

TITLE: FAMILY/MEDICAL & MILITARY
FAMILY LEAVE

PERSONNEL X

RESOLUTION

ADMINISTRATIVE

NO: 19-247

EFFECTIVE DATE: 03/05/2019

TYPE :

SUPERSEDES:

POLICY X

POLICY# 8C

PROCEDURE X

PROCEDURE# 8C

Section I. POLICY:

Under the Family and Medical Leave Act of 1993 (FMLA), employees who are employed within the appointing authority of the Board of Lucas County Commissioners are entitled to take leave for up to 12 workweeks of leave in a 12 month period for certain family and medical reasons. In addition, eligible employees are entitled to take leave related to military service or exigency for up to 12 to 26 work weeks in a 12 month period.

The information listed below highlights the rights and obligations of employees and employers under the Act, which are covered under federal regulations. This information is intended to be a summary of these regulations, and in any particular case, the precise rights and obligations of employees and the Board of County Commissioners will be governed by the law itself.

Section II. ELIGIBILITY

1. An eligible employee is defined as one who has been employed within the appointing authority of the Board of Lucas County Commissioners for at least twelve (12) months (unless "2" below applies) and who has worked at least 1,250 hours during the 12-month period preceding the date the leave begins. The twelve (12) month period need not be continuous.
2. As required by the law, prior service with any other Lucas County department, office, board or commission counts toward the twelve (12) month period, and need not be continuous.
3. The 12-month period in which the 12 to 26 work weeks of FMLA entitlement will be measured is a rolling period measured forward from the date the leave commences.
4. The 1250 hours is "actual time worked" and excludes any periods of paid or unpaid leave, including but not limited to vacation, holidays, sick, personal and compensatory leave.

Section III. REASONS FOR TAKING LEAVE

1. Eligible employees are entitled to **family and medical leave** for any of the following reasons:
 - a. The birth of the employee's child or to care for the employee's child after birth, or placement for adoption or foster care (as defined by the Act);
 - b. For pre-natal care and incapacity due to pregnancy;
 - c. To care for the employee's spouse, child, or parent (as defined by the Act) who

has a serious health condition; or

- d. For a serious health condition that makes the employee unable to perform the employee's job.

2. Eligible employees are entitled to **military family leave** for any of the following reasons:

- a. Eligible employees are entitled to up to 12 weeks leave because of "any qualifying exigency" arising out of the fact that the spouse, son, daughter or parent of the employee (as defined by the Act) who is a covered service member is on covered active duty or has been notified of an impending call to covered active duty status, in support of a contingency operation. The qualifying exigency must be one of the following reasons:

- i. short notice deployment defined as a call/order to active duty seven (7) days prior to date of deployment (limited to seven (7) days of leave beginning on the date the military member is notified of deployment);
- ii. military events and activities related to call to active duty;
- iii. childcare and school activities (e.g. arrange for alternative child care, provide child care on an urgent or immediate need basis, enroll child in new school or day care, attend meetings with school or day care staff);
- iv. to make or update financial and legal arrangements to address a military member's absence;
- v. attend counseling provided by someone other than a health care provider;
- vi. rest and recuperation (maximum 15 days per leave, up to 12 weeks in a 12 month period, to spend time with military member on short-term leave)
- vii. post-deployment activities (up to 90 days following termination of active duty);
- viii. parental care to allow family members to take time off to arrange for care for parents of military members who are incapable of self care when the need for leave arises as a result of active duty or call to active duty (cannot be used for routine day-to-day care); and
- ix. additional activities that arise out of active duty, provided that the employer and employee agree, including agreement on timing and duration of leave.

The leave commences as soon as the individual receives the call-up notice. This type of leave would count toward the employee's 12 week maximum of FMLA leave in a 12 month period.

