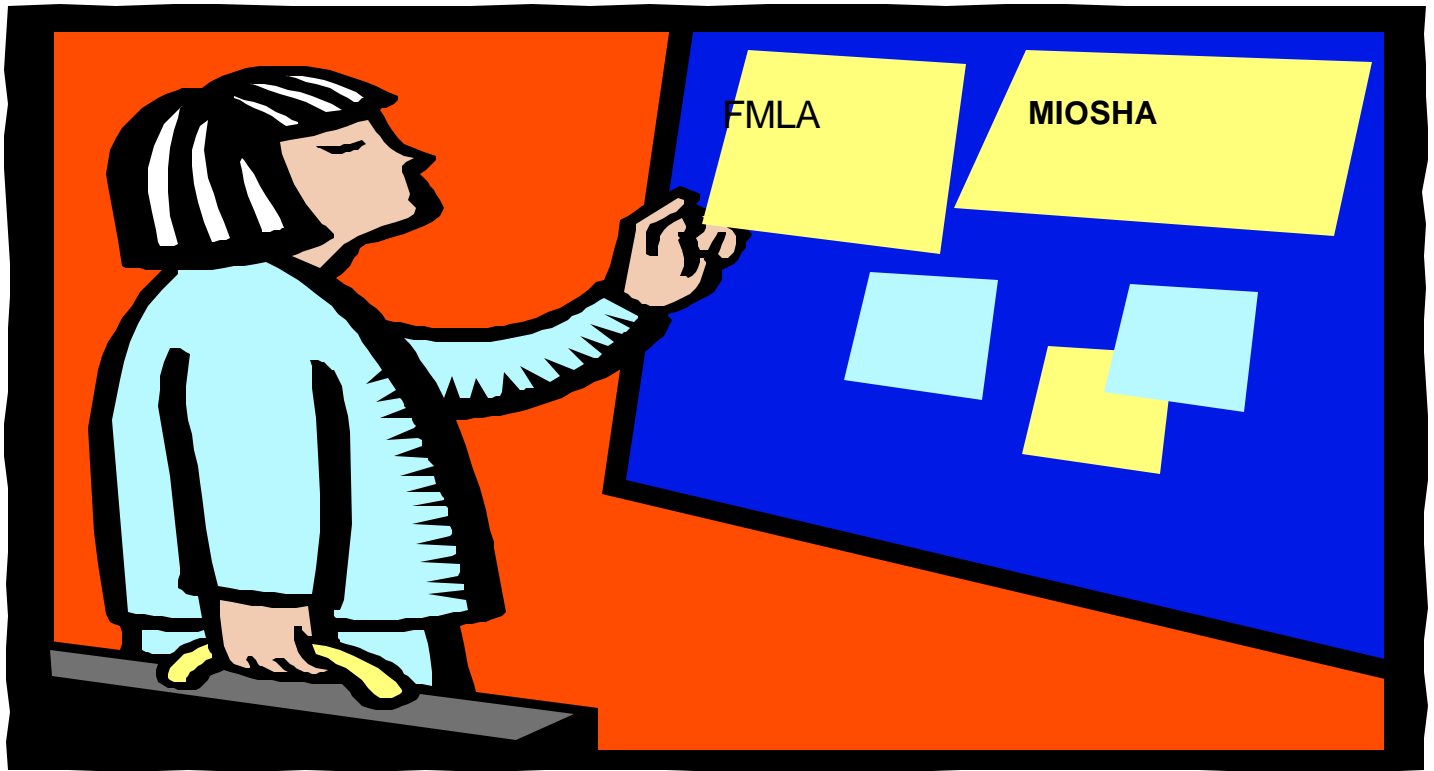


INFORMATION FOR YOU!!

Family and Medical Leave Act (FMLA)





Your family and your work are both important responsibilities.

Sometimes it's hard to find enough time for both obligations. When a family situation occurs, you want to take the necessary extra time - without putting your job at risk.

Now you *can* take the time you need to balance family and work responsibilities. The 1993 federal Family and Medical Leave Act (FMLA) allows you to do that with 12 weeks of unpaid leave from your job for special family situations - while protecting your job and your health benefits.

What is the Family and Medical Leave Act?

The FMLA allows eligible employees to take up to 12 workweeks of unpaid leave in a 12-month period for:

- Birth, adoption, or foster care placement of a child.



- A serious health condition that prevents you from doing the essential functions of your job.



