



Family and Medical Leave Act: Eligible employees may take up to 12 weeks of unpaid FMLA leave in a rolling calendar year for the following conditions:

1. Incapacity due to pregnancy, prenatal medical care or child birth;
2. To care for the employee's child after birth, or placement for adoption or foster care
3. To care for the employee's spouse, son, daughter, or parent who has a serious health condition; or
4. For a serious health condition that makes the employee unable to perform the employee's job.

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the regular Armed Forces, National Guard or Reserves in support of a contingency operation may also use their 12-week leave entitlement to address certain qualifying exigencies. Examples of a qualifying exigency include attending military events, arranging for alternative childcare, addressing financial and legal arrangements, and attending certain counseling sessions and post-deployment reintegration briefings.

FMLA-eligible employees may take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a veteran or current member of the Armed Forces, including the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list. An eligible employee is entitled to a combined total of 26 weeks of leave to care for a service member and any other type of FMLA leave.

An FMLA-eligible employee is one who has at least 12 months of service with Bluffton and has worked at least 1,250 hours for Bluffton during the 12 months preceding leave.

A serious health condition is an illness, injury, impairment or physical or mental condition that involves either an overnight stay in a medical care facility or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities. Ordinarily, unless complications arise, the common cold, the flu, earaches, upset stomach, minor ulcers, headaches other than migraine, routine dental or orthodontia



problems, periodontal disease, etc. are examples of conditions that are not serious health conditions and do not qualify for FMLA leave.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Employees must provide 30 days advance of the need to take FMLA when the need for leave is foreseeable. When 30 days' notice is not possible, the employee must provide notice as soon as practicable and generally must comply with the Bluffton's normal call-in procedures.

Employees must provide sufficient information for Bluffton to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform the job functions; the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider or circumstances supporting the need for military family leave. Employees also must inform Bluffton if an absence or requested leave is for a reason for which FMLA leave was previously taken or certified.

If leave is due to a serious health condition the employee must provide Bluffton with a completed Certification of Health Care Provider within 15 days of receiving the blank certification form. If the employee fails to do so, the employee may lose any entitlement he or she may have to FMLA leave for the absence. Recertification may be required and, if leave is due to the employee's illness, the employee must provide a fitness-for-duty certificate prior to returning to work.

Leave may be taken on an intermittent or reduced schedule basis if it is medically necessary, approved by Bluffton or taken due to a qualifying exigency. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt Bluffton's operations. Failure to do so may result in the delay of an employee's leave.

Bluffton employees are required to use accrued paid leave time in the following order as part of what would otherwise have been unpaid FMLA leave:



1. Accrued sick leave time (if the reason for leave qualifies for the use of paid sick time).
2. Awarded vacation time.
3. Awarded personal time.

*Per the "four conditions" for taking FMLA noted in the first paragraph of this policy, # 2 "To care for the employee's child after birth, or placement for adoption or foster care," is commonly referred to as FMLA for parenting reasons. When taking FMLA for parenting reasons, after an employee has first used all his/her vacation time and personal time, employees will be permitted to use sick leave as part of what would otherwise have been unpaid FMLA parenting leave.

Once accrued paid leave is exhausted, remaining leave time granted under the FMLA will be without pay. During this unpaid leave period, the employee will be responsible for all benefit premium payments. Other fringe benefits such as retirement contributions, sick days, vacation days and the like, do not accrue during unpaid portions of a leave period.

Bluffton will inform an employee requesting leave whether he or she is an eligible employee under the FMLA, inform the employee of any additional information that will be required in order to qualify for leave and provide the employee with a copy of this policy/notice.

It is Bluffton's policy that FMLA leave commences on, and will be counted from, the first day of any absence (paid or unpaid) by an FMLA eligible employee for an FMLA qualifying reason. According to the FMLA regulations, employers are required to inform eligible employees that leave is being designated as FMLA leave and the amount of leave counted against the employee's leave entitlement or that it has determined that leave is not FMLA protected.

Employees who timely return to work after FMLA leave are entitled to reinstatement to the same or equivalent job. However, an employee's rights with respect to benefits and employment are no greater than had the employee not taken leave. Obtaining or remaining on leave under false pretenses will result in termination of employment.

Please consult the director of human resources for additional details or questions regarding this leave policy, for information regarding continuity of benefits during a leave, for possible disability pay benefit coverage or if an employee believes this policy has been violated in any way.