

### Family Medical Leave

In accordance with the provisions of the Family Medical Leave Act (FMLA) of 1993, a leave of absence of up to twelve (12) weeks during a twelve (12) month period may be granted to an eligible employee for the following reasons:

1. The birth of a child;
2. The placement of a child for adoption or foster care;
3. A serious health condition that makes the employee unable to perform the functions of the job;
4. To care for the employee's spouse, child or parent with a serious health condition;
5. For any qualifying exigency arising out of the fact that a spouse, son, daughter, or parent of the employee is on active duty status, or has been notified of an impending call to active duty status, in the Armed Forces.

An employee is eligible to take FMLA leave if the employee has been employed for at least twelve (12) months, and has worked at least one thousand two hundred fifty (1,250) hours during the twelve (12) months immediately prior to the date when the leave is requested. Certified staff who have worked for the District for the last twelve (12) months will be deemed to have worked the required 1,250 hours.

Employees will be required to use appropriate paid leave while on FMLA leave. If the leave is for the birth or adoption of an employee's child, the employee shall not be required to use all of their paid leave before taking unpaid leave. Leave from work due to industrial accident shall coincide with FMLA leave, where FMLA is applicable.

The Board has determined that the twelve (12) month period during which an employee may take FMLA leave is the 12 month period measured forward from the date the employee first takes FMLA leave.

Medical certification may be required to determine FMLA initial or continued eligibility as well as fitness for duty.

### Caregiver Leave – FMLA due to Military

Up to 26 weeks of unpaid leave for an employee to care for a family member (spouse, son, daughter, parent, or "next of kin") who is injured while serving on active military duty or a veteran who is undergoing medical treatment, recuperation or therapy for serious injury or illness that occurred any time during the five years preceding the date of treatment.

### Continuation of Insurance Coverage

An employee out on FMLA leave is entitled to continued participation in the appropriate group health plan. However, if FMLA leave is unpaid, the employee must make arrangements to pay, to the District, the employee's portion for elected premiums. An employee's eligibility to

maintain health insurance coverage will lapse if the premium payment is more than 30 days late. The District will mail notice of delinquency at least fifteen (15) days before coverage will cease.

Return to Work

Upon return from FMLA leave, reasonable effort shall be made to place the employee in the original or equivalent position with equivalent pay, benefits, and other employment terms.

Previous Policy: 404.13 & 603.9

Cross Reference: 5460 Workers' Compensation  
Negotiated Agreement

Legal Reference: 29 CFR 825 The Family Medical Leave Act of 1993  
29 USC 28§2601, et seq Family and Medical Leave

Policy History:

Adopted on: June 27, 2017

Revised on: