



October 09, 2025

Resolution No. SHFC-2025-31: To consider and take action to approve a Family and Medical Leave Act (FMLA) Policy

WHEREAS, Strategic Housing Finance Corporation of Travis County (the “Corporation”) has been duly created and organized pursuant to and in accordance with the provisions of the Texas Housing Finance Corporations Act, Texas Local Government Code, Chapter 394, as amended (the “Act”), for the purpose of providing a means of financing the costs of residential ownership and development that will provide decent, safe and sanitary housing for persons of low and moderate income at prices or rentals they can afford; and

WHEREAS, the Corporation has received guidance on whether it is subject to the Family and Medical Leave Act (“FMLA”)


WHEREAS, the Corporation’s public entity status likely makes it subject to the FMLA

WHEREAS, Organizations subject to the FMLA are required to adopt an FMLA policy

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Strategic Housing Finance Corporation of Travis County hereby authorizes the adoption of the attached Family and Medical Leave Act (FMLA) Policy

[Signature and Certification Page Follows]

PASSED AND APPROVED this 9th day of October, 2025.



Jan Wenig
President, Board of Directors

CERTIFICATION

The above resolution, adopted by the Board of Directors of the Strategic Housing Finance Corporation of Travis County at a meeting held on the 9th day of October, 2025, is hereby certified to be a true and correct copy of an official copy thereof on file among the official records of such Corporation.

WITNESS my hand this 9th day of October, 2025.

By: 

Dianna Grey
Executive Director and Secretary



Family and Medical Leave Act (FMLA) Policy

Strategic HFC complies with the Family and Medical Leave Act (FMLA) and will grant up to 12 weeks of leave during a 12-month period to **eligible employees** (or up to 26 weeks of military caregiver leave).

The purpose of this policy is to provide employees with a general description of their FMLA rights. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law. If you have any questions, concerns or disputes with this policy, please contact Strategic HFC's Director of Finance & Administration.

Eligibility

To be eligible for leave under this policy, employees must meet **all** of the following requirements:

- Have worked at least twelve (12) months for Strategic HFC.
- Have worked at least 1,250 hours for Strategic HFC over the twelve (12) months preceding the date the leave would commence.
- Currently work at a location where there are at least fifty (50) employees within seventy-five (75) miles.

The 12 months of employment do not have to be consecutive. All periods of absence from work due to or necessitated by service in the uniformed services are counted as hours worked in determining eligibility.

Per the employee eligibility criteria listed above, Strategic HFC does not have any eligible employees at this time. However, all eligible organizations must maintain an FMLA policy.

Reasons for Leave

To qualify as FMLA leave under this policy, the leave must be for one of the following reasons:

- The birth of a child or placement of a child with the employee for adoption or foster care.
- To care for a spouse, child, or parent who has a serious health condition.

- For a serious health condition that makes the employee unable to perform the essential functions of their job.
- For any qualifying exigency arising out of the fact that a spouse, child, or parent is a military member on covered active duty or on call to covered active-duty status.
- To care for a covered service member with a serious injury or illness.

Amount of Leave

An eligible employee can take up to 12 weeks of FMLA leave during any 12-month period. The company will measure the 12-month period as a rolling 12-month period measured backward from the date an employee uses leave under this policy. Each time an employee requests FMLA-qualifying leave, the company will track the amount of leave the employee has taken under this policy in the last 12 months and subtract it from the total 12 weeks of available leave. The remaining balance is the amount the employee is entitled to take for the current request.

An eligible employee can take up to 26 weeks for the FMLA military caregiver leave during a single 12-month period. For this military caregiver leave, the company will measure the 12-month period as a single 12-month period measured forward from the first day the employee begins such leave. FMLA leave already taken for other FMLA circumstances will be deducted from the total of 26 weeks available.

Eligible spouses who both work for the company may only take a combined total of 12 weeks of leave for the birth of a child, adoption, or placement of a child in foster care, or to care for a parent (but not a parent "in-law") with a serious health condition. Both may only take a combined total of 26 weeks of leave to care for a covered injured or ill service member (if each spouse is a parent, spouse, child, or next of kin of the service member).

Intermittent Leave or a Reduced-Work Schedule

Employees may take FMLA leave in one consecutive block of time, may use the leave intermittently (take time periodically when needed over the 12 months), or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced-hour schedule. In all cases, the leave may not exceed a total of 12 workweeks (or 26 workweeks to care for an injured or ill service member) in a 12-month period.

The company may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule, in instances when leave for the employee or employee's family member is foreseeable, and for planned medical treatment, including recovery from a serious health condition or to care for a child after birth or placement for adoption or foster care.

For the birth, adoption, or foster care of a child, the company and the employee must mutually agree to the schedule before the employee may take the leave intermittently or work a reduced-hour schedule. Leave for birth, adoption, or foster care of a child must be taken within one year of the birth or placement of the child.

