

**[PUBLISHING INSTRUCTIONS: Publish to replace previous preamble; precede Chapter 1]**

**Preamble**

Unless otherwise noted in a specific provision, the State Personnel Director's Administrative Procedures were adopted by the State Personnel Director on May 5, 2005, pursuant to a Statement of Basis and Purpose dated May 5, 2005. Such rules and procedures were effective July 1, 2005.

This version reflects rulemaking by the State Personnel Director as follows: to modify Procedure 5-19 and Procedure 5-20 effective January 14, 2015 to align with the Family Care Act.

**[PUBLISHING INSTRUCTIONS: Publish to replace Procedures 5-19 and 5-20]**

**Family/Medical Leave (FML)**

- 5-19. The state is considered a single employer under the Family and Medical Leave Act (FMLA) and complies with its requirements, the Family Care Act, and the following rules for all employees in the state personnel system. Family/medical leave cannot be waived. (1/14/15)
- 5-20. FML is granted to eligible employees for: (1) birth and care of a child and must be completed within one year of the birth; (2) placement and care of an adopted or foster child and must be completed within one year of the placement; (3) the serious health condition of an employee's parent, child under the age of 18 or an adult child who is disabled, spouse, partner in a civil union, or registered domestic partner for physical care or psychological comfort; (4) an employee's own serious health condition; (5) active duty military leave when a parent, child, or spouse experiences a qualifying event directly related to being deployed to a foreign country; or, (6) military caregiver leave for a parent, child, spouse, or next of kin who suffered a serious injury or illness in the line of duty while on active duty. Military caregiver leave includes time for veterans who are receiving treatment within 5 years of the beginning of that treatment. Definitions of a serious health condition and health care provider are in the "Definitions" section of the "Organization, Responsibilities, Ethics, and Definitions" chapter. (1/14/15)