

OPEIU - Article 43

Family Care Leave

Section 1. After completing one year of service, permanent employees shall be granted, upon written request, up to 12 weeks of leave without pay in a calendar year for the purpose of attending to the medical needs of a spouse, parent, son or daughter or other person qualifying as a dependent.

Leave for this purpose may be taken one day at a time, if necessary. Leave shall be approved for less than one day at a time when medically necessary due to a serious health condition as defined in the Family and Medical Leave Act of 1993.

Documentation of the need for Family Care Leave shall be required.

Section 2. PASSHE paid coverage for life insurance and for hospital, medical, surgical, and major health coverage, as provided in Article 20 and 21 will continue for the period of time the employee is on family care leave under Section 1 of this article.

Section 3. It is understood that the 12-week entitlement under Section 1 above may be extended.

Section 4. Employees will not be required to use accumulated annual and/or personal leave prior to taking family care leave without pay.

Section 5. An employee shall have the right to return to the same position in the same classification held before going on Family Care Leave, or to an equivalent position with regard to pay and skill.

Section 6. For the purpose of this Article, parent shall be defined as a biological parent of the employee or an individual who stood in loco parentis to an employee when the employee was a son or daughter.

For the purpose of the Article, son or daughter shall be defined as a biological, adopted, or foster child, a step-child, a legal ward, or a child of a person standing in loco parentis who is

(A) Under 18 of age; or

(B) 18 years of age or older and incapable of self-care because of mental or physical disability

Section 7. It is understood by both parties that the provisions of this Article are consistent with the Family and Medical Leave Act of 1993, 29 USC Section 2601 et seq.

Section 8. For the purpose of the Article, the calendar year shall be defined as beginning with the employee's first full pay period commencing on or after January 1 and continuing through the end of the employee's pay period the included December 31.