- Caring for a child, spouse, or parent with a serious health condition.



The FMLA also allows most employees to maintain health insurance coverage while on FMLA and to return to the same or equivalent position at the end of the leave.

Who is eligible to take leave?

The FMLA applies to Allegan County because we have over 50 employees. An employee is eligible if s/he has worked:

- For the employer for at least 12 months.
- At least 1,250 hours in the previous 12 months.

Leave can be taken all at once, intermittently (such as for periodic medical treatments like chemotherapy), or, if your department head agrees, by working part time (such as just after a child's birth or while recovering from a serious health condition).



What family or medical situations qualify for a leave?



The FMLA identifies three (3) situations that qualify for a FMLA leave.

① A new addition to your family

A mother or father may take leave for the birth, adoption of a child or placement of a foster child into their household.

Such leaves may begin before the child's arrival. For instance:

- ♥ An expectant mother may begin leave before the birth for prenatal care or if her condition prevents her from working.
- ♥ A parent may begin leave before a foster placement or adoption for necessary counseling sessions or court proceedings, to consult with an attorney or doctors, or to have a physical examination.

② When a serious health condition affects a family member

This includes:

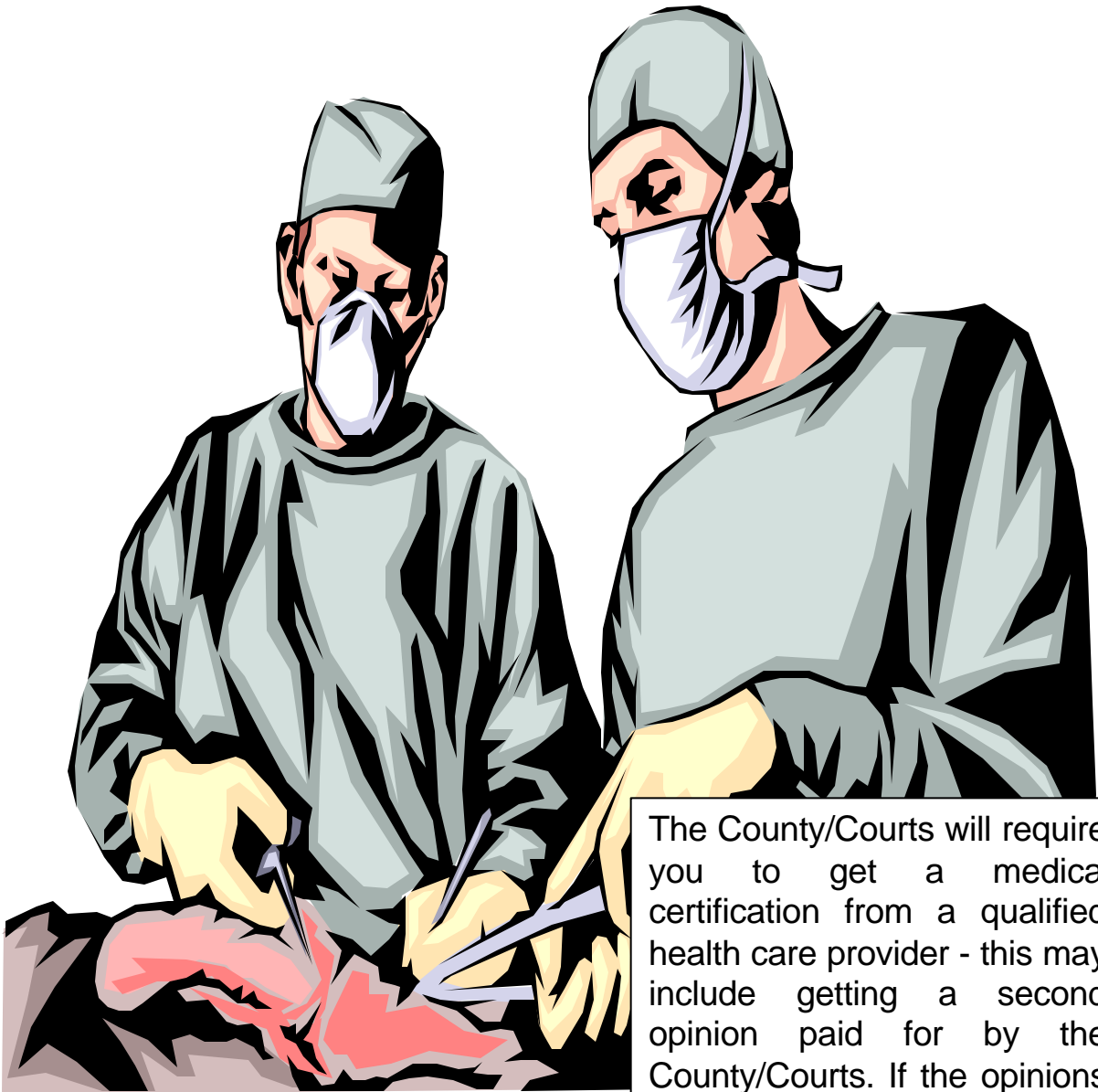
- ★ Your spouse
- ★ Your parent (not an in-law) or the individual responsible for your care and financial support when you were a child.
- ★ Your child (under the age of 18) - biological, adopted, foster, stepchild, legal ward, or one for whom you have day-to-day care and financial responsibilities.
- ★ Your child (over 18) who is unable to handle daily living activities because of mental or physical disability.

