

Family and Medical Leave Policy

Notice of Rights and Responsibilities

The City of Appleton has received your leave request for family and medical leave. The following information concerns your rights and obligations under the family and medical leave law and will explain the consequences of your failure to meet these obligations. Please read the information carefully, and if you have any questions, please contact the Human Resources Department.

1. **Leave Entitlement:** The actual amount of time you spend on family and/or medical leave will be subtracted from your 12 workweeks of unpaid leave entitlement, under federal law, and your state leave entitlement, if any. Leave rights are administered on a calendar-year basis. To be eligible for leave, you must request leave not fewer than 15 days before your leave is to begin, unless, due to circumstances, a shorter notice is necessary. However, notice must in all cases be given not later than three workdays after leave begins. Leave may be taken on an intermittent or reduced leave schedule basis for a serious health condition, after attempting to coordinate the period of absence with the City of Appleton. In the event of a birth, adoption or foster care placement, intermittent leave will be permitted as required under state law.
2. **Medical Certification:** If your leave request is based on your own serious health condition, or the serious health condition of your son, daughter, spouse or parent, you must provide medical certification from the treating health care provider to the Human Resources Department within fifteen (15) days of its request, or in cases of medical emergency or unforeseen circumstances, as soon as possible after your leave begins. If you fail to provide timely certification, your leave request, or you continuation of leave may be denied.
3. **Additional Certifications:** Upon request by the City of Appleton, you must submit to another examination, at the City Appleton's expense, by a health care provider selected by the City of Appleton. If the second opinion differs from the initial certification, a third opinion may be obtained. The third opinion is final and binding.
4. **Recertification:** You must provide the City of Appleton, to the extent required by law, with recertifications on a periodic basis that your serious health condition prevents you from performing your job functions or that you are needed to care for a family member with a serious health condition.
5. **Return to Work:** If you are on medical leave because of your own serious health condition, you must provide the Human Resources Department with a Return to Work Certification signed by your health care provider before you can return to work. If you fail to provide a Return to Work Certification, your reinstatement will be denied until the required certification is provided.
6. **Substitution of Benefits:** Under Federal leave, the City of Appleton has the ability to require that you substitute all vacation, personal leave, sick leave or comp days upon accrual of such leave, provided you are eligible for such leave under City policy or collective bargaining agreements, during the period of leave. Under State leave, you have the option of substituting accrued benefits for your State leave period. When paid leave is substituted for unpaid leave, that leave will not be available to you later, nor will you be entitled to additional family and/or medical leave as a result of the substitution of paid leave. In addition, because the eligibility requirements for worker's compensation benefits require a medical condition that meets the eligibility requirements for family medical leave, the time you are off due to an on-the-job injury will automatically be counted against your federal FMLA entitlement.
7. **Maintenance of Health Insurance Coverage:** If your leave is unpaid, you must make arrangements with Melody in the Human Resources Department to pay your insurance premiums, if you pay an employee share.
8. **Employment Protection:** Upon returning to work from family or medical leave, you will be reinstated to the position you held prior to leave or, if your position is no longer available, to an equivalent position. If your leave extends beyond your 12-week FMLA entitlement, the City of Appleton may fill your position.
9. **Recovery of Premiums:** If you fail to return to work after your family or medical leave, you will be liable to the City of Appleton for any health coverage premiums paid on your behalf by the City of Appleton during your leave.
10. **Designation of Leave:** The City of Appleton will make a preliminary designation that your absence qualifies as family and medical leave. When the required documentation is provided, the City of Appleton will evaluate the information and make a determination as to whether the absence qualifies as family and medical leave.