



## XAVIER UNIVERSITY

### Family and Medical Leave Act

**Effective:** April 30, 2008

**Last Updated:** November 10, 2025

**Last Review:** November 10, 2025

**Responsible University Office:** Human Resources

**Responsible Executive:** Vice President for Human Resources, CHRO

**Scope:** All University Employees

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#### A. POLICY

It is the policy of Xavier University to provide a leave of absence in accordance with the requirements of the Family and Medical Leave Act of 1993. Employees who have worked at Xavier University for at least 12 months and have been employed for at least 1,250 hours of service during the 12 months preceding the commencement of the leave are eligible for unpaid leave under the Family Medical Leave Act of 1993 (FMLA). Under FMLA, employees are entitled to a maximum of 12 weeks of leave in 12 months. Xavier University has elected to utilize a rolling calendar year when determining the effective 12-month period. Employees can request to be excused from work for:

1. The care of a family member who has a serious health condition;
2. The employee's own serious health condition;
3. The birth, adoption, or foster placement of a child;
4. When a family member is on or called to active duty when they experience a qualifying exigency; or
5. To care for a service member who sustained an injury or illness in the line of military duty (under this category, employees are entitled to a maximum of 26 weeks of leave when requesting leave).

Xavier University will continue to pay its portion of the employee's medical insurance. The employee is responsible for paying for his/her portion of the applicable insurance(s). Leave because of a serious health condition may be taken intermittently or on a reduced leave

schedule where medically necessary.

Only one (1) 12-week leave per rolling calendar year, per employee, will be allowed under Family Medical Leave Act.

If both spouses are employees of the University, each is entitled to one twelve-week leave per rolling calendar year.

When a holiday falls during a week in which an employee is taking the full week of FMLA leave, the entire week is counted as FMLA leave. However, when a holiday falls during a week when an employee is taking less than the full week of FMLA leave, the holiday is not counted as FMLA leave, unless the employee was scheduled and expected to work on the holiday and used FMLA leave for that day.

When determining the amount of FMLA leave taken, a holiday occurring within a week of FMLA leave has no effect. The week is still counted as a week of FMLA leave.

A leave under this policy may be concurrently counted toward both the 12 weeks of FMLA and unpaid leave balances.

Upon a healthcare provider approved return to work from an approved FMLA leave, the employee will be restored to his/her prior position or an equivalent position.

## **B. CLASSIFICATIONS**

### Classifications of Leaves Under FMLA

1. New Child
  - a. Granted for the birth, adoption, or foster care placement of a child;
  - b. May only be granted within 12 months of birth or placement of a child;
  - c. Employee must provide 30 days' advance notice before the date on which the requested leave would begin. If unable to provide 30 days' notice due to unforeseen circumstances, notice must be given as soon as possible.
2. Family Serious Medical (A serious health condition is defined as an illness, injury, impairment, or physical or mental condition(s) involving either inpatient care or continuing treatment by a health care provider.

Leave will be considered for the following reasons:

- a. The serious health condition of the employee or their family member;
- b. Employee must provide documentation of his/her family member's serious health condition. This must include: the date the leave will begin, probable duration, and appropriate facts regarding the condition.
- c. If the serious medical condition is foreseeable based on planned medical treatment, employees are required to provide advance notice.

## **C. PROCEDURES**

1. The employee must submit the applicable Certification of Health Care Provider Form to the Office of Human Resources. The applicable form can be accessed via the [U.S. Department of Labor site](#).
2. This form must be completed and include all pertinent data. The effective date of the leave of absence is the day following the last day worked. The employee will receive a letter approving their request.
2. The employee must contact the Office of Human Resources to ensure proper benefit coverage and arrange for employee insurance contribution payments as appropriate.
3. Employees may be required to report periodically on their status and intent to return to work while on FMLA.
4. Upon return from leave for a personal serious health condition, the employee must present Return to Work documentation from the health care provider, as appropriate. The employee's return to work may be delayed until such documentation is submitted.

## **D. HISTORY**

The Family Medical Leave Act Policy was updated with minor changes in December 2025.

## **E. POLICY REVIEW SCHEDULE**

Next Review: To be determined.

**Other applicable policies and/or resources:** [Unpaid Leave](#)