- b. An eligible employee who is the spouse, son, daughter, parent or next of kin of a covered service member or covered veteran who is recovering from a serious illness or injury sustained in the line of duty while on active duty or which existed before the beginning of the member's active duty and was aggravated by the service in the line of duty while on active duty is entitled up to 26 weeks of leave to care for the service member. The military care giver leave is available in a single 12 month period during which an employee is entitled to a combined total of 26 weeks of all types of FMLA leave.
- c. "Covered service member" is defined as a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retirement list, for a serious injury or illness.
- d. "Covered veteran" is defined as one who is undergoing medical treatment, recuperation, or therapy for a serious illness or injury and was discharged or released under conditions other than dishonorable at any time during the five year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran.
- e. In the case of a member of the regular Armed Forces, "covered active duty or call to covered active duty status" means duty during the deployment of the member with the Armed Forces to a foreign country.
- f. In the case of a member in the Reserve components of the Armed Forces, "covered or active duty or call to a covered active duty status" means duty during the deployment of the member with the Armed Forces to a foreign country under a Federal call or order to active duty in support of a contingency operation.

3. A serious health condition for family and medical leave means an illness, injury, impairment or physical or mental condition that involves either:

- a. Any period of incapacity or treatment connected with inpatient care (and overnight stay) in a hospital, hospice, or residential medical-care facility, and any period of incapacity or subsequent treatment in connection with such inpatient care; or
- b. Continuing treatment by a health care provider which includes any period of incapacity (i.e., inability to work, attend school or perform other regular daily activities) due to:
 - i. A health condition (including treatment therefore, or recovery therefrom) lasting more than three full consecutive days, and any

subsequent treatment or period of incapacity relating to the same condition that also includes:

- an in-person treatment at least once within 7 days of the first day of incapacity, and
 - either is a regimen of continuing treatment initiated by the health care provider during the first treatment **or** is a second in-person visit for treatment, the necessity of which is determined by the health care provider, within 30 days of the first day of incapacity.
- ii. Pregnancy or prenatal care;
- iii. A chronic serious health condition which requires visits for treatment by a health care provider at least twice per year, continues over an extended period of time (including recurring episodes of a condition), and may involve occasional episodes of incapacity rather than a continuing period of incapacity (e.g., asthma, diabetes).
- iv. A permanent or long-term condition for which treatment may not be effective (e.g., Alzheimers, a severe stroke, terminal cancer). Only supervision by a health care provider is required, rather than active treatment; or
- v. Any absences to receive multiple treatments for restorative surgery or for a condition which would likely result in a period of incapacity of more than three days if not treated (e.g., chemotherapy or radiation treatments for cancer).

Section IV. SUBSTITUTION OF PAID LEAVE

1. The Act does not require the leave to be paid.
2. If an employee requests and takes FMLA leave and/or the Board of Lucas County Commissioners determines the leave as requested meets the requirements under FMLA, **based upon the qualifying reason for the leave any accrued sick hours, paid vacation, or personal time will be applied to the FMLA leave period until such paid leave time is exhausted, as provided herein. The Employee may request that accrued compensatory time also be paid during their FMLA leave period. The remainder, if any, of the FMLA leave period will be unpaid.**
3. Specifically for purposes of Family and Medical leave enumerated in Section III. 1. a- d, and Section III. 2. b., above, employees are required to exhaust all paid sick leave, vacation leave, personal leave, and (if requested by the employee), compensatory time in that order, prior to receiving an unpaid leave.
4. Specifically for purposes of qualifying exigency leave enumerated in Section III. 2. above,

employees are required to exhaust all paid vacation leave, personal leave, and (if requested by the employee) compensatory time, in that order, prior to receiving an unpaid leave. Sick leave may not be utilized for this particular type of leave.

5. **The FMLA leave period will run concurrently with all other leaves, paid or unpaid,** made available to employees of the Board of County Commissioners including but not limited to: sick leave, vacation leave; personal leave; compensatory time; voluntary/involuntary disability separation; disability retirement (OPERS); any county disability plan (if one exists) and/or leave in conjunction with worker's compensation.

4. Existing policies and procedures and applicable collective bargaining agreement provisions for taking sick leave, vacation leave, personal leave or any other type of paid or unpaid leave shall be applied when requesting and receiving FMLA leave.

