



March 8, 2007

MEMORANDUM HRO-068-07

TO: University Community
FROM: Chief Human Resources Officer
SUBJECT: Family Medical Leave Act (FMLA)

The University of Guam is committed to ensure that your rights are protected under the Family Medical Leave Act of 1993 which requires employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for certain family and medical reasons. This leave may be taken continuous, intermittent or reduced schedule.

The University is also responsible to ensure that guidelines coordination of policy and procedure is in place to protect and safeguard against fraud and abuse. This responsibility includes the employee's request for FMLA, the justification for FMLA and the monitoring of leave taken under FMLA.

Provided herein is the FMLA guidelines:

- I. Purpose:
 - a) To care for the employee's child after birth, or placement for adoption or foster care;
 - b) To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
 - c) For a serious health condition that makes the employee unable to perform the employee's job.
- II. Eligibility:

An employee must have worked for the Government of Guam for at least 12 months and for at least 1,250 hours during the year preceding the start of leave.
- III. Employee Responsibility/Designation of FMLA Leave:

Employees must give 30 days prior notice when leave is foreseeable. When leave is not foreseeable, employees must notify the employer within two (2) workdays or as soon as practicable.
- IV. Leave Status:

FMLA provides up to 12 weeks of unpaid leave. Leave however with pay status may be requested in conjunction with FMLA. The types of leave in conjunction are: Leave Sharing, Annual Leave and Sick Leave. Leave request and its requirements must be met as set forth by governing rule or law. Please refer to the Interim Personnel Rules & Regulations for Classified Service Employees- Chapter 8 and the Rules, Regulations and Procedures Manual for Academic Personnel-Article IV.

V. Application Form:

The application form may be obtained from the Human Resources Office or from the respective College/Unit. It is the responsibility of the employee to ensure the FMLA application is filled out properly; this shall include all other leave application forms as applicable in conjunction with FMLA.

VI. Authority Approval:

FMLA Leave Application – Employee's Supervisor and Appropriate College/Unit Administrator with the final authority approval of the President.

UOG Leave Application Form- Employee's Supervisor and Appropriate College/Unit Administrator.

Leave Sharing Application Form for sick/annual donation request for medical emergency reasons may be requested in conjunction with FMLA. This request must first be made known to immediate supervisor and the College/Unit Administrator before submitting to the Human Resources Office (HRO). Once the Leave Sharing Application is reviewed by HRO and it meets the requirements, it is assigned a control number and then forwarded to Recipients' Hiring Authority, in this case, the President is authority approval. For personal reasons under the Leave Sharing Application, the Director, Department of Administration is the authority approval.

*A copy of leave application is provided to the Human Resources Office once all approval of signatures is in place.

*No leave application shall be submitted directly to the Payroll Office without the Human Resources Office review and validation. Supervisors and College/Unit Administrator must be cognizant of the requirements under FMLA and other leave as applicable or in conjunction with FMLA.

Should you have any questions, please contact Antonette "Toni" Santos at 735-2354.



JOHN V. ANGOCO

cc: Senior Vice President, ASA
Vice President, A&F
Vice President, UCE