

# FMLA Leave Policy

The Family and Medical Leave Act of 1993 (FMLA) is intended to provide a means for employees to balance their work and family responsibilities. Andover Public Schools provides FMLA-covered leave to eligible employees for medical and family reasons in accordance with applicable state and federal requirements. It provides unpaid time off for up to 12 weeks. This policy applies to all eligible Andover Public Schools employees.

## **Eligibility**

To be eligible for FMLA, you must have been employed by USD 385 for a total of 12 months. You must have also worked at least 1,250 hours in the immediately preceding 12 months.

## **Amount of Leave**

An eligible employee is generally entitled up to 12 weeks of protected leave during any 12-month period. The leave year will be determined on a rolling 12-month period measured backward from the date an employee uses any FMLA leave.

## **Reasons for Leave**

Leave will be granted for any one or combination of the following reasons:

- Birth of a son or daughter
- Placement of a son or daughter for adoption or foster care
- To care for a parent, spouse, son, or daughter with a serious health condition
- Because of a serious health condition that renders the employee unable to perform the essential functions of his or her job
- For qualifying exigencies arising out of the fact that the employee's spouse, son, daughter, or parent is on active duty or call to active duty status as a member of the National Guard or Reserves in support of a contingency operation.
- An eligible employee who is a spouse, son, daughter, parent, or next of kin of a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy, or is in outpatient status, or is on the temporary disability retired list shall be eligible for up to a total of 26 work weeks of unpaid leave during a "single 12-month period" to care for the service member.

❖ *Leave for birth and care, or placement for adoption or foster care must conclude within 12 months of the birth or placement.*

## **Paid Time Off**

Any available accrued paid time off will run concurrently with the FMLA leave.

## **Requesting Leave**

Failure to comply with the appropriate procedure/rules may result in the delay of leave. If leave is foreseeable, the employee must make the request at least 30 days before leave begins when practicable. Submit leave information as soon as possible to your HR representative, immediate supervisor, manager, or designated personnel. Employees must provide sufficient information regarding reasons for the leave. Failure to provide sufficient information within two business days may result in delay of leave. Your request will be reviewed and you will be notified of approval/denial.

### **Scheduling Leave**

If leave is taken on an intermittent or reduced schedule basis, it must be scheduled so it does not unduly disrupt the company's operations. The employee will be required to contact their supervisor and USD 385 each time the employee intends to use leave for FMLA-approved purposes.

### **Medical Certifications**

Where leave involves a serious health condition, Andover Public Schools will require you to provide a medical certification from the health care provider. Andover Public Schools reserves the right to require a second opinion. A third opinion may be sought if the first and second disagree. The Company may require recertification of a serious health condition.

### **Benefit Continuation**

Employees may elect to continue group health insurance while on leave. This coverage will continue at the same levels prior to leave. Employees are required to pay their share of the premiums. Employee's health insurance coverage will be cancelled for non-payment.

### **Extending Leave**

Employees will need to provide reasonable notice (two business days) of the need to extend their leave beyond the initial approved leave dates. USD 385 reserves the right to request an additional Medical Certification from the health care provider substantiating the need for extending the leave.

### **Communication Requirements**

Employees on FMLA leave will be required to maintain communication with their supervisors regarding their status during FMLA leave as frequently as the supervisor deems appropriate and necessary. For leave that extends more than 30 days, contact must be made with the supervisor and USD 385 a minimum of every 30 days. Employees must keep their supervisors and USD 385 informed about the day they intend to return to work.

### **Reinstatement**

An employee returning to work following an FMLA leave will be able to return to the same job or an equivalent position. Any benefits such as seniority, pay, and status in place immediately before the leave will be reinstated provided that the employee returns to work within 30 days following the leave end date.

A Fitness for Duty Report may be required before reinstatement for leave involving an employee serious health condition.