

Family Medical Leave Chart

As required by law, Williamson County will permit eligible employees to take family or medical leave ("FMLA leave"), in accordance with the terms of this policy. If this policy conflicts with the Family and Medical Leave Act (FMLA), eligible employees will be afforded the rights required by law.

Eligibility

- Worked for the County for at least 12 months.
- Worked a minimum of 1250 hours in the last 12 months.

Basic FMLA

The Family and Medical Leave Act (FMLA) entitles eligible employees to take job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave.

The FMLA only requires unpaid leave, however employees may use accrued paid leave, until accruals are exhausted, in accordance with this policy (see section on concurrent application of available leave accruals, below). Either continuous or intermittent FMLA leave may be granted to meet the needs of the employee, as medically certified by the healthcare provider. Employees are allotted a period of 15 calendar days for completion of certification forms by the healthcare provider. Therefore, the certification may be received by Human Resources after an employee is already taking leave for an unscheduled medical necessity. Work shall not be performed during continuous FMLA leave. All time worked by non-exempt staff during intermittent leave shall be reported in Kronos. All unworked time during intermittent leave, for either exempt or non-exempt employees, shall be reported via online form and FMLA-coded leave entries will be administered by HR. FMLA fraud or abuse will be investigated and may result in disciplinary action, up to and including termination.

Entitlement

Qualifying Reasons/Policy

- 12 weeks (480 hours) job-protected leave per rolling calendar year; if eligibility and qualifying reasons are met, including relationship rules.

Specified family and medical reasons:

- Employee's own serious health condition, defined as an illness, injury, impairment, or physical or mental condition that involves either inpatient care or continuing treatment by a health care provider. An FMLA serious health condition generally involves a period of incapacity.
- To care for employee's spouse, child, or parent who has a serious health condition.
 - Employees requesting leave to care for an immediate family member with a serious health condition may be required to submit proof of the familial relationship, such as a birth certificate or marriage license.
 - An affidavit will be required in-for cases when-in which:
 - an An employee stands "in loco parentis," acting in the role of a parent for a child under the age of 18, or 18 years-old or older and incapable of self-care because of a mental or physical disability-; or
 - An employee serves as Attorney-in-Fact for an otherwise non-covered family member who is incapable of self-care because of a mental or physical disability.
- The birth of a child.
- To care for a newborn child within one year from birth. *
- The placement of a child with the employee for adoption or foster care within one year of placement. *

*Employees are not eligible to utilize sick leave without certification of the child having a serious medical condition. See Baby Bonding policy for additional details.

Concurrent application of available leave accruals:

- Eligible employees with accrued leave will have the leave applied in the following order when the leave is related to a serious medical condition: sick, PTO, essential pay, banked holiday, floating holiday.
- Eligible employees with accrued leave will have the leave applied in the following order when the leave is not related to a serious medical condition: PTO, essential pay, banked holiday, floating holiday.
- Holiday leave will not bank, it will be utilized in the week earned.
- In the event that all available time-off accruals become exhausted during FMLA leave, the employee will enter an unpaid leave status. Contact HR regarding possible Sick Leave Pool eligibility, benefit premium deduction repayment schedule, and any other leave questions.

Compensation

The chart below indicates the policies related to pay increases and decreases due to position changes, vacancies and/or merit. All changes are contingent on budgeted fund availability. Any funds remaining in a department's merit line item will roll over each budget year unless otherwise determined by the Court. Any request outside of these policies will require the approval of Commissioners Court. The effective date for salary and/or position changes should be scheduled to align with the first day of the pay period. Contact Human Resources regarding exceptions for further review.

Salary/Position Changes

Type	Description/Policy	Pay +	Pay –	Approval Process	Additional Information
Merit	<ul style="list-style-type: none"> Merit funding can only be used for performance pay increases. Merit is awarded based on job performance which is evaluated by the applicable department head or elected official. Therefore, an employee must receive a performance evaluation in order to be eligible for a merit increase. An employee is eligible for merit after 90 days in their current Position Control Number (PCN). For cases involving unique circumstances, such as protected leave status, position reclasses and/or conversions, department leadership may contact HR to request approval for further details. 	<p>Max of 7% per employee, per budget year* authorized as a merit percentage amount and added to their annual salary. If an employee reaches the maximum of their grade, a lump sum may be issued.</p>	N/A	<ul style="list-style-type: none"> Oracle workflow required. Each processing period will have a cut-off date. Employee must have completed 90 days of employment by that date. A line-item transfer form must be submitted in addition to the workflow. Merit can only be transferred out of the merit line item. Merit is not transferrable between positions. 	<ul style="list-style-type: none"> District Court Reporters, Elected Officials, Director of Juvenile Services, County Auditor, Positions on the LE and C Charts are not eligible for merit increases. Merit for small departments with 4 or fewer merit-eligible employees who do not roll up to a department with an 8000 account, will be granted merit at 1% higher than the amount approved by the Commissioners Court not to exceed 5%. (i.e. if the Court approves merit at 3%, the small departments will receive 4%) Verification of evaluation required.
Position Salary Surplus	<ul style="list-style-type: none"> Cannot be used for merit increases. Cannot be requested to be moved between positions outside of November 1 through May 1. 	Refer to filling a vacancy, promotion and/or reclassification policies.	N/A	Refer to filling a vacancy, promotion, and reclassification policies.	Contact HR for additional requirements.
Filling a Vacancy	<p>When a current employee separates from employment or position.</p> <p>Applies to B Chart only.</p>	A vacant position may be filled with a salary up to 15% above the minimum of the pay grade. See promotion for current employees	N/A	Oracle Workflow Required	The maximum salary for a position cannot exceed the budgeted annual salary even if the full amount may not be used during the budget year due to the position being vacant for part of the year (i.e. budgeted salary = \$30,000, position vacant 6 months = \$15,000 not used, when filled the maximum salary cannot exceed \$30,000 even though \$15,000 is unused).
Retention	An increase in pay that is awarded to an employee, as an incentive to retain them in their current position, when the employee has received a bona-fide job offer from another department or employer or there is a high risk that the employee will be recruited or seek employment for a similar position with another employer or department with a higher salary.	Maximum of 10% above the current salary*.	N/A	<ul style="list-style-type: none"> Approval by Commissioners Court; public hearing required if additional funding is needed. Change will be effective on the first pay period after Court approval. Oracle workflow required. Verification required. 	Contact HR for additional requirements.