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LAKE-SUMTER STATE COLLEGE

ADMINISTRATIVE PROCEDURE 5-11 LEAVES – PARENTAL LEAVE  
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**I. PURPOSE**

Lake-Sumter State College is committed to compliance with the Family and Medical Leave Act (FMLA). The purpose of this policy is to provide employees a basic understanding of their obligations under FMLA.

**II. RESPONSIBILITY**

Oversight for this procedure falls under the supervision of the Executive Vice President.

**III. FAMILY AND MEDICAL LEAVE ACT (FMLA)**

Under the Family and Medical Leave Act (FMLA) employees who have worked for the college for at least twelve months and have worked 1,250 hours with the year preceding completion of the leave are entitled to take within any twelve-month period 1) up to twelve weeks of unpaid leave for the care of a family member or veteran with medical condition; 2) up to twelve weeks of unpaid family leave to care for a family member or veteran with medical condition. FMLA leaves are not included when calculating whether 1,250 hours have been worked. The twelve-month period defined as any rolling twelve-month period measured backward from the date of the leave. Employees who do not have to be consecutive, however a continuous period of twelve months or more will initiate a new period for earning twelve months qualifying service. Employees may use accrued paid leave (vacation or sick) when utilizing FMLA.

Leave may be taken for the following reasons:

- a. The birth or bonding of a child or the placement of a child with the employee for adoption or foster care. See Administrative Procedure 5-11 Leaves – Parental Leave.
- b. To care for a spouse, son, daughter, or parent with a serious health condition.
- c. For the employee's own serious health condition that makes the employee unable to perform the essential functions of his or her job, including incapacity due to pregnancy and for prenatal medical care.
- d. Military Caregiver Leave: to care for a spouse, child, parent or next-of-kin who is a member of the Armed Forces, including the National Guard and Reserves. This leave can only be taken once during a single twelve-month period while the employee works for the same employer, but that requirement is per-service member and per-injury or illness.

- e. Employees can take FMLA leave for their biological children; adopted children; foster children; stepchildren; legal wards; or children for whom employees have day-to-day responsibilities to care for or financially support. Children must be under age 18 unless they are incapable of self-care because of a physical or mental disability (as defined under the federal Americans with Disabilities Act) at the time that FMLA leave begins.
- f. Employees can take FMLA leave for their biological, adoptive, step or foster father or mother, or for any person who had day-to-day responsibilities or provided financial support for them as children. Employees cannot take FMLA leave for parents-in-law.
- g. Employees can take FMLA leave to care for a spouse with a serious health condition. Spouse refers to a husband or wife in a marriage recognized by state law where the marriage was celebrated (performed), including common law marriage and same-sex marriage.
- h. Serious health condition is a condition that requires inpatient care at a hospital, hospice or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care or a condition that requires continuing care by a licensed health care provider. Serious health condition means an illness, injury, impairment, or physical or mental condition that involves:
  - i. Any period of incapacity or treatment connected with inpatient care (i.e. an overnight stay) in a hospital, hospice or residential medical care facility; or
  - ii. A period of incapacity requiring absence of more than three calendar days from work, school or other regular daily activities that also involves continuing treatment by (or under the supervision of) a health provider; or
  - iii. Any period of incapacity due to pregnancy or for prenatal care; or
  - iv. Any period of incapacity (or treatment therefore) due to a chronic serious health condition (e.g. asthma, diabetes, epilepsy, etc.); or
  - v. Any period of incapacity that is permanent or long-term due to a condition for which treatment might not be effective (e.g. Alzheimer's, stroke, terminal diseases, etc.); or
  - vi. Any absences to receive multiple treatments (including any period of recovery therefrom) by, or on referral by, a health care provider for a condition that likely would result in incapacity of more than three consecutive days if left untreated (e.g. chemotherapy, physical therapy, dialysis, etc.).

Employees can take Qualifying exigency leave for a covered spouse, son, daughter or parent to deal with qualifying exigencies caused by a call to active duty or has been notified of an impending call or order to covered duty.

- i. Regular, full-time employees are required to use paid leave as appropriate, i.e. sickh(e).B (.8 (t)5 (y)-.B (.).J0 Tc 0 T

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