

POLICY

2003

Personnel & Negotiations

FAMILY AND MEDICAL LEAVE

Consistent with the federal Family and Medical Leave Act of 1993, the Board of Education recognizes the right of eligible employees to unpaid family and medical leave for up to twelve (12) weeks during any twelve (12) month period. The Board shall ensure that all eligible employees who use such leave shall have their health benefits continued and shall be returned to an equivalent position according to established Board practices, policies and collective bargaining agreements.

To be eligible for family or medical leave an employee must have been employed for at least twelve months and have worked at least 1,250 hours during the prior twelve months.

Family leave shall be provided when a son or daughter is born to the employee or one is placed with the employee for adoption or foster care. Medical leave shall be provided in order for the employee to take care of a spouse, child, or parent who has a serious health condition or when the employee has a serious health condition rendering him/her unable to perform the functions of the employee's job.

An employee may elect, or the district may require, an employee to use accrued paid vacation, personal or family leave for purposes of a family leave. An employee may elect, or the district may require, an employee to use accrued vacation, personal, or medical/sick leave for purposes of a medical leave.

The employee shall notify the district of his/her request for leave, if foreseeable, at least 30 days prior to the date when the leave is to begin. If such leave is not foreseeable then the employee shall give such notice as is practical. The district may require a certification from a health care provider if medical leave is requested. When an employee returns following a leave, he/she must be returned to the same or equivalent position of employment. The Superintendent of Schools or designee may reassign a teacher consistent with the teacher's agreement to a different grade level, building or other assignment consistent with the employee's certification and tenure area.

The Board shall ensure that family and medical leave, consistent with the Family and Medical Leave Act, is provided to all eligible employees, unless they are covered by a collective bargaining agreement which provides greater leave benefits than this Act.

The district shall post a notice prepared or approved by the Secretary of Labor stating the pertinent provisions of the Family and Medical Leave Act, including information concerning enforcement of the law.

Ref: 29 U.S.C. §§2601-2654, the Family and Medical Leave Act of 1993
29 CFR Part 825

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