

City of Bozeman Employee Handbook Policies

Replaces Family and Medical Leave policy on pgs. 40-42 of 2017 Employee Handbook.

FAMILY AND MEDICAL LEAVE

I. Policy

The City complies with the Family Medical Leave Act (FMLA) and will grant eligible employees with an unpaid leave of absence from work for up to 12 weeks (26 weeks for military caregiver leave) during a 12-month period under qualifying situations. This 12-month period is rolling, measured backward from the date the first FMLA leave was used.

II. Eligibility

To be eligible for a leave under this policy, an employee must:

- Be employed by the City for at least 12 months at the time the leave is requested (these 12 months need not have been consecutive) and,
- Have worked at least 1,250 hours over the 12-month period preceding the leave request.

To qualify for FMLA, the leave must be for one of the following reasons:

- The birth of a child and to care for such child within one year of birth;
- The adoption of a child or to care for a foster child within one year of placement;
- To care for a child, spouse, or parent who has a serious health condition;
- A serious health condition that makes the employee unable to perform the essential functions of their job;
- Any qualifying exigency arising out of the fact that the employee's spouse, child, or parent is a covered military member on "covered active duty".

Employees are not required to use accrued paid leave while on FMLA. However, employees may elect to use accrued paid leave (sick, vacation, or compensatory time as available) while on a period of Family and Medical Leave.

III. Process

Employees should contact their supervisor(s) and the Human Resources Department as soon as the need for this leave becomes apparent. In general, the employee must give at least 30 days advance

notice of the need to take FMLA leave when they know about the need for the leave in advance and it is possible and practical to do so. If 30 days advance notice is not possible, the employee must

provide notice as soon as possible and practical. The first time the employee requests leave, the employee is not required to specifically mention the FMLA; however, the employee must provide enough information for the City to know that the leave may be covered by the FMLA, and when and how much leave the employee anticipates needing to take. Once approved for a particular FMLA leave reason, if additional leave is needed for the same reason, the employee must reference that reason or the need for FMLA leave. In all cases, the City may ask additional questions and/or for a certification to determine if the leave qualifies as FMLA leave.

Human Resources will provide forms and reporting procedures necessary for the request for, use of, and return from FLMA. The supervisor will work with the Human Resources Department before and during the employee's absence to ensure appropriate pay and benefits coordination.

IV. Workers' Compensation and FMLA

Time spent away from work recovering from a workers' compensation-related illness or injury will be counted against the employee's FMLA leave entitlement if the employee's absence is due to a serious illness or injury that qualifies for FMLA leave.

Revision Summary

Revision Level	Date Revised	Approved by City Manager
2	02/2025	N/A
1	11/2017	2017 Employee Handbook Update