to use accrued but unused Vacation leave, Sick Leave and/or Parental Leave (if applicable) concurrently with Family Medical Leave for any part of the twelve-week Family and Medical or Military Leave when paid leave is available. Employees who qualify for disability or workers' compensation insurance will receive the benefit amount as determined by the insurance provider.

During an approved leave, the employee can continue medical, dental, life, and disability premiums. The University will continue to contribute its portion of the total premium, and the employee will pay the remaining balance on a schedule agreed upon by the University and the employee. Using paid leave will not extend the maximum amount of leave available. When paid leave is exhausted, the remaining leave is unpaid. Sick leave and vacation benefits will continue to accrue only during the portion of leave when the employee is in paid status.

Any paid leave used during a period of disability will be offset by the amount received from the disability insurance (whether short-term disability or workers' compensation). This means that the total amount of paid leave taken will be reduced by the disability or workers' compensation insurance payments to ensure that the combined total does not exceed the employee's regular salary.

To the extent an employee does not accrue leave time, i.e., faculty members, they should review the Leave and Scheduled Absences and/or the Academic Leave policy contained in the Faculty Handbook 2026-2027 Faculty Handbook 2026-2027 to determine if other leave types may be applicable to their specific situation.

Authentication, Requests for Additional Information, and Second/Third Opinions

Any request for medical leave for an employee's own serious health condition, for family care leave to care for a child, spouse, or parent with a serious health condition, or for military caregiver leave, must be supported by medical certification from a health care provider. For military caregiver leave, the employee must provide confirmation of a family relationship to the seriously ill or injured service member.

Employees generally must provide the required certification within 15 calendar days after the University's request for certification.

Any request for leave due to a qualifying military exigency must be supported by a certification from the employee accompanied by evidence of the covered military member's active duty orders or other documentation from the military. Employees must provide the required certification as soon as practicable.

Failure to provide the required certification in a timely manner may result in the denial of foreseeable leave until such certification is provided. In the case of unforeseeable leaves, failure to provide the required certification may result in the loss of FMLA protections (benefit continuation, reinstatement, etc.) during any period of leave taken after the certification was due or may result in the denial of the employee's continued leave. Additionally, absences not qualifying as authorized leave may be treated as unexcused absences subject to University policy. Any request for an extension of the leave also must be supported by an updated medical certification.

It is the employee's responsibility to provide complete and sufficient medical certification or to provide the employee's healthcare provider with the necessary authorization from either the employee or the employee's family member in order for the healthcare provider to release a complete and sufficient certification to the University to support the employee's request for leave.

Where permitted by law, if the University has reason to doubt the validity of the medical certification provided by the employee, the University may require the employee to obtain a second opinion from a doctor of the University's choosing at the University's expense. If the health care provider providing the employee's original certification and the doctor providing the second opinion do not agree, the University may require a third opinion, also at the University's expense, performed by a mutually agreeable doctor who will make a final determination. It is the employee's responsibility to furnish their healthcare provider with the necessary authorization for the disclosure of medical information to the doctor(s) who will provide the second and third opinions. If the employee fails to provide the necessary authorization, the request for leave may be denied in accordance with applicable law.

Recertification

The employee taking leave because of their own serious medical condition or the serious medical condition of a family member may be required, except in cases of military caregiver leave, to provide the University with recertification at appropriate intervals. For recertification purposes, the employer may request the same information as the law allows for the original certification. The employee must provide the requested recertification within 15 calendar days of such a request, unless it is not practicable to do so despite the employee's diligent, good-faith efforts.

Return to Work

On return from FMLA leave, an employee is entitled to be returned to the same position the employee held when leave commenced or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment. Upon returning to work, an employee needs to provide a release to return to work. The employee may be asked to provide a Work Capacity Medical Release form if not released to full duty. Human Resources will work with the supervisor on any requested accommodations prior to returning to work. However, an employee is considered to have resigned voluntarily if:

1. The employee does not return to work after the end of the approved leave period and has not received additional leave as a reasonable accommodation.
2. The employee has accepted other non-military employment during the leave period.

The University reserves the right to deny job restoration to certain highly compensated "key employees," as defined by the FMLA, if reinstatement would cause substantial and grievous economic injury to operations, consistent with applicable law.

If employees have questions or would like further clarification about their rights under FMLA or other types of leave, please contact Human Resources. Additional information regarding Family Medical Leave can be found on the federal Department of Labor's website at

https://www.dol.gov/whd/regs/compliance/posters/fmlaen.pdf.

Terms & Definitions

Terms and Definitions:

Term:	Definition:
Health Care Provider	•A doctor of medicine or osteopathy authorized to practice medicine or surgery by the state in which the doctor practices, •A podiatrist, dentist, , clinical psychologist, optometrist, or chiropractor (with limitations) authorized to practice in the state and performing within the scope of his or her practice; •A nurse practitioner, nurse-midwife, clinical social worker, or physician assistant authorized to practice in the state and performing within the scope of his or her practice; •A Christian Science practitioner listed with the First Church of Christ, Scientist, in Boston, Massachusetts; or •Any health care provider from whom the employer or the employer's group health plan's benefits manager will accept a medical certification to substantiate a claim for benefits
Non-Retaliation	Trinity University prohibits interference with, restraint of, or denial of the exercise of any right provided under the FMLA. The University also prohibits retaliation

Term:	Definition:
	against any employee for opposing any practice made unlawful by the FMLA or for involvement in any proceeding under or relating to the FMLA.
Serious Health Condition	A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days under the care or supervision of a health care provider, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Revision Management

Revision History Log:

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v4.0	1/29/2026 9:16 AM	Pamela Mota
v3.0	8/2/2023 4:31 PM	Pamela Mota
v2.0	3/31/2020 8:59 AM	Gary Logan
v1.0	2/25/2020 9:30 AM	Rachel Rolf

Vice President Approval:

Name:	Title:
Brandi Jones	Vice President for People, Culture, and Community