

**Purpose:**

The College has established the following policy and procedures in compliance with the Family and Medical Leave Act (FMLA), which entitles eligible ethe





- Upon request from an employee
- When directed by Human Resources
- When an employee contacts Sun Life to apply for benefits under the Massachusetts Paid Family and Medical Leave Act and the requested leave also appears to meet the criteria for FMLA leave
- If an employee who is on Worker's Compensation meets the criteria for FMLA leave
- If an employee takes Active Duty Leave

### Timely Submission of Application and Medical Certification Forms

As noted, employees who request FMLA leave for their own or a covered relative's serious health condition will be required to submit required form(s), medical certification(s), and other necessary paperwork to Sun Life, some of which must be completed by the applicable health care provider(s). Failure to provide requested form(s) or medical certification(s) in a timely manner may result in delayed approval or denial of FMLA-covered leave.

If an employee believes that they should have, but have not, received FMLA paperwork or other notification(s) from Sun Life, and follow-up communication with Sun Life has not resolved the issue, the employee should immediately contact Human Resources.

### **3.3 Returning to Work at the Conclusion of FMLA Leave; Reinstatement**

Consistent with applicable law, communication with the College is expected during an employee's FMLA leave. The employee must give notice to Sun Life, Human Resources and their supervisor as soon as practicable if the dates of their planned leave change or the scheduled end date of an existing leave is extended. Employees must also ensure that they have communicated with their supervisor and Human Resources at least one week prior to their scheduled date of return to work.

If the FMLA leave is for the employee's own serious health condition, the employee will be required to submit to Human Resources a certification from the employee's health care provider demonstrating that the employee is able to resume work. Any proposed restrictions on an employee's return to work must be submitted in advance to Human Resources as a request for a reasonable accommodation. The College will consider reasonable accommodations for employees (including any proposed work restrictions) in accordance with its Reasonable Accommodations procedures. Employees requiring a reasonable accommodation in order to return to work at the College after a FMLA leave m

during the leave, the employee's right to reinstatement would depend upon whether or not their position was included in the layoff. Likewise, an employee returning from FMLA leave may be subject to organizational, functional, or scheduling changes that have otherwise been implemented during their leave.

#### **4.0 No Retaliation**

Retaliation against any employee who has requested or taken FMLA leave is strictly prohibited. Any supervisor or department head who believes that disciplinary action or other adverse employment action (e.g., termination, suspension, demotion, or other negative job change) is appropriate for any employee who has requested or returned from a leave within the prior six (6) months must confer with and obtain express approval from Human Resources prior to taking any such action.

#### **5.0 Interpretation**

The College reserves the right to interpret this policy in its sole discretion in a manner consistent with the FMLA, the MA PFML law, and the College's Massachusetts Paid Family and Medical Leave and Supplemental Medical Leave Policy, as each may be amended, restated, or modified from time to time.

#### **Additional Questions**

Questions relating to the conditions and eligibility requirements for FMLA leave should be directed in the first instance to Sun Life. If an employee still has questions after communicating with Sun Life, they should promptly contact Human Resources.

#### **Related Information:**