

Approved by the Board of Trustees
May 7, 2015

8

Board Meeting
May 7, 2015

APPROVE REVISIONS TO UNIVERSITY POLICY,
FAMILY AND MEDICAL LEAVE ACT

Action: Approve the Revisions to University Policy to Comply with Regulations for the Federal Family and Medical Leave Act of 1993 and as amended in 2015

Funding: No New Funding Required

The University's Family and Medical Leave Policy became effective in August 1993, with amendments approved on May 11, 1995, February 14, 2003, April 15, 2003, March 12, 2009, and November 14, 2013, to comply with the Federal Family and Medical Leave Act (FMLA) of 1993. On February 25, 2015, the United States Department of Labor (DOL) implemented further revisions to the Family and Medical Leave Act of 1993.

Revisions to the University policy are required to comply with the amendments to the Family and Medical Leave Act. The most significant change includes moving from a "state of residence" rule to a "place of celebration" rule for the definition of spouse under the FMLA regulations. The Final Rule changes the regulatory definition of spouse to look to the law of the place in which the marriage was entered into, as opposed to the law of the state in which the employee resides. A place of celebration rule allows all legally married couples, whether opposite-sex or same-sex, or married under common law, to have consistent federal family leave rights regardless of where they live.

Other minor language changes are recommended to clarify processes and procedures as governed by the federal law.

The Board action recommended in this item complies in all material respects with applicable State and federal laws, University of Illinois *Statutes, The General Rules Concerning University Organization and Procedure*, and Board of Trustees policies and directives.

The Vice President/Chief Financial Officer recommends approval of the revisions to the University Policy on Family and Medical Leave to comply with the Federal Family and Medical Leave Act set forth in the attached document.

The President of the University concurs.