You may have the need to use the FMLA to help your family member who can't care for him/herself. You may also have to transport a family member to a doctor, provide psychological comfort and reassurance to a family member receiving inpatient care, or arrange for care changes such as transfer to a nursing home. All of the above must be certified by a physician.



③ You are unable to perform your job due to a serious health condition

As defined in the FMLA, a serious health condition is an injury, illness, impairment, or physical or mental condition that involves either incapacity, inpatient treatment, or continuing treatment or supervision by a qualified health care provider. If you're not sure if your situation qualifies as a serious health condition, consult the HR Department.



The County/Courts will require you to get a medical certification from a qualified health care provider - this may include getting a second opinion paid for by the County/Courts. If the opinions conflict, you and the County may agree on a third health care provider to give a binding opinion.

Making a Smooth Transition for Yourself and the County/Courts

The FMLA requires you to follow these steps to make your family or medical leave fair for both you and the County/Courts.



① Give your department head 30 days' notice of your intent to take leave when you know in advance that you'll need it, or as much time as possible when you need leave for an unforeseen reason. Each department has forms available for you to complete and sign.

② Try to schedule medical treatments in consultation with your department head to prevent undue disruption of the department's operations.



③ Report periodically to your department head, on request, about your status and intent to return to work. (You will be asked to provide re-certification of your own or your family member's medical condition)(Re-certifications are at no cost to the employer).



④ Provide, on request, a physician's certification of a serious health condition (yours or a family member's). This may include the date a condition began and its expected duration; diagnosis; treatment, including hospitalization; and, if applicable, a statement that you can't perform the essential functions of your job or that you're needed to help with a seriously ill family member.

⑤ Obtain, on request and at your employer's cost, a second and/or third health care provider opinion about a serious health condition.

The County/Courts Have Obligations Too!

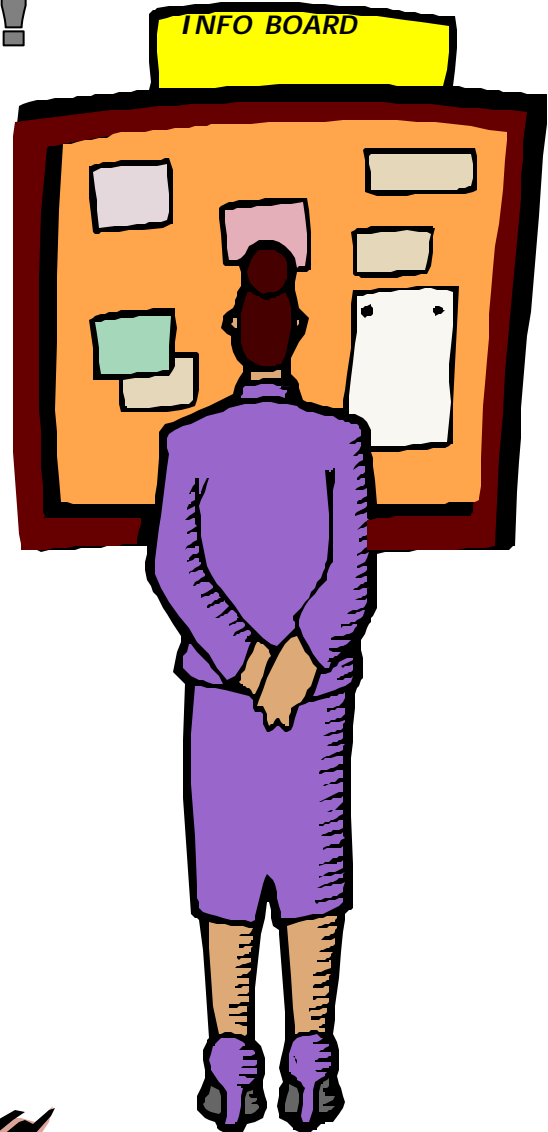
The County and the Courts play a role in facilitating your FMLA. The FMLA requires us to:

E Post a notice that explains the FMLA in a place where you can readily see it.

