

## MEMORANDUM

TO: Jeff Gilderson-Duwe  
FROM: Julie A. Schmude  
DATE: July 20, 2020  
SUBJECT: Recommended Changes to Staff Manual Regarding Family Medical Leave Act (FMLA)

While preparing policy and procedures for Family Medical Leave Act (FMLA) two areas of the staff manual were identified as needing rewording for clarity.

Section 404: Leave Without Pay. There are several reasons for making the change to this section of the staff manual.

- It would ensure benefitted employees have no gap in coverage of their insurance (per the Employee Trust Funds Manual).
- It promotes consistency and fairness in the treatment of employees.
- It allows for a better timing for administration staff to prepare for any effect of employee benefits.

#### **404 Leave Without Pay (current wording)**

Leave of absence without pay may be granted at the discretion of the Director when it is in the best interest of the System. Ordinarily, vacation and personal time must be used prior to granting leave without pay. Requests shall be made in writing to the Director or Assistant Director stating the length of the leave and reason for same.

#### **404 Leave Without Pay (proposed wording)**

Leave of absence without pay may be granted at the discretion of the Director when it is in the best interest of the System and should staffing permit. Vacation and personal time must be used prior to granting leave without pay. Requests shall be made in writing to the director or Assistant Director stating the length of the leave and the reason for same.

Section 405: Family and Medical Leave Act (FMLA). This section of the staff manual lists the qualifications to be eligible for FMLA. By making the wording more generic, the staff manual does not need to be updated each time there is a change to FMLA.

#### **405 Family and Medical Leave Act (FMLA) (current wording)**

Persons employed by the System for fifty-two (52) consecutive weeks and at least one thousand (1000) hours annually shall be governed by Wisconsin's Family Leave Act (Wis. Stats. 103.10). Employees who have worked for at least 12 months and at least 1250 hours in the previous 12-month period will be eligible for leave under the Federal Family and Medical Leave Act of 1993. Provisions of these laws shall supersede any contradictory policies and will be coordinated with each other. Specific provisions of the laws are posted in the workplace.

#### **405 Family and Medical Leave Act (FMLA) (proposed wording)**

Winnefox complies with the federal Family and Medical Leave Act (FMLA), which requires employers to grant unpaid leaves of absence to qualified workers for certain medical and family-related reasons. The company also abides by any state and local leave laws. The more generous of the laws will apply to the employee if the employee is eligible under both federal and state laws.