

## **TOWN OF EAST BRIDGEWATER FAMILY AND MEDICAL LEAVE POLICY**

Family and Medical Leave is an unpaid employee leave of absence. The Family and Medical Leave policy is integrated and included with Sick Leave, Vacation, or other paid leave policies.

### ELIGIBILITY

Employees may have their absence designated as Family and Medical Leave under the Family and Medical Leave Act if they are absent for five (5) or more consecutive work days, or seven (7) or more calendar days. An employee will be eligible for Family and Medical Leave if (1) the employee has worked for the Town of East Bridgewater for at least 12 months, and (2) the employee has worked for at least 1,250 hours during the 12 months before the leave. In some circumstances, employees who do not meet these conditions may be eligible to take an eight-week leave for the purpose of giving birth to or adopting a child (as determined under the Parental Leave Policy). Employee rights under the Family and Medical Leave Act are also described on the attached informational sheet.

### TYPES OF FAMILY AND MEDICAL LEAVE

Employees may qualify for Family and Medical Leave for any of the following reasons:

- the birth, adoption or foster care placement of a child, and for the care of that child (leave must be completed within 12 months of the child's birth, adoption or foster care placement);
- to care for a seriously ill or injured spouse, parent, or child under age 18 (or child 18 years old or older who is incapable of self-care);
- because of an illness or injury that makes the employee unable to perform his or her job.

The injury or illness must be a "serious health condition." A "serious health condition" means any illness, injury or impairment that involves one or more of the following:

- inpatient hospitalization;
- continuing treatment by a health care provider due to incapacity caused by a health condition that lasts for more than three days and requires health care visits or continuing treatment;
- pregnancy or prenatal care;
- a chronic, serious health condition that requires periodic visits for health care;  
or
- a permanent or long-term condition requiring medical supervision.

## NOTICE AND SCHEDULING OF LEAVE

An employee who plans to take leave because of planned medical treatment must make an effort to schedule the treatment to reduce the disruption to the Town of East Bridgewater subject to the health care provider's approval. In general, an employee should consult with his or her supervisor to explore alternatives. At least 30 days' written notice of the leave should be given to the Department Head whenever possible. If an employee cannot give the full amount of advance notice, he or she should give as much notice as possible under the circumstances. If an employee fails to provide notice or to comply with any obligations set out in this policy, his or her request for leave may be denied or the conditions of that leave may be modified. In addition, he or she will be subject to appropriate discipline up to and including discharge.

## CONFIRMATION OF LEAVE

Employees requiring leave must provide the Town of East Bridgewater with the reason for the requested leave so that the Town of East Bridgewater can determine if the employee qualifies for leave. After an employee gives notice of his or her intent to take a Family and Medical Leave, the Department Head will give the employee a memorandum confirming receipt of the notice of the leave, which sets forth some of the basic procedures and responsibilities of both the employee and the Town of East Bridgewater. This memo is considered part of this Policy. It will inform you of whether the leave has been approved, denied, or conditionally approved pending medical certification.

Employees requesting a leave for personal or family medical reasons are generally required to provide medical certification. Under most circumstances, medical certification must be provided within 15 calendar days. Further medical verification may be required during the leave, depending on the circumstances. Moreover, employees on leave may be contacted periodically for updates concerning their status and intent to return to work. Employees are expected to respond fully to such requests for updates.

## LENGTH OF LEAVE AND RESTORATION RIGHTS

In general, an employee is entitled to a maximum of 12 weeks of Family and Medical Leave during any 12-month period. The 12-month period is a rolling period, measured backward from the date an employee last used any leave under this policy. Thus, any leave taken will be deducted from the employee's annual Family and Medical Leave entitlement.

At the end of a Family and Medical Leave, the Town of East Bridgewater will have the right to return the employee to his or her last position before the leave or to an equivalent position. While on unpaid Family and Medical Leave, employees do not accrue additional vacation, sick leave or personal time. However, the employee will not lose any benefit rights to the extent that those rights accrued before the leave period.

An employee will not be entitled to more favorable employment terms as a result of taking Family and Medical Leave. Thus, the employee will be subject to any pay or benefit reductions or other adverse actions, including layoff that he or she would have experienced if he or she had not been on a Family and Medical Leave.

## INTERMITTENT OR REDUCED WORK SCHEDULE LEAVE

Unless otherwise approved by the appropriate Department Head a child care leave must be taken at one time, whereas a medical leave may be taken through either a reduced working schedule or on an intermittent basis if such an arrangement is certified to be medically necessary. Where an employee takes leave on a reduced work schedule or intermittent basis, the Town of East Bridgewater may transfer the employee temporarily to an available alternative position with equivalent pay and benefits if the alternative position better accommodates the recurring periods of medical leave.

## SPECIAL RULE APPLICABLE TO SPOUSES WHO ARE BOTH EMPLOYED BY THE TOWN OF EAST BRIDGEWATER

If the Town employs both spouses, the total birth, adoption and child care leave to which both will be entitled will be 12 weeks in any 12-month period.

## CERTIFICATION BEFORE RETURN

Before an employee may return from a personal medical leave that has continued for at least five calendar days, the employee's health care provider may be required to certify that the employee is able to resume his or her job. This practice is consistent with personnel bylaws and collective bargaining unit Sick Leave Policies.

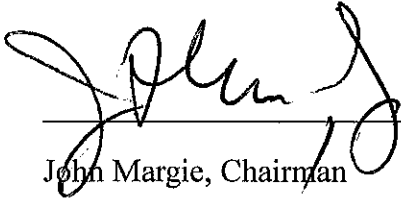
## COORDINATION WITH AVAILABLE PAID LEAVE TIME

Family and Medical Leave is unpaid leave, except to the extent that an employee is eligible for paid leave for unused sick, vacation, or personal time. Where an employee is eligible for leave under these policies, the Town of East Bridgewater will provide the paid leave to run concurrently with, not in addition to, the Family and Medical Leave.

## MAINTENANCE OF HEALTH BENEFITS

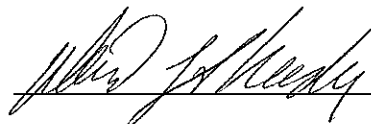
During a Family and Medical Leave, the Town of East Bridgewater will continue the employee's medical, dental and life insurance coverage, provided that the employee pays the regular employee share of such coverage on a timely basis. During any paid leave, the employee share of the premiums will be deducted from the employee's pay. During the unpaid portion of a Family and Medical Leave, the employee will be required to pay the employee share, either prior to commencing unpaid leave, or through a special billing arrangement while on unpaid leave. The Treasurer/Collector Office should be contacted by the employee prior to going on unpaid leave to make the appropriate payment arrangements. If any payment due is more than 30 days late, the Town of East Bridgewater may cease providing the benefits until the employee returns to work. Also, if the employee does not return to work, and the employee's failure to return to work is not due to the continuation, recurrence or onset of a serious health condition, the Town of East Bridgewater is entitled to recover the premium(s) that it paid for maintaining the employee's health coverage.

This policy was adopted by the Board of Selectmen at their Monday, April 24, 2017 meeting.



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John Margie, Chairman



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David Sheedy, Vice Chairman



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William Dowling, Clerk