E Include information about FMLA in handbooks that describe your benefits.

E Explain requirements to you when you apply for FMLA.

E Allow you to take FMLA if you are eligible and for qualified purposes without trying to discourage you, discriminate against you or interfere in any way.



Some Questions and Answers

How do I request leave?

Just as soon as you know that you will need to take FMLA leave, contact your department head or the HR Department. If possible give the employer at least 30 days notice. If your leave was unplanned, try to give your department head two days' notice (in a medical emergency, no advance notice is required but the employer must be notified).

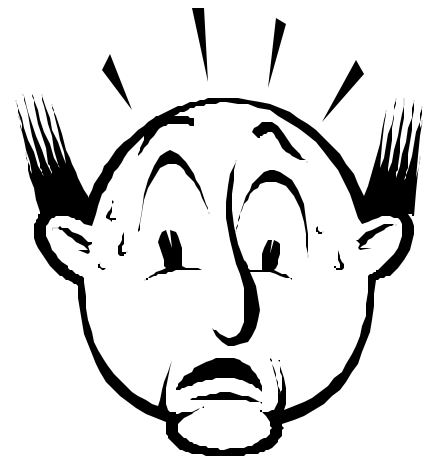


Will I keep my benefits while I'm on FMLA?

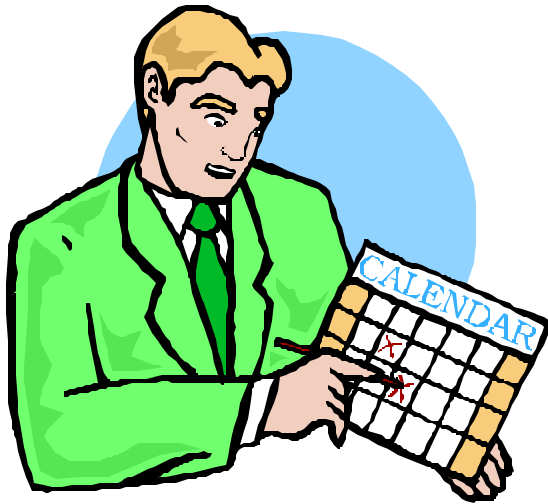
The FMLA requires employers to maintain group coverage for employees on FMLA, including paying the county's share of the insurance premium. You must continue to pay your share of the health plan payments while in FMLA status. If you are in an unpaid status you do not earn PTO. If you are using PTO or Comp Time you will.

What if I don't make all of my health plan premium payments or if I'm late with a payment?

We are required to maintain your health care coverage as long as you continue to pay your portion of the premium. If you fail to make a payment or the payment is more than 30 days late your coverage will be terminated. When you return to work your coverage will be reinstated.



Some Questions and Answers (Continued)



Can I take a paid leave?

The FMLA allows for *unpaid* leave of up to 12 weeks, but you will be required to substitute earned Comp Time and/or PTO.

Can the County/Courts deny my request for FMLA?

Yes, but only if you:

- ✗ Do not meet the eligibility requirements.
- ✗ Do not give adequate notice of a foreseeable leave.
- ✗ Do not provide requested verification of a serious health condition from a physician authorized to practice medicine in the state where you are located.
- ✗ Have already taken 12 weeks of leave in the current 12-month eligibility period. In cases where you and your spouse work for the same employer, each spouse is only entitled to take 6 weeks of leave for a combined total of 12 weeks. See the HR Director for more info.
- ✗ Want to take FMLA to care for a family member not specified under the law.



What if I feel that my rights under the FMLA have been violated?

If you think you've been treated unfairly under the guidelines of the FMLA, you have the right to file a complaint with the U.S. Department of Labor.

Do Michigan FMLA Laws differ from the Federal Law?

No. Michigan has adopted the federal FMLA as it's governing rules.

Will I get my same job back at the end of my leave?

