



Siuslaw School District 97J

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FAMILY MEDICAL LEAVE (FMLA/OFLA)

The Federal Family and Medical Leave Act (FMLA) and the Oregon Family Leave Act (OFLA) each require certain employers to provide employees up to 12 weeks of protected leave during a leave year in certain qualifying situations. Eligible employees have reinstatement and/or reemployment rights after taking a family leave. Family leave is unpaid, however employees are entitled to use certain accrued paid leaves during their absences. An employee may request medical leave provided they qualify under the following circumstances and, if required by leave type, provide the Siuslaw School District with certification of eligibility from a health care provider.

WHO IS ELIGIBLE FOR LEAVE?

FMLA	OFLA
Employee must have worked for a total of at least 12 months (not necessarily consecutive); and	Employee must have worked for a period of 180 calendar days immediately preceding the date leave begins; and
Employee must have worked for at least 1250 hours during the 12 month period immediately preceding the leave	Employees must have worked an average of 25 hours per week during the 180-day period, unless the leave is to care for a newborn child or newly placed adoptive or foster child ("Parental Leave")

WHAT QUALIFIES FOR FAMILY LEAVE?

FMLA	OFLA
Employee's own serious health condition including pregnancy related conditions	Employee's own serious health condition including pregnancy related conditions
Serious health condition of employee's family member: spouse, parent, or child (biological, adopted, or foster)	Serious health condition of employee's family member: same as FMLA plus parent-in-law, grandparent/child, or same sex domestic partner
Parental leave = Newborn, newly adopted or newly placed foster child	Pregnancy Disability, Parental Leave, newly adopted or newly placed foster child
Qualifying Exigency leave which arises out of foreign deployment of the employee's spouse, son, daughter, or parent	Non-serious health condition of a child requiring home care ("sick child leave")
Military caregiver leave to care for a covered service member and/or veteran undergoing medical treatment, recuperation, or therapy for a serious injury or illness	Bereavement leave to deal with the death of a family member (maximum of two weeks leave per incident)
	Oregon Military Family Act (OMFLA) – see HR

HOW MUCH NOTICE MUST EMPLOYEES GIVE BEFORE TAKING LEAVE?

Employees are required to give 30 day's written notice in advance of leave to the Siuslaw School District Human Resource Specialist, unless the leave is taken for an emergency. The notice **MUST** include the anticipated start and end date (estimated, if necessary), reason for the requested leave and relation to ill family member (if applicable). The Human Resource Specialist will determine your eligibility and will contact you with further information within five business days.

HOW MUCH FMLA/OFLA LEAVE DO I GET?

$(12 \text{ weeks}) \times (\text{your hours per week}) = \# \text{ of FMLA/OFLA leave hours available except in the case of Bereavement when only two weeks of leave are available per incident.}$

If an employee's schedule varies from week to week, the normal workweek for that employee is calculated based on the weekly average of hours worked over the 12 weeks preceding leave.

Parental leave is NOT eligible for intermittent leave and must be taken in one consecutive block.

WHY BOTHER WITH FMLA and/or OFLA?

FMLA and OFLA offer job protection which means upon the conclusion of the leave, you will be reinstated to your previous position, or to an equivalent position if the former position no longer exists*.

FMLA/OFLA is NOT PAID TIME OFF. However, you may use certain available accrued paid leaves towards your absence that may not normally apply.

Employee Serious Health Condition	Parental Leave	Care for a Family Member	Deal with Death of a Family Member
You may use: <ul style="list-style-type: none">• Sick Leave• Personal Leave• Vacation	You may use: <ul style="list-style-type: none">• Sick Leave• Personal Leave• Vacation	You may use: <ul style="list-style-type: none">• Sick Leave• Family Illness• Personal Leave• Vacation	You may use: <ul style="list-style-type: none">• Bereavement**• Personal Leave• Vacation <p>*Must run concurrently with OFLA Bereavement Leave</p>

WHAT HAPPENS AFTER I AM DETERMINED ELIGIBLE?

You will be required to:

1. Provide HR with periodic reports of your status and intent to return to work every 30 calendar days.
2. Continue to turn in time cards with FMLA/OFLA absences indicated.
3. Update Aesop as appropriate.
4. If you are paying a portion of your insurance premium, contact Payroll to make arrangement to continue to make your share of the premium payments on your health insurance. If you do NOT return to work following FMLA/OFLA leave for any reason other than the continuation, reoccurrence, or onset of a serious health condition or other circumstances beyond your

control, you may be required to reimburse The Siuslaw School District for our share of health insurance premiums paid on your behalf during your FMLA/OFLA leave.

WHAT HAPPENS WHEN I'M DONE WITH MY LEAVE?

If you are on FMLA/OFLA for your own serious health condition, you will be required to present to HR a medical release (return to work form) from the doctor that clearly states the date you may return to work. This document is required **BEFORE** you may return to work!

Contact the Siuslaw School District Human Resource Specialist with any questions you may have at (541) 997-2651.

*Employees on FMLA/OFLA leave are still subject to nondiscriminatory employment actions such as layoffs or discipline that would have been taken without regard to the employee's leave.