USM/UB Key Provisions of FMLA

As provided for under the USM Policy on Family and Medical Leave and under certain circumstances, UB will provide eligible employees up to a maximum of twelve (12) weeks of paid or unpaid leave during a twelve (12) month period for certain family and certain serious health condition reasons. FMLA can be taken continuously or, under certain circumstances, on a reduced FMLA schedule, or intermittently over the course of a twelve (12) month period. These guidelines are intended to provide a brief overview of the key provisions of the Policy and the procedures to request Family and Medical Leave (FMLA).

Employees may take F&M leave for birth of the employee's child; placement of a child with the employee for adoption or foster care; the need to take care of the employee's child within a twelve (12) month period from birth or placement; the need to take care of the employee's immediate family member who has a serious health condition; and for the serious health condition of the employee. Additionally, FMLA eligible employees are entitled to the following: FMLA Due to a Call to Active Duty-provides for a maximum of twelve (12) weeks of leave due to a spouse, child, or parent being on active duty or having been notified of an impending call or order to active duty in the Armed Forces. FMLA to care for an Injured Service member: This benefit provides for a maximum of twenty-six (26) weeks of leave during a single 12-month period for a spouse, child, parent, or next of kin caring for a recovering service member.

Eligibility
In order to be eligible for FMLA, you must have been employed for at least 12 months as a USM or State employee and have worked at least 1,250 hours immediately prior to the beginning date of the FMLA leave. If these conditions are met, a maximum of 12 weeks of FMLA leave may be granted per calendar year. It can be taken continuously, or, under certain circumstances, intermittently.

Health Insurance Continuation
During the course of FMLA leave, your health insurance benefits will continue to be subsidized by the University/State of Maryland, provided you continue to pay your portion of the benefits (subsidized benefits include health insurance, prescription drugs, and dental insurance).

Leave Status
The FMLA policy provides for unpaid leave. However, for an employee’s personal illness, paid leave may be used to cover all or parts of the FMLA. For faculty members, you may be entitled to Collegially Supported Sick Leave for part of your absence. For an illness of an immediate family member, a regular non-faculty employee may use up to 15 available sick days in a calendar year. Any other leave used to care for a family member would include available annual, personal, holiday, earned compensatory time, or unpaid leave. Once FMLA is approved, you should work with your supervisor when completing your timesheet. FMLA is taken in conjunction with Sick Leave; it is not an either/or option.

Job Protection
You will be restored to your former position as long as you return within the 12-week period. Please refer to Paragraph IX.F.2 of the USM Policy on FMLA if you are considered a “key” employee since the restoration of a key employee differs from other levels.

UNUM Disability Insurance
If you are enrolled in the USM disability plan, you should contact the plan representative to make arrangements to set up payments once the waiting period has expired. Plan options include a 90-day or 365-day waiting period.

Retirement
Disability retirement – If your absence is serious and may qualify for disability retirement (available to employees who are in the Employee/Teachers’ Enhanced Pension System, or the Law Enforcement Officers Pension System (for USM Police Officers only), we will send you information regarding applying for disability retirement.

Normal retirement – If you are eligible to retire under normal retirement conditions and would like information sent to you, please contact the Office of Human Resources.

For more information, please contact:
Benefits Specialist
Office of Human Resources
(410) 837-5410 Phone (410) 837-5403 Fax