



CALIFORNIA STATE UNIVERSITY, LONG BEACH

Subject: Leaves - Family Care & Medical Leave	
Department: Staff Human Resources	Reference No.:
Division: Administration & Finance	Issue Date: July 2003
References: CSU Family Medical Leave Policy	Revision Date: January 2009
Web Links: Family Medical Leave HR 1999-05 Family Medical Leave HR 2008-04 CSU Time Off / Leave of Absence Programs	Expiration Date: NA

After one year of employment you are entitled to a Family Care and Medical Leave which grant up to 12 weeks of paid health, dental and vision benefits during a 12 month period while you are on an unpaid leave of absence in order to care for a child, spouse parent, or yourself. Leave of absence procedures apply to this type of leave.

An employee who has at least twelve (12) months of service is entitled to a family care and medical leave without pay.

Eligible employees may take up to a total of twelve (12) weeks of family care and medical leave in a 12-month period, including any periods of absence with pay for family care and medical leave purposes. The CSU calculates the 12-month period on a forward rolling basis: the period is measured forward from the date the employee's first FML begins.

Eligible employees may take up to a total of twelve (12) weeks of leave to deal with a "qualifying exigency" that arises from a covered family member's active duty, or call to active duty, in the U.S. Armed Forces in support of a contingency operation.

Eligible employees may take up to a total of twenty-six (26) weeks of leave to care for a covered family member who sustains a serious injury or illness in the line of duty while on active duty in the U.S. Armed Forces.

An employee may be granted family care and medical leave for the birth of a child of the employee; the placement of a child with an employee in connection with the adoption or foster care of the child by the employee; to care for a child, parent or spouse of the employee who has a serious health condition; or for the employee's own serious health condition.

For family care and medical leave taken for the birth of a child, or adoption/foster care of a child by an employee, any leave taken shall be initiated within one (1) year of the birth of a child or placement of a child with the employee in the case of adoption/foster care.

The period of family care and medical leave granted to an employee for the birth of a child shall run concurrently with the period of leave available to an employee under Education Code Section 89519 (Leaves of Absence for Pregnancy).

Before granting a family care and medical leave for the serious health condition of a child, parent, or spouse, the President may require certification of the serious health condition from the health care provider. Upon expiration of the period originally estimated by the health care provider for care of the child, parent, or spouse, the President may require the employee to obtain re-certification if additional leave is requested.

Family care and medical leave shall be leave without pay except that an employee must utilize all accrued vacation and CTO that he/she is otherwise eligible to take during the unpaid period of the family leave. An employee may use accrued sick leave during the period of family care and medical leave upon mutual agreement between the employee and the appropriate administrator.

Family care and medical leave is separate and distinct from the right of a female employee to take a pregnancy disability leave under Government Code Section 12945, subdivision (b)(2). If a female employee takes part or all of the maximum four (4) months of pregnancy disability leave, she may request up to twelve (12) weeks additional family care and medical



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leave for reason of the birth of her child, or due to her own serious medical condition. Family care and medical leave and pregnancy disability leave shall run concurrently with the period of leave available under the provisions of Education Code Section 89519. Family care and medical leave shall not run concurrently with pregnancy disability leave under Government Code Section 12945.

An employee shall provide the President with written notice of the need for family care and medical leave as soon as the event necessitating the leave becomes known to the employee. In general, as much advance notice as is reasonably possible shall be provided and normally shall not be less than five (5) working days of the event giving rise to the need for leave.

If the employee's need for family care and medical leave is foreseeable due to the planned medical treatment or planned supervision of a child, parent or spouse with a serious health condition, the employee shall provide the President with not less than fourteen (14) days notice of the need for the leave. The employee shall consult with the appropriate administrator regarding the scheduling of the treatment or supervision so as to minimize disruption of the operations of the Campus.

A family care and medical leave assures the employee a right to return to his/her former position or an equivalent position upon expiration of the family care and medical leave. If the former position and any equivalent position has ceased to exist due to legitimate business reasons unrelated to the leave, the campus shall make reasonable accommodation by alternative means that will not cause undue hardship to the campus. Such alternative means shall include, but not be limited to, offering the employee any other position which is available and for which the employee is qualified. The family care and medical leave shall not constitute a break in service for the purposes of length of service and/or seniority under this Agreement.

An employee on family care and medical leave shall retain employee status and shall continue to accrue seniority points during the period of the family care and medical leave. During a family care and medical leave, an employee may continue to participate in benefits to the same extent and under the same conditions as would apply to any other personal leave of absence without pay pursuant to this Agreement, except that if any paid portion of the family care and medical leave is less than twelve (12) weeks, unless canceled by the employee, the CSU shall continue to make employer contributions toward health, dental and vision coverage for the unpaid remainder of the twelve (12) week period. If an employee fails to return at the end of the family care or medical leave, the CSU may require repayment of insurance premiums paid during the unpaid portion of the leave. The CSU shall not require repayment of premiums if the employee's failure to return is due to his/her serious health condition or due to circumstances beyond the employee's control.

The leave of absence of a temporary employee eligible for such leave shall terminate upon the expiration of that employee's temporary appointment.

FORMS: [Family Medical Leave Request](#)

[Certification of Health Care Provider – Employee](#)

[Certification of Health Care Provider – Family Member](#)