

[7-1004.

(a) An employee may use family leave or seasonal leave only after obtaining approval from the employee's appointing authority.

(b) The appointing authority shall determine, on a case-by-case basis, the practicability of the requested leave based on:

(1) the anticipated workload of the employee's unit for the period of the leave; and

(2) any potential disruption to the efficient operation of that unit.]

[7-1005.

(a) The appointing authority shall assure that the employee's position is available to the employee after the employee has used approved family leave or seasonal leave.

(b) The period of family or seasonal leave may not be counted as time in State service for retirement or any other purpose.

(c) (1) Except as provided in paragraph (2) of this subsection, all employee benefits are suspended during a period of family or seasonal leave:

(2) An employee may continue health care benefits during a period of family leave with the subsidy allowed in Title 8, Subtitle 1 of this article.

(d) Any health insurance subsidy allowed under subsection (c) of this section may be recovered from the employee if:

(1) the employee fails to return from family leave after the period of leave to which the employee is entitled has expired; and

(2) the employee fails to return to work for a reason other than:

(i) the continuation, recurrence, or onset of a serious health condition of the employee or the employee's family member that entitles the employee to family leave; or

(ii) other circumstances beyond the control of the employee.]

9-1001.

(A) THE SECRETARY SHALL ADOPT REGULATIONS, GUIDELINES, OR POLICIES IMPLEMENTING THE FEDERAL FAMILY AND MEDICAL LEAVE ACT OF 1993.

(B) THE REGULATIONS ADOPTED BY THE SECRETARY SHALL REQUIRE AN ELIGIBLE EMPLOYEE TO HAVE EXHAUSTED OTHER AVAILABLE LEAVE BEFORE TAKING USE OTHER AVAILABLE ACCRUED LEAVE CONCURRENTLY WITH FAMILY AND MEDICAL LEAVE.