Section V. APPLICATION FOR LEAVE

1. An employee needing leave is required to provide the Human Resources Department with notice of the need for FMLA leave. The employee must explain the reasons for needed leave to determine that the reason for the leave is for a FMLA qualifying reason. If the employee fails to explain the reason, leave may be denied. Notice should include enough information to make the Board of County Commissioners aware that the employee needs FMLA qualifying leave, and the anticipated timing and duration of the leave. Failure to provide timely notice may result in a delay in or the denial of the leave and/or cause the absence to be considered as unexcused, which may subject the employee to disciplinary action up to and including discharge.

2. The employee should provide as much advance notice as possible so that the Board of County Commissioners can make appropriate arrangements to cover any work that needs to be performed in the employee's absence. The employee is also responsible for complying with any office rules regarding the reporting of absences. The minimum amount of required notice under the FMLA is as follows:

- a. **When the need for leave is foreseeable** based on an expected birth, placement for adoption or foster care, or planned medical treatment for a serious health condition of the employee or the employee's spouse, child or parent, or for the planned medical treatment for the serious illness or injury of a covered service member, the employee must provide the Board of County Commissioners **at least 30 days advance notice**. Such notice shall be given to the Human Resources Department.
- b. For foreseeable leave due to a qualifying exigency, notice must be provided as soon as practicable.
- c. **If 30 days notice is not practicable**, such as because of a lack of knowledge approximately when leave will be required to begin, timing for leave is not foreseeable, there is a change in circumstances, or a medical emergency, the employee must give notice to the Human Resources Department of the need for FMLA leave **as soon as practicable**.

- d. If the dates of leave are originally unknown, or if the dates of scheduled leave change or are extended, the employee is likewise responsible for giving notice to their immediate supervisor or the Human Resources Department as soon as practicable.
- e. **“As soon as practicable”** means both possible and practicable taking into account all the facts and circumstances; generally at least verbal notification **within one or two working days** of learning of the need for leave.
- f. The employee may be required to explain the reasons as to why at least 30 days notice of leave was not practicable.

3. Special rules apply when the employee fails to give advance notice of the need for leave and the Board of County Commissioners does not learn of the reason for the absence until the employee's return (e.g., where the employee was absent for only a brief period). In such circumstances, if the Board of County Commissioners does not designate the leave as FMLA leave and the employee desires it to be counted as FMLA leave, the employee must, within two business days after returning to work, notify the Human Resources Department that the leave was for an FMLA reason. In the absence of such timely notification by the employee, the leave will not be counted as FMLA and the employee may not subsequently assert FMLA protections for the absence.

4. An employee taking FMLA leave is required to report periodically on his or her intent to return to work. If an employee needs leave beyond the anticipated date originally provided for the ending of such leave, the employee must provide reasonable notice to the Human Resources Department as soon as possible and no later than within two business days after learning of the need for an extension of the leave. The employee is also responsible for complying with any office rules regarding the reporting of absences. If the employee is able to return to work earlier than expected, the employee must provide the Human Resources Department with reasonable notice as soon as possible and no later than two day notice from when the employee learns that he or she will be able to return to work earlier than expected.

Section IV. HOW LEAVE MAY BE TAKEN

1. Leave may be taken on a **continuous basis** (that is, a certain number of days or weeks in a row). Additionally, for leaves involving serious health conditions, when medically necessary, leaves may also be taken on an **intermittent basis** (that is, leave taken in separate blocks of time due to a single qualifying reason), or on a reduced schedule basis (that is, a leave schedule that reduces the usual number of hours per workweek or hours per day). An employee requesting intermittent leave or leave on a reduced schedule must fulfill all of the obligations that are described in this document (for example, the advance notice requirements, request for leave of absence forms, medical certification, etc.). The employee must also advise the Human Resources Department of the schedule for treatment, if applicable. The employee and his or her supervisor must then attempt to work out a schedule which meets the employee's needs without unduly disrupting their department's operations, subject to the approval of the health care provider.

