

SPFPA - ARTICLE 41

Family Care Leave

Section 1. After completing one (1) year of service, permanent employees shall be granted, upon written request, up to twelve (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. The one (1) year of service will include all periods of service provided the employee has worked at least 1,250 hours within the last twelve (12) months.

Leave for this purpose may be taken one (1) day at a time if necessary. Leave shall be approved for less than one (1) day at a time when medically necessary due to a serious health condition as defined in the Family and Medical Leave Act of 1993.

The request, which shall be submitted at least two (2) weeks in advance, if circumstances permit, must include documentation supporting the need for Family Care Leave.

Section 2. Employer-paid coverage for life insurance and for health benefits as provided in Articles 23 and 24 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 twelve (12) week entitlement under Section 1 above may not 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 the 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 this Article, son or daughter shall be defined as a biological, adopted or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis who is:

- a. under eighteen (18) years of age; or
- b. eighteen (18) years of age or older and incapable of self-care because of a 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. and that leave granted in accordance with this Article shall be designated as leave under the provisions of the Act.

Section 8. For the purpose of this 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 that includes December 31.