**NEW JERSEY CITY UNIVERSITY**

**FAMILY MEDICAL LEAVE ACT POLICY (FMLA) &**

**FAMILY LEAVE INSURANCE (FLI)**

In accordance with the 1993 Family Medical Leave Act, New Jersey City University allows you take 12 weeks of unpaid leave from your job for a serious illness, the serious illness of a family member, or for the birth or adoption of a child. During this time your job and health benefits will be protected. The 12 weeks are per calendar year, and do not have to be taken consecutively.

 Those seeking a leave of absence or faculty sick leave must contact the Human Resources Department for counseling in preparation of the application to review the policy, use of sick or vacation time, and continuation of benefits.

**Eligibility Requirements**

To be eligible for an FMLA leave an employee must:

* Be employed at the University for at least 12 months
* Have worked at least 1,250 hours in the previous 12 months

**What Qualifies as an FMLA leave?**

An FMLA leave can be granted for

* For incapacity due to pregnancy, prenatal medical care or child birth;
* To care for the employee’s child after birth, or placement for adoption or foster care;
* To care for a the employee’s spouse, son, daughter or parent, who has a serious health condition or
* For a serious health condition that makes the employee unable to perform the employee’s job.

**NJCU’s Application Process**

Employees must give 30 days notice of intent to take leave when the circumstances for the leave are foreseen. In the event of an emergency the employee should give as much notice as possible preferably at least two (2) business days. The Leave of Absence request form must be completed and returned to the Human Resources department. A physician certification must be submitted for all FMLA leaves including extension of leaves. The physician certification must include prognosis, duration and an expected return to work date.

FMLA will be applied to all leave time (sick, vacation, administrative) used for serious health conditions that exceeds five (5) consecutive days in duration up to and including the allowed 12 weeks. Once you have exhausted your sick time you will then be eligible for Temporary Disability Insurance (TDI). Human Resources will notify you when you will be eligible to apply for TDI as well as supply you with the necessary forms to apply. **Please note that TDI is a benefit offered to you by the State of New Jersey not New Jersey City University, therefore; they are operated as separate entities.**

Your FMLA leave will begin on the first date of your approved leave, paid or unpaid. If you are unable to return to work on the approved date, you must notify Human Resources as soon as that becomes known. At least two (2) weeks advance notice is preferred for Human Resources review purposes. Additional medical verification must be submitted.

Upon your return to work you must report to the Human Resources department to ensure the processing of all return from leave forms.

**Family Leave Insurance (FLI)**

Beginning July 1, 2009, New Jersey law will provide up to (6) weeks of Family Leave Insurance benefits. Benefits are payable to covered employees from either the New Jersey State Pan or an approved employer-provided private plan to:

* Bond with a child during the first 12 months after the child’s birth, if the covered individual or the domestic partner or civil union partner of the covered individual, is a biological parent of the child, or the first 12 months after the placement of the child for adoption with the covered individual.
* Care for a family member with a serious health condition supported by a certification provided by a health care provider. Claims may be filed for six consecutive weeks, for intermittent weeks or for 42 intermittent days during a 12 month period beginning with the first date of the claim.

Child means a biological, adopted, or foster child, stepchild or legal ward of a covered individual, child of a domestic partner of the covered individual, or child of a civil union partner of the covered individual, who is less than 19 years of age or is 19 of age or older but incapable of self-care because of mental or physical impairment.

**New Jersey State Plan**

Employees covered under the New Jersey State Plan can obtain information pertaining to the program and an application for FLI benefits (Form FL-1), after June 1, 2009, by visiting the Department of Labor and Workforce Development’s web site at [www.nj.gov/labor](http://www.nj.gov/labor) , by telephoning the Division of Temporary Insurance’s Customer Service Section at (609) 292-7060, or by writing to the Division of Temporary Disability Insurance, PO Box 387, Trenton, NJ 08625-0387.

If an employee is receiving State Plan temporary disability benefits for pregnancy, after the child is born, the Division will mail the employee information on how to file a claim for Family Leave Insurance benefits to bond with the newborn child. If a claim is filed to have Family Leave Insurance benefits begin immediately after the employee recovers from her pregnancy-related disability, she will be paid at the same weekly benefit amount as she was paid for her pregnancy-related disability claim and no waiting period will be required.

**\*Remember it is imperative that you have a consultation with the Human Resources Department regarding any leave of absence, so that all policies can be explained in full detail. If you cannot take care of this due to your own unforeseen serious illness, please authorize someone to do this on your behalf.**