

CORNELL COLLEGE FAMILY AND MEDICAL LEAVE POLICY

Cornell College understands the importance of family issues to its employees. Because employees may find it necessary to take leave from their jobs for a temporary period to address certain family medical responsibilities or their own serious health condition, and in order to comply with the Family and Medical Leave Act of 1993 (FMLA), the College has established the following family and medical leave policy and procedures.

Eligibility

To be eligible, employees must have worked a minimum of 1250 hours during the 12-month period preceding the start of the leave. Leaves of absence will be granted for the following reasons:

Medical Leave

- Employee's serious health condition that renders him/her unable to perform his/her essential job functions.

Family Leave

- The birth*, adoption, foster care placement, or first-year care of a child.
- To care for a spouse, domestic partner, child, or parent of the employee if that individual has a serious health condition.

Service Member Leave

- A qualifying exigency arising out of a covered family member's active duty or call to active duty in the Armed Forces in support of a contingency plan.
- To care for a covered family member who has incurred an injury or illness in the line of duty while on active duty in the Armed Forces provided that such injury or illness may render the family member medically unfit to perform duties of the member's office, grade, rank or rating.

If the leave is for birth, adoption, or foster care placement, the leave must be completed within 12 months of the date of birth or placement.

*All employees, regardless of hours worked or tenure, are eligible for 8 weeks of unpaid leave for disability due to pregnancy, childbirth, or legal abortion under Iowa Code 216.6.

Procedures for Requesting Leave

Employees must give the College 30 days advance notice for foreseeable family or medical leaves. If the need for family or medical leave is not foreseeable, notice must be given by the employee as soon as possible and practicable. Except in cases of extreme medical emergencies, the employee is expected to advise his/her supervisor as soon as he/she knows of the need for and expected duration of the leave.

Employees requesting leave must complete a Family and Medical Leave Request Form from the Human Resources Office. The employee will need to provide his/her supervisor and the Human Resources Office with a copy of the completed Family and Medical Leave Request Form.

Any request for leave based on a serious health condition, whether it involves the employee or a family member, must be supported by the appropriate medical certification. In all cases of leave for a serious

health condition, the College reserves the right to request another medical opinion at the College's expense.

For service member leave arising out of exigency, the College reserves the right to request supporting documentation showing that the service member has been called to active duty.

Employees will be notified in writing by the Human Resources Office of the terms and conditions of their leave. This written notice will reflect the decision of the division head and the supervisor in consultation with the Director of Human Resources.

Length of Leave

Employees can take up to twelve weeks of leave under this policy during any twelve-month period. This leave may be taken intermittently or applied to a reduced work-week or work-day schedule. The leave will be measured as a rolling twelve month period measured backwards from the date any leave was taken under this policy. When both husband and wife work for the College, they are limited to a combined total of 12 weeks for birth or placement of a child, the care of a parent with a serious health condition or for exigency leave for a service member.

Employees may take up to 26 weeks of leave during a single 12-month period to care for an injured or ill service member. Leave to care for an injured or ill service member, when combined with other FMLA-qualifying leave, may not exceed 26 weeks in a single 12-month period. When both husband and wife work for the College, they are limited to a combined total of 26 weeks in a 12-month period for care of an injured or ill service member, in combination with any exigency leave taken.

Substituting Paid Leave

An employee is required to substitute at least 50% of his/her available accrued vacation for any part of leave granted under this policy which would otherwise be unpaid. The employee may elect to use 100% of his/her accrued vacation. The election to use additional vacation beyond the required 50% substitution as paid leave that is substituted for unpaid leave must be made before the leave ends.

Where other College policies provide a greater leave benefit than the Family and Medical Leave, the other policy will prevail. However, any leave under the FMLA will run concurrently with such leave until exhausted.

Workers' Compensation Medical Leave

An employee who is injured on the job will receive workers' compensation following 3 days off from work as provided under state compensation law. The workers' compensation leave and FMLA will run concurrently.

Benefits During Leave

Group Health Insurance: During an approved leave the College will maintain the employee's group health insurance. The employee is required to continue to pay his/her contribution for medical insurance cost. The contribution will be deducted from the employee's paycheck during the leave if the employee is being paid. If the employee is on unpaid leave, the contribution will be billed to his/her AR account which is payable upon receipt of the statement.

Other Benefits: Other benefits normally provided to an employee will be provided to the employee only if permitted by the plan document governing the provision of benefits.

Upon return from FMLA, an employee may be returned to the same participant status in those employee benefit plans in which the employee participated prior to the FMLA leave.

In the event that an employee fails to return from family or medical leave, or returns but stays less than 30 days, the employee will owe the College the cost of any benefits provided during the entire duration of the leave, including the employer's contribution to the employee's group health benefits. No such amount will be owed if there is a recurrence or onset of a serious health condition, or in the opinion of the College, there is a change of circumstance beyond the employee's control.

Return from Leave

Employees returning from leave will be reinstated to the same or equivalent position. If the employee was on medical leave, medical certification may be required verifying ability to return to work.

Failure to return to work after the expiration of the leave will result in termination of employment and benefits, with the exception of COBRA benefits.