

## **FAMILY MEDICAL LEAVE**

All employees of Piedmont Public Schools who have been employed for one (1) calendar year and worked a minimum of 1,250 hours in any calendar are eligible for unpaid family/medical leave.

Eligible employees are entitled to receive up to twelve (12) unpaid workweeks of leave during any 12 month period for any of three reasons:

1. Birth, adoption, or foster placement of a child by an employee;
2. The care of an employee's parent, spouse, son or daughter who suffers from a serious health condition;
3. A serious health condition of an employee that makes the employee unable to perform job duties.

All applicable leave (i.e. / sick leave, personal leave, and vacation) must be exhausted before family and medical leave will be granted. Before any leave is taken, the Board of Education will review formal requests involving extreme and/or exceptional circumstances. Upon completion of family leave, the employee will be entitled to return to the former position of employment with equivalent benefits and pay without loss of career status. All health care benefits paid by the employer shall continue during the time of the leave. However, the leave time will not be counted toward career status. The employee may be transferred to another position that can better accommodate the employee's recurring absences. Such transfer will not reduce the employee's pay and benefits.

The employee shall present certification by a physician of the necessity of medical leave. Certification shall require the following information:

1. The date on which the serious health condition began;
2. The probable duration of the condition;
3. The appropriate medical facts within the knowledge of the health care provider regarding the medical condition;
4. For purposes of leave to care for another, a statement that the employee is needed for care and an estimate of the amount of time that such employee will be needed to care for the relative;
5. For purpose of the employee's own condition, a statement that the employee is unable to perform job duties;
6. In the case of requested intermittent or reduced leave schedule for planned medical treatment to be given and the duration of the treatment; and,
7. In the case of requested intermittent or reduced leave schedule for the care of a relative, a statement that the employee's intermittent leave or leave on a reduced schedule is needed for the care of the relation, or will assist in their recovery, and the expected duration and schedule of the intermittent leave or reduced leave schedule.

If the district deems it necessary or desirable, the superintendent may require a second opinion by a physician selected and paid by the district. If the first and second opinion differs, the district, again at its expense, may require the binding opinion of a third health care provider, approved jointly by the employee and the district.

**FAMILY MEDICAL LEAVE (Cont.)**

Intermittent leave may be taken in lieu of continuous leave for the birth or adoption of a child only with the concurrence of the district. The employee must provide 30 days of advance notice or as many days of advance notice as are practical.

**NOTE:** During FMLA leave, a board has no obligation to continue to give an employee any benefits other than health insurance, and those benefits thus may be discontinued during the leave. A board may decide whether to extend continuation of coverage to life, dental, and vision insurance, but should know extensions are not required by the FMLA and there can be a substantial cost to the district in doing so. One option that is cost effective and still protects employees while they are on unpaid leave is to permit employees to retain ancillary insurances by reimbursing the district for the full cost of the premiums during the leave period. No benefits or seniority accrues during leave. The district may require documentation from the employee's physician that the employee is able to return to work. FMLA will run concurrently.

**REFERENCE:** 29 CFR pt. 825  
P.L. 103-3