

## APWU Employee's Notification of New Child in Family

*To take FMLA leave for a new child in the family, an employee must notify management within **30 days** (when practicable) of the anticipated date of the birth, placement in foster care or adoption. This form may be used for that purpose. When the leave begins, complete and submit a **Form 3971, Request for or Notification of Absence**, for each pay period in which leave will be taken.*

Employee's Name \_\_\_\_\_

Employee Identification Number (EIN) \_\_\_\_\_ FMLA Case# (if available) \_\_\_\_\_

**This letter serves to notify (Postal Management) of a New Child/Children, to my family.**

**As per the 1993 Family and Medical Leave Act I expect to become a parent of a new child for one of the reasons listed below.**

**Check appropriate choice below**

Birth of a child

Adoption of a child or children

Foster care Placement

To commence on (approximate date) \_\_\_\_\_

**As per granted by the Family and Medical Leave Act the act I plan to take off work to care for my new child and will return to work on (approximate date) \_\_\_\_\_**

Employee's Signature \_\_\_\_\_ Today's Date \_\_\_\_\_

**FMLA RULES FOR NEW CHILD IN THE FAMILY.** The **EMPLOYEE MUST** return the completed form to the appropriate FMLA administration address or FAX it to them, and **PLEASE** keep a copy for your own records!

The Family and Medical Leave Act guarantees each letter carrier 12 weeks of time off per postal leave year for a new child in the family—by birth, by placement of a foster child or by adoption. The age of a child adopted or placed in foster care does not affect eligibility for leave (except that the child must be under 18, or older but incapable of self-care). When both parents work for the Postal Service, each parent may take up to 12 weeks of FMLA leave for this purpose.

**Before the child arrives.** In the case of a birth, the pregnant employee is entitled to FMLA leave before the actual date of birth, for prenatal care or if her condition makes her unable to work. Accrued paid sick leave may be used for these purposes; the employee also may use annual leave or LWOP in accordance with existing rules. Before or after a foster or adopted child is placed, the employee is entitled to take FMLA leave for making required arrangements for the placement to attend counseling sessions, appear in court, consult with his or her attorney or doctors representing the birth parent or submit to a physical examination. A father or mother is entitled to take FMLA leave for these reasons, and may use annual leave or LWOP in accordance with existing rules.

**Caring for the child during the first year.** Whether the child arrives by birth or by placement, a mother or father is entitled to FMLA leave to care for the child during the first year. No medical justification is needed—the FMLA leave is guaranteed simply to care for the new child. This particular right to FMLA leave terminates on the first anniversary of the child's birth or placement.

**LWOP rules.** An employee has the right to choose LWOP when taking FMLA leave; he or she need not exhaust sick or annual leave first. Although management generally has discretion in the granting of LWOP (see Section 514 of the USPS Employee and Labor Relations Manual), when it comes to FMLA leave management must grant an employee's request to use LWOP rather than sick or annual leave.

