**Family and Medical Leave** **Act**

San Joaquin Valley College, Inc. complies with federal Family and Medical Leave Act (FMLA), which requires employers to grant unpaid leave of absence to qualified employees for certain medical and family related reasons up to twelve (12) weeks intermittently and/or continuously unless otherwise indicated. The company also abides by other federal, state and local leave of absence laws. Federal and state Family and Medical Leave and/or other leave types run concurrently unless otherwise managed by state requirements.

Employee leaves of absence requests, with the exception of a Personal Leave, are processed through SJVCi's third-party administrator.

FMLA requires covered employers with 50 or more employees to provide eligible employees up to 12 weeks of unpaid, job-protected leave in any 12-month period for certain family and medical reasons.  The 12-month period is a rolling period measured backward from the date an employee uses any FMLA leave, except for leaves to care for a covered servicemember with a serious illness or injury.  For those leaves, the leave entitlement is 26 weeks in a single 12-month period, measured forward from the date an employee first takes that type of leave.

**Basic Leave Entitlement**

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons: (1) for incapacity due to pregnancy, prenatal medical care, or child birth; (2) to care for the employee’s child after birth or placement for adoption or foster care; (3) to care for the employee’s spouse, registered domestic partner, son or daughter, or parent who has a serious health condition; (4) for a serious health condition that makes the employee unable to work, or (5) because of a qualifying exigency arising out of a spouse’s, son’s, daughter’s, or parent’s active duty or notification of an impending call or order to active duty in the armed forces in support of a contingency operation. Leave may be taken as a block, intermittently, or on a reduced-schedule basis.

**Eligibility**

In order to qualify for leave, an employee must: (a) have been employed for at least 12 months, (b) have worked at least 1,250 hours of service during the 12-month period immediately before the leave would begin, and (c) work within a 75-mile radius of 50 or more employees of the organization.

**Insurance Coverage**

SJVCi will continue to pay its share of the premiums to maintain any health plan coverage that is already in effect for the employee for the duration of any leave granted under this policy. The employee must continue to pay his/her share of the health benefit costs if he or she wishes such coverage to continue during the leave. If an employee does not pay his/her share of the premiums for the period of the leave, coverage will cease in accordance with the provisions of the law. The employee may thereafter reinstate coverage immediately following leave if the employee resumes payment of his or her share of the premiums in a timely manner.

**How to Request Leave**

Employee leaves of absence requests are processed through our third-party administrator (TPA), Guardian. The first step of the leave request process is to notify Employee Relations at [employee.relations@embered.com](mailto:employee.relations@embered.com) and provide the following information:

* Your first and last name
* Work location
* Work email address
* Personal email address
* Personal phone number
* Home address
* Leave start date
* Leave end date (approximate or actual)
* If pregnancy disability/maternity, provide baby’s due date
* Supervisor’s first and last name
* Supervisor’s work email address

The second step is to initiate your leave request to Guardian at 1-888-889-5953. Please be prepared to provide the following information:

* Group #00559540
* Your full name, social security number, address and phone number
* Health Care Provider’s name, address, phone and fax numbers

The third step is for you and your health care provider to fully complete the required medical certification form(s) provided by Guardian. Without these fully completed medical certification form(s), your leave would be denied or postponed, your absence would become unprotected and may result in corrective action and / or processing of a voluntary resignation due to absence beyond the time approved by SJVCi.

Employees needing intermittent/reduced schedule leave for foreseeable medical treatments must work with their supervisors to schedule the leave so as not disrupt the company’s operations.

**Reinstatement**

Except where the law authorizes a different result, an employee who complies with the provisions of this policy will be reinstated to the same or an equivalent position as that which he or she occupied when the leave commenced. An employee who takes a leave for his or her own serious health condition must provide a medical release verifying that he or she is able to return to work, in the same manner as employees return from other types of medical leave. If an employee fails to return for work immediately after the period of approved leave expires, the employee will be considered to have voluntarily resigned their position.

**Other Family Medical Leaves**

**State Family and Medical Leave**

In addition to FMLA, some states have their own family and medical leave. To find out if the state you reside and or work in has its own family and medical leave, please contact Guardian.