When leave is needed for planned medical treatment, the employee must make a reasonable effort to schedule treatment so as not to unduly disrupt the company's operations.

Employee Notice Requirement

All employees requesting FMLA leave must provide verbal or written notice of the need for leave to their department manager or the Director of Finance & Administration.

When the need for the leave is foreseeable, the employee must provide the company with at least 30 days' notice. When an employee becomes aware of a need for FMLA leave fewer than 30 days in advance, the employee must provide notice of the need for the leave either the same day the need for leave is discovered or the next business day. When the need for FMLA leave is not foreseeable, the employee must comply with the company's usual and customary notice and procedural requirements for requesting leave, absent unusual circumstances.

Within five business days after the employee has provided this notice, the Director of Finance & Administration will complete and provide the employee with a Notice of Eligibility & Rights and Responsibilities (Form WH-381) and request a medical certification or other supporting documentation as necessary.

Designation of FMLA Leave

Within five business days after the employee has submitted the required certification or other documentation, the Director of Finance & Administration will complete and provide the employee with a written response to the employee's request for FMLA leave using the FMLA Designation Notice (Form WH-382).

Employee Status and Benefits During Leave

Strategic HFC will continue an employee's health benefits during the leave period at the same level and under the same conditions as if the employee was continuously at work.

While on paid leave, the employer will continue to make payroll deductions to collect the employee's share of insurance premiums. While on unpaid leave, the employee must make this payment, either in person or by mail. The payment must be received in the accounting department by the fifth day of each month. If the payment is more than 30 days late, the employee's health care coverage may be dropped for the duration of the leave. The company will provide 15 days' notification prior to the employee's loss of coverage.

If the employee chooses not to return to work for reasons other than a continued serious health condition of the employee or the employee's family member or a circumstance beyond the employee's control, the company will require the employee to reimburse the company the amount it paid for the employee's health insurance premium during the leave period.

If the employee contributes to a life insurance or disability plan, the company will continue making payroll deductions while the employee is on paid leave. While the employee is on unpaid leave, the employee may request continuation of such benefits and pay their portion of the premiums, or the company may elect to maintain such benefits during the leave and pay

the employee's share of the premium payments. If the employee does not continue these payments, the company will discontinue coverage during the leave. If the company maintains coverage, the company may recover the costs incurred for paying the employee's share of any premiums, whether or not the employee returns to work.

Employee Status After Leave

An employee who takes medical leave under this policy may be asked to provide a fitness for duty clearance from a health care provider. This requirement will be included in the company's response to the FMLA request. Generally, an employee who takes FMLA leave will be able to return to the same position or a position with equivalent status, pay, benefits, and other employment terms. The position will be the same or one that is virtually identical in terms of pay, benefits, and working conditions. The company may choose to exempt certain key employees from this requirement and not return them to the same or similar position when doing so will cause substantial and grievous economic injury to business operations. Key employees will be given written notice at the time FMLA leave is requested of his or her status as a key employee.

Use of Paid and Unpaid Leave

An employee who is taking FMLA leave because of the employee's own serious health condition or the serious health condition of a family member must use all paid vacation, personal or sick leave prior to being eligible for unpaid leave. Sick leave may run concurrently with FMLA leave if the reason for the FMLA leave is covered by the established sick leave policy.

Leave taken for an employee's serious health condition, including pregnancy-related leave, short-term disability (STD), or workers' compensation, will be designated as FMLA leave and will run concurrently, to the extent the reason qualifies under the FMLA. For example, if an employee takes six weeks of Strategic HFC's pregnancy disability leave, those six weeks will count toward the employee's 12-week FMLA entitlement.

If an employee is receiving wage replacement benefits (such as through a disability plan or workers' compensation), the company will not require the use of accrued paid leave (e.g., vacation, personal, or sick leave) during the compensated portion of the leave. However, an employee and employer may agree to use accrued paid leave to supplement partial wage replacement benefits, where permitted by law and company policy.

If an employee is not receiving wage replacement benefits, an employee will be required to use accrued paid leave concurrently with FMLA leave.

Employees taking FMLA leave for the adoption or foster care placement of a child will be required to use all available paid vacation, personal, or family leave before transitioning to unpaid FMLA leave.

An employee who is using military FMLA leave for a qualifying exigency must use all paid vacation and personal leave prior to being eligible for unpaid leave. An employee using FMLA military caregiver leave must also use all paid vacation, personal leave, or sick leave (as long

as the reason for the absence is covered by the company's sick leave policy) prior to being eligible for unpaid leave.

Intent to Return to Work from FMLA Leave

On a basis that does not discriminate against employees on FMLA leave, Strategic HFC may require an employee on FMLA leave to report periodically on their status and intent to return to work.