

● **FAMILY AND MEDICAL LEAVE**

To the extent that any provision in this handbook conflicts with FMLA or the regulations of any other federal or state law, the provision of FMLA is promulgated. The Family and Medical Leave Act of 1993 (FMLA) is a federal law that helps employees balance work responsibilities with family and medical needs. At times, employees may need to take leave from their jobs for a temporary period to address certain family responsibilities or their own serious health conditions. Employees of the Board who have been employed by the Board for at least 12 months and who have worked at least 1250 hours during the 12-month period immediately preceding the commencement of the leave are eligible to take 12 weeks unpaid leave under the FMLA subject to certification by appropriate health care provider.

If an employee is eligible for FMLA and needs to be out 10 or more consecutive days for one of the reasons listed, an FMLA Request must be completed, submitted and sent. The FMLA Request is available on the system site at [FMLA processes](#)

Even if the employee has sick leave, the employee is required to submit an FMLA requesting FMLA. FMLA is regarding time and job security, not pay. FMLA runs concurrently with sick leave, sick leave pool, and unpaid leave. If you have any questions, contact the Business Office.

An employee may request FMLA leave for one or more of the following reasons:

- Birth of a son or daughter and to care for the newborn child;
- Adoption or foster placement of a son or daughter with the employee;
- To care for the employee's spouse, son, daughter, or parent, if the person has a serious health condition; and
- Serious health condition of employee that prevents the employee from performing his/her job functions.
- Any qualifying exigency arising from the fact that the employee's family member (the covered service member) is on covered active duty. Qualifying exigencies are defined as short-notice deployment (seven or less calendar days); military events and related activities; childcare and school activities; financial and legal arrangements; counseling; rest and recuperation (up to five days per instance); post-deployment activities; additional activities where the employer and employee agree that the leave is an exigency and agree to both timing and duration of the leave; and
- Military caregiver leave to care for a covered service member with a serious injury or illness if the employee is the spouse, son, daughter, parent or next of kin of the service member.

If the need for FMLA leave is foreseeable, an employee requesting leave should seek to provide at least 30 days advance notice to the immediate supervisor and the system's Business Office. If such advance notice is not possible, the employee must give notice to the Business Office as soon as possible, ordinarily within one or two working days of the need for leave. When planning medical treatment, the employee should make a reasonable effort to schedule the treatment, subject to the approval of the health care provider, so that corresponding leave will not unduly disrupt the operations of the school district.

Upon return from leave, the employee is entitled to be reinstated to his/her previous position and school or department held when he/she left on FMLA leave, with equivalent pay, benefits and other terms and conditions of employment.

Reference: Policy GBRIG