Not necessarily. An employee must be return to his/her job, OR an equivalent job with equivalent pay, benefits and working conditions at the same or a nearby work site. You may have to transfer to another job with equal pay and benefits to take intermittent or part-time FMLA if your regular job isn't available.

What if I'm a Key Employee?

If you are a KEY EMPLOYEE (that is defined under the FMLA as an employee with earnings in the top 10% of the county's employees) and your employer can show that your return to work would cause a "substantial and grievous economic injury" or hardship (not inconvenience) the the County operations, there is a chance you may not be reinstated.

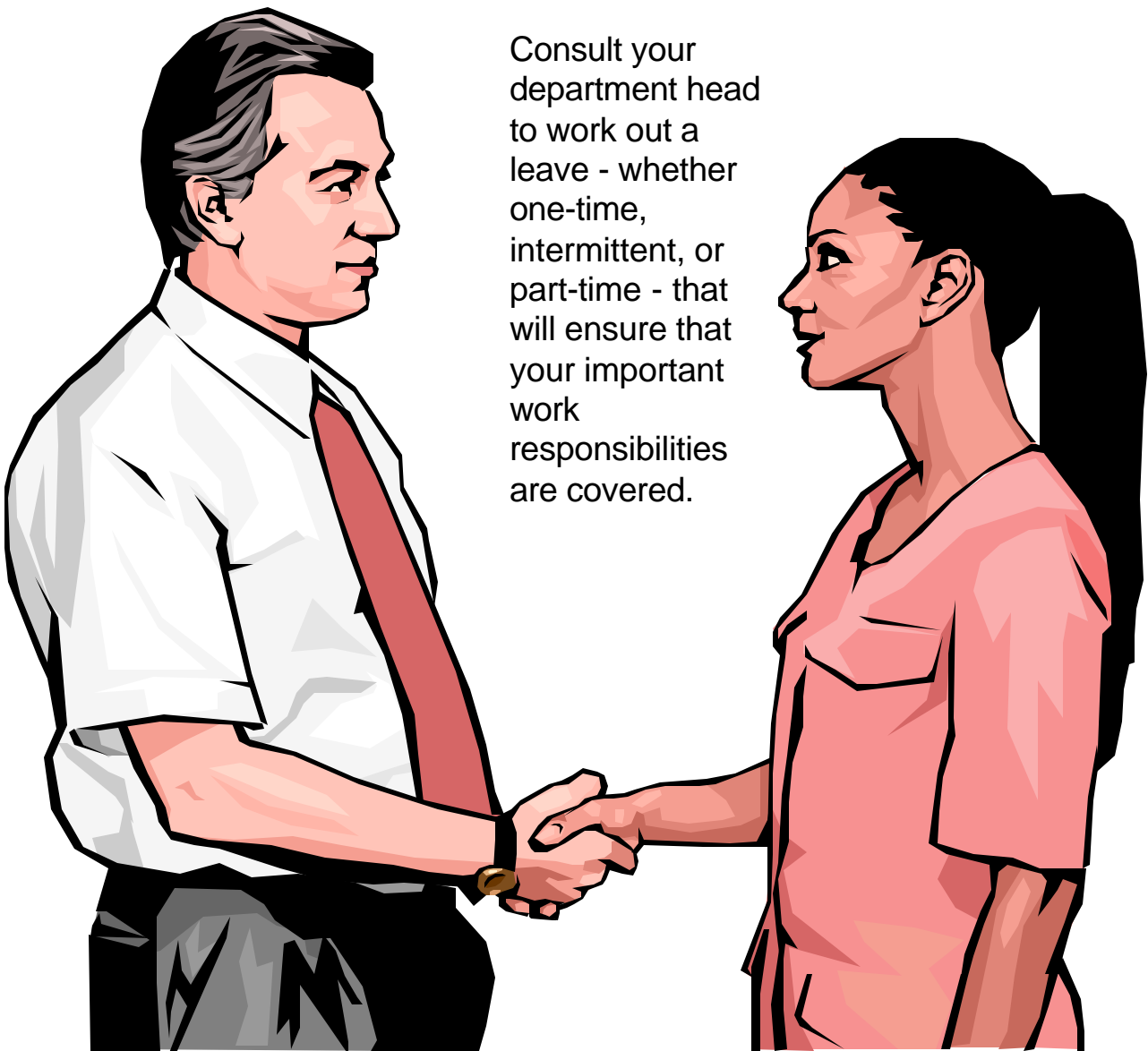
If you qualify as a key employee, your employer must notify you in writing when you apply for leave and must tell you that there is a possibility that you will not be reinstated at the end of the leave.



