



Personnel Policies for Lincoln University

The guiding principle for these policies is *The Rules and Regulation of Lincoln University* • Chapter I University Governance: Structure and Functions • Chapter VI Administration and Finance • Chapter VIII University Employment • HRSHB 11.6

Effective August 13, 2009

[Letter from the President](#)

[Rules and Regulations](#)

[Adjunct Handbook](#)

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[Faculty Handbook](#)

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[Staff Handbook](#)

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Family and Medical Leave Act (FMLA)

Employees covered by this policy

This policy applies to all Faculty, Staff and Hourly employees at LU and applicants of positions.

Policy

Lincoln University, in accordance with the Family and Medical Leave Act (FMLA), provides employees the protections of this law pertaining to entitlement of leave, maintenance of health benefits during leave, and job restoration after leave; sets requirements for notice and certification of the need for FMLA leave; and protects employees who request to take FMLA leave.

Subsequently, Lincoln University allows eligible employees to take job-protected, unpaid leave, or to substitute appropriate paid leave if the employee has earned or accrued it, for up to a total of twelve workweeks in any twelve months, for any of the following:

- the birth of a child and to care for the newborn child
- the placement of a child with the employee for adoption or foster care
- when the employee must care for a family member (child, spouse, or parent) with a serious health condition
- when the employee's own serious health condition makes the employee unable to perform the functions of her or his job

In certain cases, this leave may be taken on an intermittent basis rather than all at once, or the employee may work a part-time schedule.

An employee on this leave is also entitled to have health benefits maintained while on leave as if the employee had continued to work instead of taking the leave. If an employee was paying all or part of the premium payments prior to leave, the employee will continue to pay her or his share during the leave period. The employer may recover her/his share only if the employee does not return to work for a reason other than the serious health condition of the employee or the employee's immediate family member, or another reason beyond the employee's control.

An employee generally has a right to return to the same position or an equivalent position with equivalent pay, benefits and working conditions at the conclusion of the leave. The taking of this leave cannot result in the loss of any benefit that accrued prior to the start of the leave.

The university has a right to thirty days advance notice from the employee when practicable. In addition, the university may require an employee to submit certification from a health care provider to substantiate that the leave is due to the serious health condition of the employee or the employee's immediate family member. Failure to comply with these requirements may result in a delay in the start of this leave. The university may also require that an employee present a certification of fitness to return to work when the absence was caused by the employee's serious health condition. The university may delay restoring the employee to employment without such certificate relating to the health condition which caused the employee's absence.



University Human Resource Services
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