

BURRELL COLLEGE OF OSTEOPATHIC MEDICINE

STANDARD OPERATING PROCEDURES

Family Medical Leave (FMLA)		SOP #: HR.027.02
Effective Date	11/06/15	
Last Revision/Review	4/21/2022, 4/28/23	

1. Purpose

Burrell College of Osteopathic Medicine (Burrell) will provide Family and Medical Leave to its eligible employees, in compliance with applicable law. Under this policy, Burrell will grant up to 12 weeks (or up to 26 weeks of military caregiver leave to care for a covered service member with a serious injury or illness) during a 12-month period to eligible employees. The leave may be paid, unpaid or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in this policy.

2. Related Policy/Authority

BCOM Policy B7513

3. Faculty/Staff Responsibilities

To qualify to take family or medical leave under this policy, the employee must meet all of the following conditions: 1) The employee must have worked for the company for 12 months or 52 weeks. The 12 months or 52 weeks need not have been consecutive. Separate periods of employment will be counted, provided that the break in service does not exceed seven years. Separate periods of employment will be counted if the break in service exceeds seven years due to National Guard or Reserve military service obligations or when there is a written agreement, including a collective bargaining agreement, stating the employer's intention to rehire the employee after the service break. For eligibility purposes, an employee will be considered to have been employed for an entire week even if the employee was on the payroll for only part of a week or if the employee is on leave during the week. 2) The employee must have worked at least 1,250 hours during the 12-month period immediately preceding the commencement of the leave. The 1,250 hours do not include time spent on paid or unpaid leave. Consequently, these hours of leave should not be counted in determining the 1,250 hours eligibility test for an employee under FMLA. 3) The employee must work in a worksite where 50 or more employees are employed by the company within 75 miles of that office or worksite. The distance is to be calculated by using available transportation by the most direct route.

4. Definitions/Abbreviations

FMLA = Family and Medical Leave Act

5. Procedural Steps

Procedure for Requesting FMLA Leave

All employees requesting FMLA leave must provide verbal or written notice of the need for the leave to the Office of Human Resources. Within five business days after the employee has provided this notice, the Office of Human Resources will complete and provide the employee with the DOL Notice of Eligibility and Rights. When the need for the leave is foreseeable, the employee must provide the employer with at least 30 days' notice. When an employee becomes aware of a need for FMLA leave less than 30 days in advance, the employee must provide notice of the need for the leave either the same day or the next business day. When the need for FMLA leave is not foreseeable, the employee must

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comply with the company's usual and customary notice and procedural requirements for requesting leave, absent unusual circumstances.

Designation of FMLA Leave

Within five business days after the employee has submitted the appropriate certification form, the Office of Human Resources will complete and provide the employee with a written response to the employee's request for FMLA leave using the DOL Designation Notice.

Employees on a consecutive FMLA Leave will have their system access temporarily suspended. Upon their return to work, all applicable access will be reinstated.

Intent to Return to Work From FMLA Leave

On a basis that does not discriminate against employees on FMLA leave, the company may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work

6. Reports/Charts/Forms/Attachments/Cross References

FMLA Request Form

7. Maintenance

Human Resources; to be reviewed every January.

8. Signature

Approved by

VP Administration/CFO

4/28/2023

Date

9. Distribution List

Internal/External

10. Revision History

Revision Date	Subsection #	Summary of Changes	New/Cancellation/Replacement Procedure? (if applicable)	Approval Date
4/20/2022	5	Updated system access while on leave		4/21/2022