Trindel

Insurance Fund

Alpine - Colusa - Del Norte - Lassen - Modoc - Mono - Plumas - San Benito - Sierra - Sutter - Trinity

A Joint Powers Authority Established in 1980

www.trindel.org

Servicemember Family and Medical Leave Policy

The Federal Family and Medical Leave Act ("FMLA") provides eligible employees of Trindel Insurance Fund (hereafter referred to as the "Fund"), time off from work for a covered family member's service in the Armed Forces ("Servicemember FMLA"). This policy supplements our current "Family and Medical Leave" policy and provides general notice of your rights to Servicemember FMLA. Except as mentioned below, your rights and obligations with respect to Servicemember FMLA are governed by our existing Family and Medical Leave policy to the extent they are applicable.

Leave Entitlement

Servicemember FMLA provides eligible employees unpaid leave for either of the following reasons:

(1) Qualifying Exigency Leave. A "qualifying exigency" arises out of a spouse, parent, or child's covered active duty or call to covered active duty in a foreign country as a member of the Armed Forces or reserves. "Qualifying exigencies" may include attending military events, arranging for alternate childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

(2) Covered Servicemember Leave. This leave is to care for a "covered servicemember" (spouse, parent, child, or next of kin) with a "serious illness or injury" incurred in the line of duty (or aggravated in the line of duty), who is a "covered servicemember." A "covered servicemember" is: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes Servicemember Leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.*

***The FMLA definitions of "serious injury or illness" for current servicemembers and veterans are distinct from the FMLA definition of "serious health condition."**

Please see your supervisor or the Executive Director for more information about what qualifies under these definitions.

Duration of Servicemember FMLA

You may take up to 12 workweeks of Qualifying Exigency Leave during any 12-month period. Except leave because of "short-notice" deployment may not exceed seven (7) calendar days from the date a covered military member is notified of an impending call or order to active duty.

You may take up to 26 workweeks of Covered Servicemember Leave during a single 12-month period. If you and your spouse both work for the Fund, your combined Covered Servicemember Leave can be limited to 26 workweeks in a 12-month period.

Servicemember FMLA runs concurrently with other leave entitlements to which you may be entitled under federal, state, or local law.

Notice of Need for Servicemember FMLA

You must provide as much advance notice as practicable of your need for Servicemember FMLA. If the leave is for the planned medical treatment of a covered servicemember, you must provide 30 days' advance notice, unless notice is not practicable. If 30 days' notice is not practicable, you must provide notice as soon as is practicable.

Certification

If you are requesting Qualifying Exigency Leave, the Fund may require you to provide a copy of the covered servicemember's active duty orders or other documentation verifying the covered servicemember is on active duty or has been called to active duty and the dates of active service. The Fund may also require you to provide a certification verifying eligibility for leave.

If you are requesting Covered Servicemember Leave, the Fund may require you to provide a medical certification from an authorized health care provider verifying certain information regarding the covered servicemember and his/her injury or illness. Unless otherwise prohibited by law, the Fund may seek a second or third opinion if the health care provider is not affiliated with the United States Department of Defense, the United States Department of Veterans Affairs, or the United States Department of Defense TRICARE network.

Verification

If you request Qualifying Exigency Leave, the Fund may contact the Department of Defense to verify the covered servicemember is on or has been called to duty. Additionally, if you are taking leave to meet with a third party, the Fund may contact the third party to verify the meeting and its purpose.