

DEKALB COUNTY GOVERNMENT
FEDERAL FAMILY AND MEDICAL LEAVE ACT OF 1963
IMPLEMENTATION POLICY EFFECTIVE 01/01/06
AMENDED 01/28/2008
Reviewed for updates March 31, 2009

In addition to general leaves of absence which can be granted under the leave policy of DeKalb County Government, employees also qualify for leaves of absence under the Federal Family and Medical Leave Act (FMLA). Following is a brief summary of the provisions of this Act:

1. A person is entitled to a 12 week or a 26 week leave under FMLA in any consecutive 12 month period provided, he or she has worked for DeKalb County Government for at least one year and has worked at least 1,250 hours in the 52 weeks immediately preceding the leave.
2. This leave can be taken for the following:
 - the birth and care of the newborn child of an employee
 - placement with the employee of a child for adoption or foster care
 - to care for a spouse, child, or parent with a serious health condition
 - an employee's own serious health condition
 - to care for an injured qualifying military service person
 - a qualifying exigency arising from an immediate family member's call to active military duty
3. Under some circumstances, employees may take FMLA leave intermittently.
 - If FMLA leave is for the birth and care of a child or placement of a child for adoption or foster care, use of intermittent leave is subject to the approval of the department head.
 - FMLA leave may be taken intermittently whenever medically necessary to care for a seriously ill family member or because the employee is seriously ill and unable to work.
4. It is the employee's responsibility to apply for a leave under FMLA. When the need for the leave is foreseeable (such as the birth of a child), 30 days advance notice is required. If the circumstances are unforeseeable (such as emergency surgery), notice is required within 48 hours. Instances in which proper notification is not given will be considered on an individual basis.
5. Employees will be required to use a certain amount of accrued leave time while on FMLA leave. This leave must be used in the following order:
 - A. All accrued comp time must be used.
 - B. PHO's must be used down to a balance of 25 days (based on one's normal, budgeted hours)
 - C. At the employee's option, all emergency PHO's may be used.
 - D. At the employee's option, the remaining 25 days of PHO's may be used.

6. Employee health insurance will be continued under the same circumstances as if the employee were working. Therefore, the employee will continue to be responsible for any payroll deductions normally taken for health insurance. Any payments due are expected on the scheduled DeKalb County pay day (generally every other Friday). DeKalb County Government will continue to make its regular contributions toward the employee's health insurance premiums.
7. If the employee fails to return to work after a leave under FMLA, the employer may be entitled to collect from the employee the amount paid by DeKalb County Government toward the employee's health insurance during the leave.
8. The Federal Family and Medical Leave Act does not require that life insurance be continued while an employee is on a leave. DeKalb County Government will voluntarily continue life insurance for its employees.
9. DeKalb County Government will require medical certification of a serious medical condition of either the employee or the employee's seriously ill family member. Certification is also required for leaves due to a family member's active military status. This certification must be provided within 15 days of the beginning of the leave or the leave may be denied. Second or third opinions may be requested by the county, at the county's expense. If the leave is for the employee's own serious medical condition, a fitness for duty certificate will be required before the employee is allowed to return to work.
10. An employee has the option of changing from family to single health insurance coverage or of dropping all health insurance coverage during a leave under FMLA. The employee may reinstate coverage upon returning to work. If application is made within 30 days of returning to work, the pre-existing conditions clause of the policy will not be in effect. If application for reinstatement is made later than 30 days, the pre-existing conditions clause will be in effect.
11. Upon returning from a leave under FMLA, the employee will be returned to the same position held when the leave began or to an equivalent position.

*DeKalb County Government reserves the right to amend these policies.
Current policies are available for viewing on the county's website: www.dekalbcounty.org.*