



Cochise County Board of Supervisors

Public Programs...Personal Service
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Policy Title: Family Medical Leave Act (FMLA)

Policy Number: 2213

Effective: February 1, 2017

Supersedes:

Last Reviewed/Updated:

Scope/Coverage: All eligible Cochise County Employees

Policy Contact: Director of Human Resources

I. Compliance

- A. [Family and Medical Leave Act \(FMLA\)](#) of 1993 is the federal law that requires employers to provide eligible employees with up to twelve (12) workweeks of unpaid, job-protected leave in a 12-month period for qualifying family and medical reasons.
- B. It is the policy of Cochise County to comply with the provisions of the FMLA and the relevant regulations.
- C. Human Resources is responsible for processing all requests for FMLA related leaves for Cochise County Departments, except for the judicial departments.

II. Eligibility

- A. An employee is eligible for leave under the provisions of the FMLA if the employee has worked for Cochise County for one (1) year and 1,250 hours during the twelve (12) months preceding the date of the requested leave.
- B. For purposes of calculating the 1,250-hour requirement, the number of hours worked does NOT include personal leave, sick leave, any unpaid leave hours, or periods of layoff. Overtime and compensatory hours are included. The determining factor is whether the time is considered hours of work under the Fair Labor Standards Act (FLSA).
- C. An employee with a period of absence from work due to USERRA covered service (i.e., all military service including National Guard or Reserves) in the twelve (12) months preceding the first day of leave would be credited with the hours of service) that would have been performed but for the USERRA covered service absence.
- D. The only exception to the above is that if both spouses are employed by Cochise County, the twelve (12) weeks of "Family" Leave (See "Types of FMLA Fact Sheets", Administrative



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Procedure 2213.1) is limited to a combined total (between the spouses) of twelve (12) weeks during the twelve (12) months following the birth or placement of a child.

III. Additional Resources

- A. For additional information see the [Employee Rights and Responsibilities](#) notice, [Employee's Guide to the FMLA](#) and [Cochise County Administrative Procedure 2213.1](#).
- B. Visit [HR Forms](#) for Family and Medical Leave forms.