

Addendum B

KING COUNTY PROSECUTING ATTORNEY'S OFFICE FAMILY/MEDICAL/PARENTAL LEAVE POLICY

I. ELIGIBILITY

Regular employees of the Prosecuting Attorney's Office (PAO) are eligible for up to 18 weeks of Family, Medical and/or Parental leave. Employees are entitled to a total of 18¹ workweeks of leave during any 12 month period (measured forward from the date when the employee's first FMLA leave begins) for one or more of the following:

1. the birth of a child and in order to care for such child;
2. the placement of a child under age 6 with the employee for adoption (Parental leave must be used within 12 months of the birth or placement with the adoptive parent. Parental leave may be taken on a reduced schedule subject to the approval of the employer.)
3. care for an immediate family member who has a serious medical condition which requires the employee's presence. Immediate family member shall be construed to mean persons related to an employee by blood or legal adoption as follows: grandmother, grandfather, mother, father, husband, wife, son, daughter, brother, sister, any persons for whose financial or physical care the employee is principally responsible, and domestic partners.
4. serious health condition of the employee which requires inpatient care or ongoing treatment.

II. REDUCED SCHEDULE

Family and/or Medical Leave may be taken on a reduced schedule. A reduced schedule for parental leaves of absence are subject to the approval of the PAO.

III. USE OF PAID LEAVE

Employees may use *accrued* sick leave, compensatory and vacation leave towards Family, Medical and/or Parental Leave of Absence. The remainder of the leave of absence will be without pay. Employees may not borrow unaccrued vacation or sick leave for leaves of absence.

Employees must deplete their own sick leave, compensatory and vacation accruals before using any shared leave donations.

¹ Employees who have worked 1250 hours over the previous 12 months are eligible for 12 weeks of FMLA under the Federal FMLA Act of 1993 for some situations. (Please refer to sheet entitled "Your rights under the Family and Medical Leave Act of 1993"). The PAO FML policy allows for an additional 6 weeks and also allows for leave in some instances that are not covered by the Federal Act.

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IV. MAINTENANCE OF HEALTH BENEFITS

The PAO will maintain medical, dental and vision premiums for up to 18 weeks in a 12 month period as defined above. Subsequent to use of all paid leave, employees on unpaid status who would like to maintain their life insurance, accidental death & dismemberment insurance and long term disability coverage must self pay the entire cost of this coverage. Employees will receive information from the Human Resources Division of the Department of Executive Services regarding continuing this coverage. All benefits are restored when an employee returns from leave.

In some instances, the PAO may recover premiums that it has paid to maintain health coverage for an employee who fails to return to work from Family and/or Parental leave.

V. EMPLOYEE NOTICE

Whenever possible, employees seeking to use FMLA and/or PAO FML must make such requests in writing at least 30 days in advance. We would appreciate as much advance notice as possible. Otherwise, notice must be provided as soon as practicable (i.e. medical emergencies, premature births). Employees must complete the following forms:

1. *Leave Request- Family and Medical Leave (FMLA) and PAO Family and Medical Leave* form. The original copy should be submitted to the Personnel Office and a copy forwarded to the Chief Deputy and/or Supervisor of their work unit.
2. *FMLA/PAO FML Medical Certification* form to be completed by the attending physician and returned by the employee or doctor to the personnel office within 15 days of the request. Employees who are pregnant and requesting a family leave of absence do not need to submit this form. All other requests require medical certification.

The employee will receive written notification of leave status from the Personnel Office.

VII. CERTIFICATION REQUIREMENTS

The PAO may require medical certification (see Section V, #2 above) supporting the need for leave due to a serious health condition affecting the employee or an immediate family member.

If requested, the supporting document must state the date on which the health condition began and its probable duration. The Prosecuting Attorney's Office may require that an employee who requests family and/or medical leave obtain, at the Prosecuting Attorney's Office expense, the opinion of a second health care provider regarding any of the information required in the medical certification. If the health care providers disagree on any factor which is determinative of the employee's eligibility for family/medical leave, the two health care providers will select a third health care provider, obtained at the

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expense of the Prosecuting Attorney's Office. The opinion of the third health care provider will be conclusive.

VIII. EXTENSION OF LEAVES

The King County Prosecuting Attorney's Office will not grant extensions to Family and Parental Leaves of Absence beyond the 18 weeks except under extraordinary circumstances. Employees wanting an extension of their leave must submit requests in writing to the Personnel Office.

The following, among other things, will be taken into consideration: the health of the mother and/or child; the seriousness of the health condition; accrued leave beyond the 18 weeks; seniority; impact on the department and/or work group.

IX. LEAVE TO CARE FOR TERMINALLY ILL CHILD

In addition to and separate from any Family Leave above, an employee may take up to 18 work weeks of leave to care for his or her child under 18 years old who has a terminal health condition. An employee is entitled to such leave only once for a given child.

For purposes of this section, "terminal health condition" means a condition caused by injury, disease, or illness, that, within reasonable medical judgment, is incurable and will produce death within the period of leave to which the employee is entitled.

Sections V (Employee Notice) and VII (Medical Certification) are applicable to this Section.

X. JOB STATUS

An employee who utilizes leave under the FMLA and/or PAO FML policy is entitled, upon return from leave or during any period of reduced leave, subject to layoff provisions, to:

- The same position the employee held when the leave began, or a position with equivalent status.
- Equivalent benefits, pay, and other terms and conditions of employment.