

Family Medical Leave Act (FMLA)

The School Department shall provide leave under the Federal and State Family Medical Leave Act to all “eligible employees”. The School Department will use July 1 through June 30 as the twelve month calendar to determine the leave cycle. Employees are entitled to up to 13 weeks of leave as defined in RIGL §28-48-2 within the calendar cycle. After ten days out of work or upon receipt of a doctor’s note for more than two weeks, the employee will be notified of the start of FMLA leave for 13 weeks, if eligible, in accordance with State and Federal laws. Employees will be allowed to use all of their sick days for any illness, which would run concurrently to FMLA leave.

Employee will be requested to submit a Certification of Health Care Provider at the start of FMLA leave, and at other intervals as requested by the School Department, and will be responsible for their share for the cost of medical coverage once all sick days have been exhausted. Prior to returning to work, employee must submit a release from their doctor indicating that they are able to return to work. If an employee does not return within 13 weeks and does not apply for leave afforded through their contract agreement, employee will be terminated and health care benefits may be available through [COBRA](#).

Definition of Eligible Employees

To be eligible for FMLA benefits, an employee must:

1. work for a covered employer;
2. have worked for the employer for a total of 12 months;
3. have worked at least 1,250 hours over the previous 12 months; and,
4. work at a location in the United States or in any territory or possession of the United States where at least 50 employees are employed by the employer within 75 miles.

Legal Reference

[Federal Law Medical Leave Act \(FMLA\)](#)

[Rhode Island General Laws §28-48-2 through §28-48-12](#)

Approved 10/26/06