



Nassau County Police Department
Our Mission is to serve the people of Nassau County
and to provide safety and an improved quality of life in
our communities through excellence in policing.

Department Administrative Order

ORDER TITLE	FILE	NUMBER
Family and Medical Leave of Absence	4037	21-021
REFERENCE DOCUMENTS	EFFECTIVE DATE	TERMINATION DATE
Family Medical Leave Act (FMLA) 29 U.S.C. § 2654; 29 C.F.R. 825.100; Nassau County Family Medical Leave Act and Family Military Leave Policy	05/11/2021	

Article 7, Rule 4, Pregnancy Reporting and Maternity Leave, of the Department Rules is hereby rescinded and replaced with a new Article 7, Rule 4, Family and Medical Leave of Absence, as stated below.

Rule 4. Family and Medical Leave of Absence

1. Members of the Department shall prepare PDCN Form 227, Internal Correspondence, and forward directly to the Commanding Officer of Personnel and Accounting Bureau, or Commanding Officer of Medical Administration Office, as appropriate for review and ultimate approval by the Office of the Commissioner of Police and notification to member's Commanding Officer, when a Family and Medical Leave of Absence is needed:

- for the birth of a child, and to bond with the newborn child within one year of birth,
- for the placement with the member of a child for adoption or foster care, and to bond with that child within one year of placement,
- to care for an immediate family member (spouse, child, or parent – but not a parent “in-law”) with a serious health condition,
- to take medical leave when the employee is unable to work because of a serious health condition,

Note: A mother may take leave for prenatal care, incapacity related to pregnancy and for her own serious health condition following the birth of a child.

- for qualifying exigencies arising out of the fact that the member's spouse, son, daughter, or parent is on covered active duty or call to covered active duty status as a member of the National Guard, Reserves, or Regular Armed Forces.
2. The application for the leave of absence shall be made at least thirty (30) days before leave is to begin.
- This time frame may be waived in the event the requested leave was unforeseeable and the request is made as soon as practicable, generally same or next business day, when the need is known.

ISSUING AUTHORITY
Commissioner

SIGNATURE
Patrick J. Ryder

ISSUE DATE
05/11/2021

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- b. Member may terminate this leave request upon application to the Commanding Officer of Personnel and Accounting, or Commanding Officer of Medical Administration, as appropriate and approved by the Office of the Commissioner of Police.
3. In order to be eligible for Family and Medical Leave, in addition to other qualifying requirements, the member must have worked for the County for 12 months and have worked 1,250 hours during the 12 months prior to the start of the leave.
4. Qualifying Family and Medical leaves of absences will be granted for up to twelve (12) weeks (up to twenty-six (26) weeks to care for a covered servicemember with a serious injury or illness) and shall run concurrent with member's contractual leave entitlements.
 - a. Upon member exhausting their leave entitlements, member will be placed in a "No Pay" status.
 - b. Sick Leave may only be utilized by members who have a qualifying medical condition as supported by a medical certification provided by their health care provider. Sick leave rules related to confinement, Article 7, Rule 6, Subdivision 2, are waived for members meeting this provision.

Note: The Sick Leave Management Program pursuant to Article 7, Rule 6, Subdivision 5, is not applicable to sick leave utilized under this provision. Sick leave or any other leave utilized pursuant to Rule 4 may not be used as a negative factor with regard to Request for Change of Assignment, PDCN form 241 or other employment decisions.

 - c. Medical benefits will be maintained during the twelve (12) week leave of absence.
 - d. Members needing a leave of absence longer than twelve (12) weeks shall make a separate request to the Commanding Officer, Personnel and Accounting, or Commanding Officer, Medical Administration, as appropriate thirty days prior to the end of their twelve weeks of leave of absence.
5. Members shall submit a written medical certification from their health care provider before returning to work after being absent due to a serious health condition.
6. Members of the Department may also request a reasonable accommodation by notifying the Department's Equal Employment Opportunity (EEO) Representative upon the direction of their physician and provide the following documents:
 - i. NC Form Appendix C, Request for Reasonable Accommodation, and
 - ii. Written medical certification from a member's physician supporting a request for reasonable accommodation.

Note: A request for a reasonable accommodation must be approved by the Office of the Commissioner of Police.

Department Procedure ADM 4116, Pregnancy Reporting and Leave, is hereby rescinded.

The Procedural Development Unit shall amend the Department Manual accordingly.