2. Likewise, whenever the employee requests leave for planned medical treatment (whether on an intermittent reduced schedule, or continuous basis), the employee must consult with the Human Resources Department and make a reasonable effort to schedule the leave so as not to disrupt unduly operations, subject to the approval of the health care provider. Employees are ordinarily expected to consult with their supervisors prior to the scheduling of treatment in order to work out a treatment schedule which best meets the needs of both the department and the employee.

Section V. LEAVE OF ABSENCE CERTIFICATIONS

1. For purposes of leave under this policy, employees are required to complete and submit the appropriate leave of absence forms consistent with this policy as required for their specific type of leave request and all leave of absence policies of their department. Such forms include:

- a. Employee's Request for Leave Form;
- b. Medical Certification Form;
- c. Medical Release Form;
- d. Medical Recertification Form;
- e. Fitness for Duty Certification Form;
- f. Active Duty Orders;
- g. Qualifying Exigency Certification;
- h. Military Caregiver Certification.

2. The employee must submit the completed medical certification and all certifications required for qualifying exigency and military caregiver leave within fifteen days after the employee is notified of the requirement to submit the certification, unless it not practicable under the particular circumstances to do so despite the employee's diligent good faith efforts, in which case, the notice must be provided as soon as is reasonably possible under the particular facts and circumstances.

3. If the certification is incomplete or insufficient, the employee will be provided 7 days to cure the deficiencies.

4. The Board of County Commissioners may also request a medical release of information form signed by the employee or employee's family member allowing the Board of County Commissioners to have direct contact with, and receive information from, the employee's or employee's family member's health care provider.

5. It is the employee's responsibility to provide the Board of County Commissioners with complete and sufficient certification. Failure to submit a certification form at all, failure to submit a fully completed and sufficient certification form, submission of an inaccurate or falsified certification form or failure to submit such form in the time-frames provided herein may result in a delay or denial

of the FMLA leave and/or subject the employee to discipline up to and including discharge.

6. Where permitted by the Act, the Board of County Commissioners reserves the right to require a second medical opinion by a health care provider as selected by the Board of County Commissioners. Any second medical opinion required by the Board of County Commissioners shall be at the expense of the Board of County Commissioners. The Act will apply in any case where a third opinion is subsequently required.

Section VI. MEDICAL CERTIFICATION

1. Medical certification completed by the applicable health care provider is required when leave is for:

- a. The serious health condition of the employee (DOL Form WH 380E as may be amended from time-to-time);
- b. The serious health condition of the employee=s spouse, child, or parent (DOL Form WH 380F as may be amended from time-to-time);
- c. The serious health condition of a service member (“military caregiver leave”) (DOL Form WH 385 as may be amended from time-to-time).

2. The Human Resources Department will provide the employee with a medical certification form for the employee to use in obtaining medical certification from the health care provider. The medical certification must be fully and accurately completed.

3. For the serious health condition of a service member (“military caregiver leave”), in lieu of the medical certification form WH 385, the employee may submit a fully completed and accurate “invitational travel orders” (“ITOs”) or “invitational travel authorization” (“ITAs”) issued to any family member to join an injured or ill service member at his or her bedside.

4. When the leave is foreseeable and at least 30 days notice has been provided, the employee should submit the completed medical certification before leave begins.

Section VII. SUBSEQUENT RECERTIFICATION

1. The Board of County Commissioners may require subsequent medical recertification every 6 months for the serious health condition of the employee or the employee’s family member as listed herein. Medical recertification may be required at intervals earlier than 6 months under the following conditions:

- a. Circumstances described by the previous certification have changed significantly (e.g. the duration/frequency of absences, pattern of absences before/after scheduled days off or longer duration of absences than specified on the certification for most recent 2 or more episodes of incapacity, the nature/severity of the condition, complications); or

