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ARTICLE 21: FEDERAL FAMILY MEDICAL LEAVE ACT AND PARENTAL LEAVE

21.1. Federal Family and Medical Leave Act (FMLA).
Consistent with the federal Family and Medical Leave Act of 1993, and APS 45.5, an employee who has worked for the state for at least twelve (12) months and for at least one thousand two hundred and fifty (1250) hours during the twelve (12) months prior to the requested leave is entitled to up to twelve (12) work weeks of leave per year for any combination of the following:

a. parental leave to care for a newborn or newly placed adopted or foster child; or
b. personal medical leave due to the employee's own serious medical condition that requires the employee's absence from work; or
c. family medical leave to care for a family member who suffers from a serious medical condition that requires care or supervision by the employee. Family Member is defined as: the employee's spouse or same or opposite sex domestic partner, child, parent, grandparent, grandchild, sister, or brother. It also includes individuals in the following relationships with the employee's spouse or domestic partner: child, parent, and grandparent. "Child" also includes any child residing in the employee's home through foster care, legal guardianship or custody. Family members include those persons in a "step" relationship.

21.2.

The amount of family medical leave available to an employee is determined by using a rolling twelve (12) month period. The rolling twelve (12) month period measures FMLA leave availability by "looking backward" from the date an employee begins FMLA leave, adding up any FMLA leave used in the previous twelve (12) months, and subtracting that amount from the employee's twelve (12) workweek FMLA leave entitlement. The remaining amount is available to the employee.

a. While on leave covered by FMLA, the employee must use accrued leave before leave without pay for the absence unless it runs concurrently with Washington Family and medical Leave (PFML).
b. The Employer will not require the use of paid leave such that it would result in the employee having fewer than eighty (80) hours of accrued paid time off ~~vacation leave or eighty (80) hours of accrued sick leave, counted separately~~, upon return to work. Vacation time off, ~~and~~ sick time off, ~~leave~~ compensatory time off, and personal holiday time off that has been requested and approved prior to the request for the use of FMLA will not be considered when requiring employees to use leave during FMLA-covered leave. This does not apply during an absence covered by the Washington Family and Medical Leave Program (PFML).

21.3.

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The University will continue the employee's existing employer-paid health insurance benefits during the period of leave covered by FMLA. If necessary, due to continued approved personal medical or parental leave approved beyond the FMLA period, or if the employee is not eligible for FMLA, the employee may elect to use eight (8) hours of accrued applicable paid leave for continuation of employer paid health insurance benefits for each month of the duration of the approved absence. The interspersed paid leave will be applied to the first working day of the month.

21.4.

FMLA leave may be taken intermittently or as part of a reduced work schedule when medically necessary.

21.5. Parental Leave.
Parental leave is defined as: up to six months of leave taken after the birth of a child to the employee, spouse or domestic partner, or because of the placement of a child with the employee or domestic partner through adoption or foster care, including time covered by the FMLA, during the first year after the child's birth or placement. Leave beyond the period covered by FMLA may only be denied by the Employer due to operational necessity. Extensions beyond six
(6) months may be approved by the Employer. For birth parents, temporary disability leave for pregnancy is in addition to parental leave.

To be paid during Parental leave, employees must use accrued vacation leave, sick leave up to eighteen (18) weeks (720 hours), personal holiday, holiday credit, or compensatory time, the combination of which may be determined by the employee. Employees must use all applicable accrued leave prior to going on leave without pay unless it runs concurrently with Washington Family and Medical Leave (PFML).

Tentatively Agreed To:

For the Union:	For the Employer:
Signed by: Becky K. Stephens 530E07D4212E4C6...	DocuSigned by: Catherine Scheid 9BED1964C6434D0...
Date: 9/16/2026	Date: 9/16/2026