Family and Medical Leave

It is the policy of the Moraine Park Technical College (MPTC) District to comply with all applicable state and federal laws relating to leave of absence. All employees should read the Family and Medical Leave information posted on employee bulletin boards and the MPTC Intranet.

Under the Wisconsin Family and Medical Leave Act, an employee who has been employed by MPTC for at least 1,000 hours in the preceding 52 weeks and for at least 52 consecutive weeks is a “qualifying employee” for Wisconsin family and/or medical leave. During a 12-month period (calendar year), a qualifying employee (under the Wisconsin Family and Medical Leave Act) may take:

- up to two (2) weeks of unpaid leave for a serious health condition of the employee that makes the employee unable to perform the functions of his or her position, or
- up to two (2) weeks of unpaid leave for the care of a spouse, domestic partner, child, or parent (including parent-in-law or domestic partner’s parent) of the employee if he or she has a serious health condition, or
- up to six (6) weeks of unpaid leave for the birth of a child, or for the placement of a child with the employee for adoption or foster care.

Under the Federal Family and Medical Leave Act, an employee who has been employed by MPTC for at least 1,250 hours in the preceding 12 months and employed for at least 12 months is a “qualifying employee” for federal family, medical and/or military family leave. During a 12-month period, a qualifying employee (under the Federal Family and Medical Leave Act) may take:

- up to 12 weeks of unpaid leave for a serious health condition of the employee that makes the employee unable to perform the functions of his or her position, or
- up to 12 weeks of unpaid leave for the care of a spouse, child, or parent of the employee if he or she has a serious health condition, or
- up to 12 weeks of unpaid leave for the birth of a child, or for the placement of a child with the employee for adoption or foster care, or
- up to 12 weeks of unpaid leave for a “qualifying exigency” arising out of the fact that the spouse, son, daughter or parent of the employee is on active duty or has been notified of an impending call to active duty status in support of a contingency operation, or
- up to 26 weeks of unpaid leave for a spouse, son, daughter, parent or next of kin of a covered service member who is recovering from a serious illness or injury sustained in the line of duty on active duty.

The employee’s entitlement to leave for the birth, placement, or adoption of a child must be taken within 12 months of the event. More than a total of 12 weeks of family or medical leave and/or 26 weeks of military family leave in any 12-month period will exhaust the right to reinstatement to a job and can result in termination of employment. An employee not returning to work at the end of family, medical and/or military family leave will not be considered for reemployment and waives any and all rights to further employment by the District. MPTC calculates Federal FMLA leave on a “rolling” 12-month period measured forward from the date of each FMLA usage.
If you are taking family, medical and/or military family leave, you must give reasonable advance notice (30 days) and must schedule the leave so that it does not unduly disrupt MPTC’s operations. If the leave is unanticipated, give notice immediately and specify whether the leave is for FMLA purposes. You may substitute, for portions of Wisconsin FMLA leave, paid or unpaid leave of any other type provided by MPTC for which you qualify and which you have already earned. MPTC will require you to use such paid leave to cover Federal FMLA absence. Family or medical leave will run concurrently with other leaves identified in District policy and cannot be used to extend said leaves.

MPTC will require certification from a health care provider if you request personal medical leave, family leave to care for a child, spouse, domestic partner or parent (including parent-in-law or domestic partner’s parent) with a serious health condition, or military family leave. When an employee requests military family leave, he/she will be required to provide certification that the spouse, son, daughter, or parent is on active duty or has been notified of an impending call to active duty status. In addition, if the leave is for your own serious health condition, you will be required to provide a fitness-to-return-to-work certification from your health care provider. MPTC may also require a second opinion, or if the first two opinions differ, a third opinion at MPTC’s expense from a health care provider.

While on family leave, medical leave or military family leave, you are entitled to continue your health insurance coverage as if you were actively at work. If you normally pay a portion of the health plan premium and if paid leave is substituted for unpaid leave, your portion of the health plan premium will be deducted from your paycheck. If your leave is unpaid, you must pay your portion of the premium by the first of each month. Your health care coverage will cease if your premium payment is more than 30 days late. Check with the Human Resources Department about other benefit continuation provisions. If you fail to return to work following family, medical and/or military family leave, you will be responsible for 100% of the cost of the health insurance premiums during your leave.

Certain “key employees” may not be eligible for reinstatement to their jobs or equivalent positions following a leave if reinstatement would cause MPTC serious hardship. All other employees returning to work from family, medical and/or military family leave will be reinstated to the same or an equivalent position.