- b. The Board of County Commissioners receives information that casts doubts on the employee's stated reason for the absence; or
 - c. The employee requests an extension of leave.
2. For FMLA leave taken intermittently or on a reduced leave schedule basis, the Board of County Commissioners may not request recertification in less than the minimum period specified on the certification as necessary for such leave (including treatment) unless one of the conditions set forth in paragraph 1 a., b., or c. above is met.
 3. The employee must provide the completed recertification to the Human Resources Department within 15 calendar days after the Board of County Commissioners has requested such recertification, unless it is not practicable under the particular circumstances to do so despite the employee's diligent, good faith efforts. If the medical recertification is incomplete or insufficient, the employee will be provided 7 days to cure the deficiencies.
 4. Failure to submit a recertification form at all, failure to submit a fully completed and sufficient recertification form, submission of inaccurate or falsified recertification form or failure to submit such form in the time-frames provided herein may result in a delay or denial of the FMLA leave and/or subject the employee to discipline up to and including discharge.
 5. Any recertification requested by the Board of County Commissioners shall be at the employee's expense unless the Board of County Commissioners provides otherwise. No second or third opinion on recertification may be required.
 6. Recertification as provided herein cannot be required for qualifying exigency leave or military caregiver leave.

Section VIII. RETURN TO WORK CERTIFICATION

1. As a condition of restoring an employee whose FMLA leave was occasioned by the employee's own serious health condition that makes the employee unable to perform the employee's job, the Board of County Commissioners, consistent with office policies and practices, may require the employee to obtain and present certification from the employee's health care provider that the employee is able to return to work, i.e., "fitness-for-duty" certification.
2. Such return to work certification shall be subject to and consistent with relevant and applicable provisions of the Ohio Revised Code and Ohio Administrative Code as may be amended from time to time, as well as any applicable collective bargaining agreement provisions with regard to sick leave and leaves of absence. Similarly, requirements under the Americans with Disabilities Act (ADA) that any return-to-work physical examination be job related and consistent with business necessity shall apply.
3. The Board of County Commissioners may seek fitness-for-duty certification only with regard to the particular health condition that caused the employee's need for FMLA leave.
4. A suitable format for a certification for fitness-for-duty shall include a statement from the employee's health care provider of the employee's ability or inability to return to work, with or without restrictions.

5. The cost of the certification shall be borne by the employee and the employee is not entitled to be paid for the time or travel costs spent in acquiring the certification.
6. The Board of County Commissioners may delay restoration to employment until an employee submits a required fitness-for-duty certification.
7. Fitness-for-duty certification is not required for an employee who takes intermittent FMLA leave.
8. Failure to complete and submit the certification of fitness-for-duty form or untimely submission of such form may result in delay of job restoration and/or disciplinary action up to and including discharge.
9. Incomplete, inaccurate or falsification of the certification of fitness-for-duty form may result in a delay of job restoration and/or disciplinary action up to and including discharge.

Section IX. JOB RESTORATION RIGHT

1. Upon return from a leave required by the Act, unless a job elimination has occurred which would have terminated the employee's job or placed him/her in a different job, an employee taking family or medical leave under the Act must generally either be restored to his/her position or to an equivalent one in terms of pay, benefits, responsibilities and authority where required by the Act. As permitted by the Act, job restoration may be denied to certain key employees who are salaried employees and among the highest paid 10% of all employees employed by the Board of County Commissioners if necessary to avoid substantial and grievous economic injury to the operations of the Board of County Commissioners. Employees will be notified in writing at the time FMLA leave is requested whether they are considered "key employees" for purposes of this provision.
2. Job restoration rights are subject to all requirements of this policy including but not limited to notification and medical certification, the policies of the Board of County Commissioners, and applicable collective bargaining agreement provisions. Failure to comply with this policy, policies of the Board of County Commissioners, and applicable collective bargaining agreement provisions may result in delay of job restoration and/or disciplinary action up to and including discharge.

