Glossary

Adoption - The act of legally and permanently assuming the responsibility of raising a child as one’s own.

Covered Servicemember - A member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or a veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

Employment Benefits - All benefits provided by the Commonwealth to salaried employees including group life insurance, health insurance, annual and sick leave, educational benefits, and retirement contributions.

Equivalent Position - one with the same pay, benefits and working conditions (shift and schedule) and the same or substantially similar duties, conditions, privileges, and status which require equivalent skill, effort, responsibility and authority.

Health Care Provider - Doctors of medicine or osteopathy that are authorized to practice medicine or surgery (as appropriate) by the state in which the doctors practice; any other person determined by the Secretary of the Department of Labor to be capable of providing health care services; and others capable of providing health care services to include only podiatrists, dentists, clinical psychologists, optometrists, chiropractors, physician assistants, nurse practitioners and nurse-midwives authorized to practice in the state and performing within the scope of their practice as defined under state law. This also includes Christian Scientist practitioners listed with the First Church of Christ, Scientist in Boston, although an employee or family member may be required to submit to a medical examination for a second or third opinion (not treatment) from a non-Christian Science practitioner.

Intermittent Leave Schedule - A leave schedule permitting the employee to take leave periodically for a few hours a day (less than eight hours), or for a few days, on an as-needed basis.

Parent - Biological parent or individual who stood in place of the parent of the employee and was charged with the duties and responsibilities of the parent.

Qualifying Exigency - A reason for taking FMLA leave, arising out of the fact that the employee’s spouse, son, daughter or parent is on, or has been notified of an impending call or order to active duty in the Armed Forces. Qualifying exigencies fall into 8 categories: 1) short-notice deployment, 2) military events and activities, 3) childcare and school activities, 4) financial and legal arrangements, 5) counseling, 6) rest and recuperation, 7) post-deployment activities, and 8) additional activities which arise out of active duty, or call to active duty, provided that the employee and agency agree.

Reduced Schedule - A leave schedule permitting the employee to reduce his or her usual number of hours worked per workweek or per workday.
Serious Health Condition - An illness, injury, impairment or physical or mental condition that involves inpatient care or either:

1. A period of incapacity lasting more than three consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition that also includes:
   - Treatment two or more times within 30 days by or under the supervision of a health care provider the first of which must occur within seven days of the first day of incapacity; or
   - One treatment by a health care provider, within the first seven days of incapacity, with a continuing regimen of treatment; or
2. Any period of incapacity related to pregnancy or for prenatal care. A visit to the health care provider is not necessary for each absence; or
3. Any period of incapacity or treatment for a chronic serious health condition which continues over an extended period of time, requires periodic visit to a health care provider at least twice a year, and may involve occasional episodes of incapacity. A visit to a health care provider is not necessary for each absence; or
4. A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective. Only supervision by a health care provider is required, rather than active treatment; or
5. Any absences to receive multiple treatments for restorative surgery or for a condition that would likely result in a period of incapacity of more than three days if not treated.

Son or daughter - A biological, adopted or foster child, a stepchild, or legal ward, or a child of a person standing in place of the parent. The child must either be under age 18 or be age 18 or older and incapable of self-care because of a mental or a physical disability.

Spouse - Husband or wife as recognized under the laws of the Commonwealth for the purpose of marriage.