

FAMILY AND MEDICAL LEAVE

Allegany County allows for leave under the provisions of the Family and Medical Leave Act. Employees who wish to request leave must have been employed for at least twelve months, either part-time or full-time, and must have worked for no less than 1250 hours during the immediately previous twelve months unless specified otherwise by a County policy or Collective Bargaining Agreement.

The leave may not exceed twelve weeks in any one-year with the employee's date of hire serving as the beginning of a year. Employees must request the leave 30 days in advance or must give whatever notice is practical under the circumstances. The employee must provide adequate certification of the health condition from a health care provider, and second and third opinions may be requested by and at the expense of the County.

The type of conditions for which leave may be requested include:

1. the birth or adoption of a child, including state placement of a foster child (leave under such condition must be taken on a consecutive basis);
2. to care for a spouse, child or parent with a serious health condition; and
3. when a serious health condition (physical or psychological) makes the employee unable to perform essential job functions.

During the course of the twelve weeks, the employee must use all appropriate and available leave credits, unless stated otherwise by a Collective Bargaining Agreement, with the remainder being unpaid leave, or, if appropriate and otherwise eligible, short term disability benefits. Allegany County will continue the employee's existing health insurance coverage subject to the employee making timely payments of his/her portion, if any, of the insurance premiums due during the unpaid portion of leave.

Upon returning from leave, Allegany County will reinstate the employee to his original position or to a position with equivalent pay and benefits. If the leave is granted due to a serious health condition of the employee, the employee is to provide a fitness-for-return certification in order to be reinstated.

Where both husband and wife are employed, the family care provisions as stated in (2) above, are limited to twelve weeks total for both.

Should any other County policy provide a greater benefit, or should a Collective Bargaining Agreement provide a greater benefit, the greater benefit will prevail.