

POLICY AND PROCEDURE
UNION PUBLIC UTILITY DISTRICT

DATE REVISED: 05/22/2024	MANUAL	POLICY NO. 2045
APPROVED BY: Board of Directors	POLICY TITLE Family and Medical Leave	Page 1-2

PAID FAMILY LEAVE (PFL):

PFL is a component of the SDI program. Workers covered by SDI will also be covered for PFL. These benefits may be available to an employee if unable to work due to the need to care for a seriously ill family member or to bond with a new child. PFL benefits are payable for a maximum of six (6) weeks in a twelve (12) month period.

The Family Medical Leave Act further provides the District continue health plan benefits during the leave. If there is a share of cost for health care benefits, arrangements can be made for payment of the share of cost.

Accrual of vacation and sick time will not be earned during Leave.

If employee exhausts his/her protected leave and has still not returned to work, employee will be offered COBRA coverage for continuation of health benefits. If employee enrolls in COBRA, 100% of the cost will be paid for by the employee.

2045.1 The purpose of this policy is to clarify how the Union Public Utility District will implement the Family and Medical Leave Act of 1993 (FMLA).

2045.2 Eligibility. To be eligible for leave under the FMLA, an employee must have: (1) been employed by the Union Public Utility District for at least 12 months, which need not be consecutive; (2) worked for the Union Public Utility District at least 1,250 hours during the 12 months immediately preceding the commencement of leave.

2045.3 Leave Benefit.

2045.3.1 Eligible employees will be provided with up to 12 weeks of unpaid leave each year to care for a newborn, adopted, or foster child or for a seriously ill child, parent, or spouse. In addition, employees who are unable to perform the functions of their position because of a serious health condition will also be entitled to 12 weeks of unpaid leave. "Serious health condition" is defined as an illness, injury, impairment, or physical or mental condition that entails
(1) inpatient care in a hospital, hospice, or residential medical care facility; or,
(2) continuing treatment by a health care provider.

2045.3.2 To be eligible for leave under the FMLA, the employee will first be required to use applicable accrued paid leaves permitted by the District, including vacation leave and sick leave for the first part of the 12-week statutory leave. Paid leave may not be added to the end of the 12 weeks of unpaid leave without the approval of the District Manager's or Office Manager's prior approval. If

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a husband and wife are both employed by Union Public Utility District, the total number of workweeks of leave to which both may be entitled shall be limited to 12 weeks if leave is taken for the birth, adoption, or foster placement of a child or for the purpose of caring for a seriously ill parent.

2045.3.3 Employees on leave who were previously covered by the Union Public Utility District's health benefit shall continue to be covered at the level and under the conditions that coverage would have been provided if the employee were continuing to work. **If employee exhausts his/her protected leave and has still not returned to work, employee will be offered COBRA coverage for continuation of health benefits. If employee enrolls in COBRA, 100% of the cost will be paid for by the employee.**

2045.3.4 At the end of the leave the employee will be reinstated to his/her previous position or to an equivalent job with equivalent pay, benefits, and working conditions. However, the employee will not accrued seniority or employment benefits during the leave period. Union Public Utility District may also require the employee to obtain medical certification that they are able to resume work.

2045.4 Employee Obligations

2045.4.1 If an employee requests leave for the birth, adoption, or the foster placement of a child, and the need for leave is foreseeable, the employee must provide his or her division manager with at least 30 days' prior written notice. However, if the date of the birth, adoption, or foster placement requires that leave begin in less than 30 days, the employee must provide the manager with as much notice as practicable. If the employee requests leave because of a serious health condition, the employee must provide the division manager with 30- days notice, or with as much notice as practicable.

2045.4.2 Employees seeking leave on account of a serious health condition must provide the division manager with medical certification regarding their condition. The District Manager or Office Manager may require employees to obtain, at Union Public Utility District's expense, a second opinion. If the second opinion differs from the first, the District Manager or Office Manager may require a third opinion from a mutually agreed on health care provider.

2045.4.3 For most leaves, employees will not be permitted to take their leave intermittently or on a reduced-leave schedule without the approval of their immediate supervisor. However, intermittent leave or a reduced-leave schedule may, if medically necessary, be taken by the employee because of a serious health condition. An employee who seeks intermittent leave or leave on reduced-leave schedule because of planned medical treatment may be required to transfer temporarily to a different position, with equivalent working conditions, that accommodates recurring periods of leave better than the employee's regular job.