

POST FALLS SCHOOL DISTRICT NO. 273

Series 400: Certified Personnel: Leave and Absence

Policy No. 404.2

Policy Title: Family and Medical Leave Pursuant to the Family and Medical Leave Act

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A certified employee who has worked for the district for at least one (1) year and has worked at least one thousand, two hundred fifty (1,250) hours over the previous twelve (12) month period shall be entitled to a total of twelve (12) work weeks of leave during any twelve (12) month period for one or more of the following:

1. The birth of a child;
2. The placement of a child for adoption or foster care with the employee;
3. To care for the employee's spouse, child, or parent with a serious health condition;
4. A serious health condition that makes the employee unable to perform the functions of the job; or
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 U.S. Armed Forces.

The twelve (12) month period in which the twelve (12) weeks of leave entitlement shall occur is a "rolling" twelve (12) month period measured backward from the date the employee uses any Family and Medical Leave Act leave, except that such measure may not extend back before August 5, 1993, and except as modified by the twelve (12) month measure for leave taken because of items 1 or 2 above.

Service Member Family Leave: An eligible employee who is the spouse, son, daughter, parent or next of kin of a covered service member who is recovering from a serious illness or injury sustained in the line of duty on active duty shall be entitled to a total of twenty-six (26) work weeks of leave during a twelve (12) month period to care for the service member. The leave described in this paragraph shall only be available during a single twelve (12) month period.

Combined Leave Total: During the single twelve (12) month period, an eligible employee shall be entitled to a combined total of twenty-six (26) work weeks of leave for Item 5 or any one of Items 1 through 4. Nothing in this paragraph shall be construed to limit the availability of leave for Items 1 through 4 during any other twelve (12) month period.

Legal References:

- Pub. L. 103-3 Family Medical Leave Act of 1994 (FMLA)
- Pub. L. 110-181 National Defense Authorization Act (NDAA) for FY 2008
- 29. C.F.R. Part 825 Implementing the Family Medical Leave Act of 1993

Applicable Procedural Regulations: 404.2a

Date of Adoption: 4/14/97

Amended: 6/9/08, 2/13/23

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