

Human Resources Policy Bulletin

City of Lincoln

Number: 2023-3

Date: January 1, 2023

Reference:	Title:
	Protected Family Leave

I. PURPOSE

This purpose of this policy is to provide unpaid job protected leave time for spouses employed by The City of Lincoln who exhaust Family Medical Leave for the birth, placement, care or bonding of a child within the first year of the child's birth or placement.

II. ELIGIBILITY

Employees who have been employed for at least 12-months and have worked at least 1,250 hours during the preceding 12-month leave period.

III. PROTECTED FAMILY LEAVE

- A. Protected Family Leave. If spouses both work for The City of Lincoln and request leave for the birth, placement, care or bonding of a child within the first year after birth or placement, each spouse will be eligible for up to 12 workweeks of unpaid job protected leave in a 12-month period. The 12 workweeks will include a combination of approved Family Medical Leave and Protected Family Leave. Family Medical Leave must be exhausted prior to using Protected Family Leave.
- B. Effect on Paid Leaves. Protected Family Leave will run concurrently with paid leaves (sick leave, personal holidays, and vacation, accrued and banked). Following the exhaustion of applicable paid leave, any remaining Protected Family Leave will be unpaid.
- C. Application and Eligibility. The FMLA application each employee submits to the Human Resources Leave Manager will be used to request Protected Family Leave. If each spouse qualifies for FMLA leave, the spouses qualify for Protected Family Leave.
- D. Types and Duration of Leave. Protected Family Leave may be taken on a continual leave schedule or an intermittent/reduced leave schedule, based on the qualifying employees' family need.
- E. Benefits During Leave. During a period of Protected Family Leave, an employee will be retained on the employer's health and dental care plans under the same conditions

Human Resources Policy Bulletin

City of Lincoln

Number: 2023-3

Date: January 1, 2023

Reference:	Title:
	Protected Family Leave

that applied before leave was commenced. To continue health and dental coverage, the employee must continue to make any contributions the employee made to the plan before taking leave. Failure of the employee to pay the employee share of the health or dental care monthly cost may result in loss of coverage.

If the employee fails to return to work after the expiration of the leave, the employee will be required to reimburse The City of Lincoln for payment of health/dental care monthly costs incurred during the Protected Family Leave, unless the reason the employee fails to return is the presence of the serious health condition which prevents the employee from performing his or her job, or other circumstances beyond the control of the employee.

- F. Return to Work. Upon an employee's return to work, an employee may be required to complete a "Notice of Intention to Return to Work" form before the employee can be returned to active status. This form may be obtained from Human Resources. Notification must be given to the Human Resources Leave Manager as well as notice to the Department Head least 2 working days prior to the employee's planned return.
- G. Failure to Return From Leave. The failure of an employee to return to work upon the expiration of Protected Family Leave will be considered a resignation unless an extension is granted, other leave is required by applicable law, or other paid leave is available and approved for use. In no circumstances will an extension beyond the 12-week period authorized be granted, unless other leave is required by applicable law or other paid leave is available and approved for use.

IV. CONTINUOUS SERVICE

Absences related to a protected leave event including, but not limited to, Family and Medical Leave Act leave, Nebraska Fair Employment Practice leave and Protected Family Leave shall not be deducted in computing total length of service.

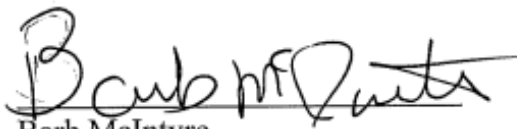
Human Resources Policy Bulletin

City of Lincoln

Number: 2023-3

Date: January 1, 2023

Reference:	Title:
	Protected Family Leave



Barb McIntyre
Human Resources Director

1-9-23
Date



Leirion Gaylor Baird
Mayor

1-9-23
Date