



## Family Medical Leave (FML) Act Information Sheet

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- To be eligible for FML, the employee must complete 12 months of cumulative service and have worked 1250 hours within the preceding 12 months. This does not include sick, holiday, or other paid non-working time, unless the employee is a member of AFSCME 1699.
- An employee must also comply with University leave requirements including:
  - 30 days advance notice of the need to take FML when the need is foreseeable (or as soon as practicable).
  - Sufficient information for the University to understand that the employee requires leave for a qualifying reason.
  - Adequate medical certification that the employee has a qualifying event as defined by FMLA statute.
- A qualifying event includes:
  - The employee's own serious health condition.
  - The serious condition of a spouse, qualifying domestic partner, child or parent.
  - Caring for or bonding with a newborn, newly adopted or placed foster child within 12 months of placement.
  - Qualifying exigencies related to a spouse, domestic partner or child being on active duty or having been notified of an impending call to active duty in the Armed Forces.
  - Caring for a spouse, domestic partner, child, parent or if you are the nearest blood relative available to care for a recovering service member (26 weeks of leave).
- A serious health condition is defined as:
  - Hospital or in-patient care in a hospital, hospice, or residential medical care facility.
  - Incapacity of more than three calendar days plus medical treatment.
  - Pregnancy, including prenatal care.
  - Chronic conditions requiring periodic medical treatment that may cause episodic periods of incapacity.
  - Permanent/long-term conditions requiring medical supervision.
  - Multiple treatments for non-chronic conditions that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical treatment.
- Assuming the above eligibility requirements are met, the employee is eligible for up to 12 weeks of consecutive or intermittent leave within a 12-month period, except where specified above (care for an injured service member).
- While using FML, the employee will use accrued sick time, then other paid or unpaid leave.
- If the employee is using paid time, all benefits will remain available. If the employee is using unpaid time, they will be responsible for paying the premium or co-pay that is normally contributed while actively working. The employee will also not accrue other benefits while on unpaid leave (sick/vacation time, pension accrual/service credit, etc.).
- FML eligible events that are not eligible under university policy for paid sick leave, but are eligible for paid vacation, paid personal leave or unpaid leave are:
  - Bonding with a newborn, newly adopted or placed foster child within 12 months after birth or placement.
  - Caring for a family member who is a member of the Armed Forces and is outside the scope of current sick leave policies (i.e., aunt, cousin, etc.).
- Please visit the full policy for more information: <https://www.ohio.edu/policy/40-054>