

Did You Know???

About the Federal Family and Medical Leave Act of 1993 (FMLA)

The 1993 Family and Medical Leave Act (FMLA) allows eligible employees to take up to 12 weeks of unpaid leave in a 12 month period. The leave can be taken for the birth, adoption or foster placement of a child, the care of a family member with a serious health condition or the employee's own serious health condition. The FMLA does not diminish provisions in state or local FMLA laws or in current CWA collective bargaining agreements, which provide more favorable policies—nor does it limit negotiation of greater benefits in the future. We should view FMLA as creating a floor of benefits that can be built upon through collective bargaining.

Eligible Employees for FMLA Must:

1. Have at least 12 months of service at the time leave begins. Service need not be consecutive or continuous.
2. Work at least 1,250 hours within the 12 months immediately preceding the commencement of the leave.
3. Work at a site where there are 50 or more employees of the same employer within 75 miles, as measured by surface mileage, using available transportation routes.

Eligible Reasons for FMLA Leave:

1. Birth of a child, adoption or foster care (this type of leave must be taken within 12 months of adoption or placement)
2. To care for a spouse, child under 18 or over 18 with mental or physical disabilities that make them unable to care for themselves or a parent with a serious health condition.
3. If the employee is unable to perform the functions of his/her job due to a serious health condition.

Grievance Update

By Craig Gamble, WashTech Staff Representative

1. A representative was terminated for attendance. This termination was grieved and the following is the outcome.
 - The member was reinstated to former position, with original NCS (hire) date.
 - Member was reinstated at the pay-scale step at termination, with an adjustment to reflect the July 15th step increase.
 - Member was reinstated with unused vacation and holiday balances.
 - Member was re-covered on the BCS Call Center Attendance Policy and was required to sign documentation stating such.
2. A representative on the operations team was placed on a counseling notice for attendance. This action was grieved and the following is the outcome:
 - Member's counseling notice was revoked by the company.
 - Member will not be subject to disciplinary action with regard to said counseling notice.
 - Each bargained Bothell BEUC operations representative will be held to the Bothell BCS Call Center Attendance guidelines, the same as all other bargained representatives.
 - Enforcement of the attendance policy for operations representatives began on August 23.
 - Member and other operations representatives were covered on the BCS Call Center Attendance Policy and were required to sign documentation stating such.
3. A representative was terminated for attendance. This termination was grieved and the following is the outcome:
 - The member was reinstated to former position, with original NCS date.
 - Member was reinstated at the pay-scale step at termination, with an adjustment to reflect the July 15th step increase.
 - Member was reinstated with back pay.
 - Member was reinstated with unused holiday balances.
 - Member was re-covered on the BCS Call Center Attendance Policy and was required to sign documentation stating such.