Section X. BENEFITS PROTECTION

1. The use of leave under the Act cannot result in the loss of any employment benefit that occurred prior to the start of an employee's leave and the FMLA leave period will be treated as continued service for purposes of determining vesting and eligibility to participate in pension and other retirement plans. However, an employee does not accrue any other benefits during the FMLA leave period, nor does the FMLA leave period entitle the employee to any greater rights that he/she would have had if he/she remained in the workplace.
2. During a period of FMLA leave, an employee of the Board of County Commissioners will be retained on the Lucas County Employee Health Benefit Plan, subject to the Employee Benefit Plan, as may be amended from time-to-time, under the same conditions that applied before leave commenced. The employee is required to continue payment of any required contribution of insured benefits.

3. An employee is not entitled to accrual of any employment benefits that would have accrued if not for taking unpaid leave; specifically, an employee is not entitled to accrue sick and vacation leave during an **unpaid** portion of leave. Maintenance of insurance benefits during any unpaid portion of leave will be in accordance with the County's health benefit plan and eligibility rules, a copy of which may be obtained from the Employee Benefits Department. An employee who takes FMLA leave will not lose any seniority or employment benefits that accrued before the date the leave began.

Section XI. CONTACT PERSON

Employees with questions about their rights and obligations under the Act are encouraged to contact the Director of the Human Resources Department.

Section XII. ENFORCEMENT

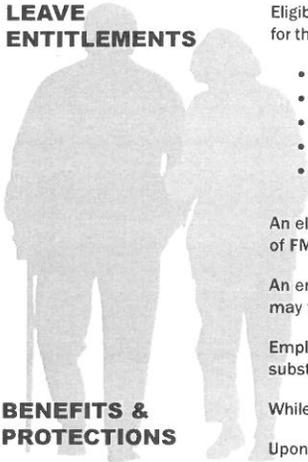
The United States Department of Labor is responsible for enforcement of the Act. Please refer to the FMLA poster attached hereto for further explanation of your rights, obligations and remedies.

APPROVED BY:  DATE: March 5, 2019

EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

LEAVE ENTITLEMENTS



Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within one year of the child's birth or placement);
- To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job;
- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious injury or illness.

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule.

Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave.

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

BENEFITS & PROTECTIONS

ELIGIBILITY REQUIREMENTS

An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:

- Have worked for the employer for at least 12 months;
- Have at least 1,250 hours of service in the 12 months before taking leave;* and
- Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite.

*Special "hours of service" requirements apply to airline flight crew employees.

REQUESTING LEAVE

Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures.

Employees do not have to share a medical diagnosis, but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified.

Employers can require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicating what additional information is required.

EMPLOYER RESPONSIBILITIES

Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for ineligibility.

Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

ENFORCEMENT

Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.



For additional information or to file a complaint:

1-866-4-USWAGE

(1-866-487-9243) TTY: 1-877-889-5627

www.dol.gov/whd

U.S. Department of Labor | Wage and Hour Division



Date: March 5, 2019

Resolution No. 19-247

Title: Approval of Amendment to “Family & Medical Leave/Leave of Absence Without Pay/Pregnancy Leave” Policy, Policy #8C

Department/Agency: Human Resources

Contact: Brian Cunningham, Interim Director

Summary/Background: We periodically review existing personnel policies to incorporate “best practices” where appropriate. In addition, we recommend that the “Family & Medical Leave” policy stand alone, as it is governed by federal law and our policy serves simply to communicate the law and its requirements. A copy of the proposed amended policy is attached.

Budget Impact: N/A

Statutory Authority/ORC: 29 CFR Part 825, “The Family & Medical Leave Act of 1993”, as amended

Commissioner Skeldon Wozniak offered the following resolution:

WHEREAS, in consideration of the above, NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners, Lucas County, Ohio, that:

Section 1. The “Family & Medical Leave/Leave of Absence without Pay/Pregnancy Leave” policy, Policy #8C, is hereby amended as attached.

Section 2. This Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in a meeting open to the public in compliance with the law.

Section 3. This resolution shall be in full force and effect from and immediately upon its adoption.

Action Taken:

Commissioner Skeldon Wozniak voted yes

Commissioner Gerken voted yes

Commissioner Byers voted yes



Jody L. Balogh, Clerk