

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

M-NCPPC
Resolution 15-17

**AMENDMENTS TO FMLA POLICY: CALCULATION OF
12-MONTH FMLA ELIGIBILITY PERIOD, AND ADOPTION OF
MILITARY FAMILY LEAVE BENEFITS**

WHEREAS, the Family and Medical Leave Act (FMLA), as amended, establishes employer mandates for unpaid, job-protected leave for specified family and medical reasons;

WHEREAS, the Maryland National Capital Park and Planning Commission (“M-NCPPC”) policy provisions implementing the requirement under the FMLA are contained in Chapter 1600 of the Merit System Rules and Regulations, LEAVE STATUS PROGRAMS: LEAVE-WITHOUT-PAY, PARENTAL LEAVE, FAMILY AND MEDICAL LEAVE, AND ABSENCE-WITHOUT-LEAVE for Merit System employees, and in Administrative Practice 2-16, SEASONAL/INTERMITTENT, TEMPORARY, and TERM EMPLOYMENT for contract employees.

WHEREAS, an employee that qualifies for FMLA protected leave is eligible for up to 12 weeks of leave during a defined, 12-month time period (the “Eligibility Period”) and the FMLA allows employers to choose between four different methodologies for the calculation of this time period;

WHEREAS, the selected calculation method must be applied uniformly to the entire workforce;

WHEREAS, the current M-NCPPC policy for the calculation of the Eligibility Period is the “calendar-year” method;

WHEREAS, the FMLA allows an employer to change the calculation method with at least 60-day notice to employees;


WHEREAS, the Commission has supported moving to the FMLA model that calculates the Eligibility Period using a 12-month rolling or “look-back” period effective January 1, 2016; and

WHEREAS, the proposed change to the calculation method of the Eligibility Period was negotiated and accepted by the representatives of both M-NCPPC's bargaining units, the Fraternal Order for Police (FOP) and the Municipal and County Government Employees Organization (MCGEO).

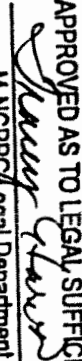
NOW THEREFORE, BE IT RESOLVED that the Commission does hereby approve the change in calculation method effective January 1, 2016.

BE IT FURTHER RESOLVED that the Commission hereby authorizes the Executive Director to take action as may be necessary to develop policy and guidelines to implement this Resolution.

This is to certify that the foregoing is a true and correct copy of Resolution No. 15-17, adopted by The Maryland-National Capital Park and Planning Commission on motion of Commissioner Presley, seconded by Commissioner Bailey, with Commissioners Anderson, Dreyfuss, Geraldo, Shoaff, and Wells-Harley voting in favor of the motion, and Commissioners Hewlett, Fani-Gonzalez and Washington absent during the vote, at its meeting held on Wednesday, September 16, 2015, in Silver Spring, Maryland.



Patricia Colihan Barney
Executive Director

APPROVED AS TO LEGAL SUFFICIENCY

M-NCPPC/Legal Department
Date 9/17/2015