Cooperation and planning: Keys to successful leaves.

The County and the Courts value you and the contributions you make. We recognize that you can do your best work only when you're health and undistracted by personal concerns. The FMLA enables you to give time and attention to illness and other personal situations without putting your job at risk. It also encourages you and your department head to work together to keep things running as smoothly as possible on the job while you're away.

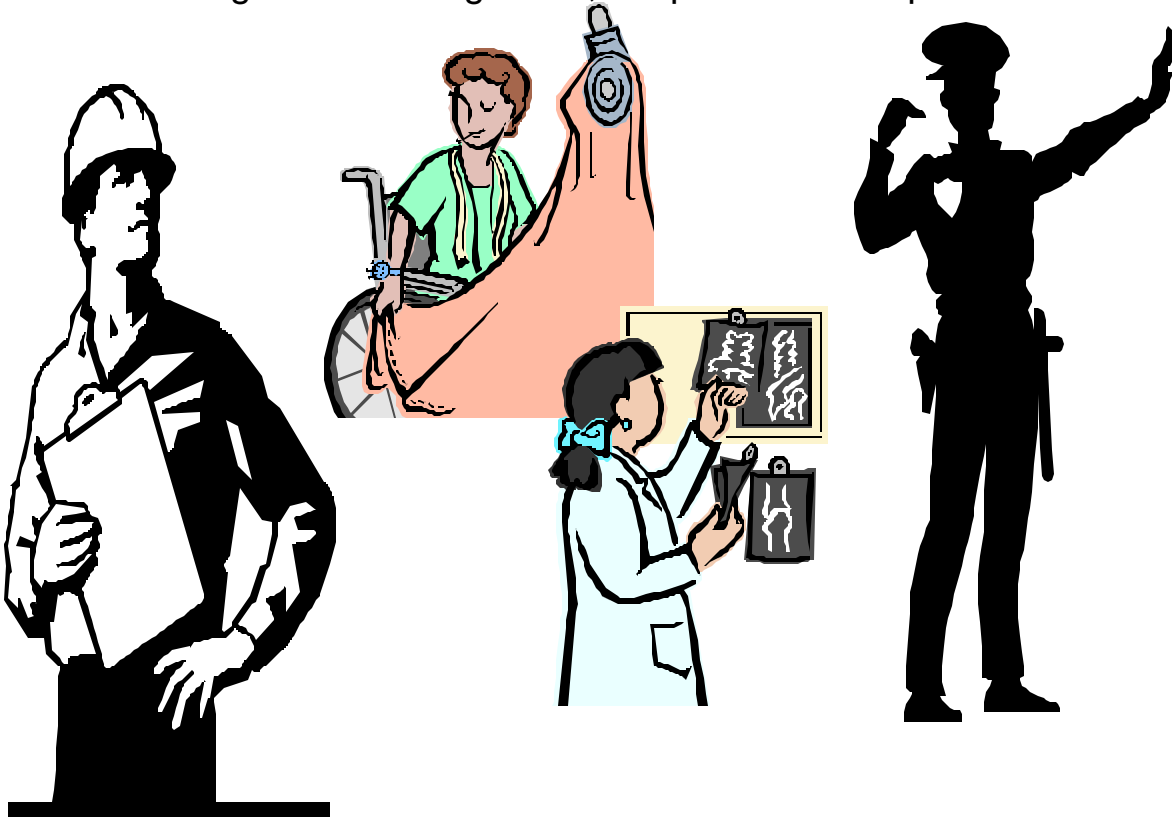
Consult your department head to work out a leave - whether one-time, intermittent, or part-time - that will ensure that your important work responsibilities are covered.



The FMLA helps you balance work and family needs!

The FMLA was created for your benefit. It's an "insurance policy" for responsible people who care about their families - and their jobs. It allows you up to 12 weeks of unpaid leave while keeping your job and benefits when:

- An immediate family member with a serious health condition needs your help.
- You own serious health condition makes you unable to do your job.
- You are adding a child through birth, adoption or foster placement.



Become familiar with the leave procedures required by the FMLA and the County's policies. Work with your department head to reduce the stress that family emergencies can cause on your job - whether you're there or on leave. Family and work responsibilities can be balanced in a way that's convenient for everyone involved.