Towson University (TU) administers FMLA in accordance with Towson University policy 07-07.50, Family and Medical Leave, and the Family Medical Leave Act of 1993. Eligible employees can receive up to 12 weeks of job-protected leave during a 12-month period for – the employee's own serious health condition, care for an immediate family member with a serious health condition, birth/adoption/foster care placement, or for qualified military service related reasons. Up to 26 weeks of leave can be used for the care of a qualified member of the military injured in the course of military service.

This guide provides a brief overview of the key provisions of the policy and of the procedures to request FMLA. The approval and conditions for leave are subject to current regulations, policy, and law at the time of the request for leave.

Qualification for FMLA

- Employee worked 1040 hours in the 12-month period prior to the date leave is requested
- Employed for a minimum of 12 months total, within the past seven years

Qualifying Reasons to take Leave

- Birth, adoption, or foster care placement of a child (12 weeks within child's first year of life, or one year from the date of placement)
- Serious health condition of an immediate family member
  - Spouse
  - Child under 18, or incapable of self-care due to a disability
  - Parent
- Serious health condition of the employee
- Matters related to an overseas military deployment
  - Spouse
  - Child
  - Parent
- Rest and recuperation (R&R) leave from the military (15 days max)
  - Spouse
  - Child
  - Parent
- Serious health condition due to military service, including veterans within 5 years of discharge (26 weeks)
  - Spouse
  - Child
  - Parent
  - Next of Kin
Leave and Benefits while on FMLA

- Paid leave must be exhausted prior to leave without pay. Leave will accrue as usual while in a paid status.
- Group health coverage is maintained on the same terms as if the employee continued to work. However, an employer may recover the costs to maintain the employee’s benefit coverage when on unpaid leave if an employee fails to return to work for at least 30 days following leave.
- Restoration to the same or equivalent position upon return from leave, subject to the normal operating schedule and terms of employment.
- Key employees (top 10% in terms of compensation) may not be entitled to restoration upon conclusion of FMLA if it will result in substantial and grievous economic injury to an employer.
- TU may temporarily reassign an employee on intermittent FMLA to an alternative position that better accommodates reduced or intermittent periods of leave.

Notice of Leave

Contact the Office of Human Resources, Employee Benefits Unit, prior to taking leave. The leave specialist will consult with you on your need for FMLA. Regardless of the reason for leave, an employee shall provide complete, accurate, and timely information related to a request for, continuation of, modification(s) to, and return from leave.

Required FMLA Forms

- **Faculty/Staff Request for Family Medical Leave**
  - To be completed by the employee, 30 days prior to the start of leave, or within two days of the first day of absence, when leave is unexpected
  - Signed by the employee and supervisor, then forwarded to Employee Benefits

- **Certification of Health Care Provider**
  - To be completed by the medical provider, 30 days prior to the start of leave, or within 15 days of the first day of absence, when leave is unexpected
  - Signed by the employee and the medical provider, then submitted directly to Employee Benefits

- **Faculty/Staff Request for Family Medical Leave (for non-medical military related absences)**
  - To be completed by the employee, 30 days prior to the start of leave, or within two days of the first day of absence, when leave is unexpected
  - Signed by the employee and supervisor, then forwarded to Employee Benefits
  - Attach a copy of the active duty orders
  - Provide verification of any appointments related to the qualifying exigency or R&R.

If you have questions about FMLA, please email leavebenefits@towson.edu.