

Book	Policy Manual
Section	300 Employees
Title	Family and Medical Leaves
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### **Authority**

The Board shall provide eligible administrative, professional and classified employees with unpaid leaves of absence in accordance with the Family And Medical Leave Act, hereinafter referred to as FMLA.[\[1\]](#)[\[7\]](#)

Employee requests for FMLA leave shall be processed in accordance with law, Board policy and administrative regulations.

### **Delegation of Responsibility**

The Superintendent or designee shall develop and disseminate administrative regulations to implement FMLA leave for eligible employees.

The district shall post, in conspicuous places in the district customarily used for notices to employees and applicants, a notice regarding the provisions of the FMLA and the procedure for filing a complaint.[\[3\]](#)

Employee requests for leave, both FMLA and non-FMLA, shall be submitted in writing on a district form to the Superintendent.

### **Guidelines**

Employees' eligibility for FMLA leave shall be based on the criteria established by law.[\[4\]](#)[\[5\]](#)

Eligible employees shall be provided up to twelve (12) workweeks of unpaid leave in a twelve-month period for the employee's own serious health condition; for the birth, adoption, foster placement or first-year care of a child; to care for a seriously ill spouse, child or parent; or to address specific qualifying exigencies pertaining to a member of the Armed Forces alerted for foreign deployment or during foreign deployment.[\[5\]](#)

In certain circumstances, intermittent leave may be taken consistent with the law.

Eligible employees shall be provided up to twenty-six (26) workweeks of unpaid leave in a single twelve-month period to care for an ill or injured covered servicemember.[\[5\]](#)

The district shall utilize a rolling twelve-month period measured backwards from the date leave is used to determine if an employee has exhausted his/her FMLA leave in any twelve-month period.[\[6\]](#)

When an employee requests an FMLA leave and qualifies for and is entitled to any accrued paid sick, vacation, personal or family leave, the employee shall utilize such paid leave, concurrently and in that order, during the FMLA leave.[\[5\]](#)

In cases where the employee's leave was for a personal serious health condition, the employee must provide a fitness-for-duty certificate from a health care provider stating that the employee may return to work.

Violation of this Policy or abuse of FMLA leave may result in discipline, up to and including termination.

Legal

1. 29 U.S.C. 2601 et seq

3. 29 U.S.C. 2619

4. 29 U.S.C. 2611

5. 29 U.S.C. 2612

6. 29 CFR 825.200

7. 29 CFR Part 825

Pol. 813