

# BERMUDIAN SPRINGS SCHOOL DISTRICT

SECTION: SUPPORT EMPLOYEES

TITLE: FAMILY AND MEDICAL  
LEAVES

ADOPTED: March 14, 2006

REVISED: July 26, 2021

535. FAMILY AND MEDICAL LEAVES	
1. Authority	<p>The Board shall provide eligible support employees with unpaid leaves of absence in accordance with the Family Medical Leave Act, hereinafter referred to as FMLA.</p> <p>Employee requests for FMLA leave shall be processed in accordance with law, Board policy and administrative regulations.</p>
2. Delegation of Responsibility	<p>The Superintendent or designee shall develop administrative guidelines to implement FMLA leave for eligible employees.</p> <p>The District shall post, in conspicuous places in the District customarily used for notices to employees and applicants, a notice regarding the provisions of the FMLA and the procedure for filing a complaint.</p> <p>Employee requests for leave, both FMLA and non-FMLA, shall be submitted in writing to the Human Resources department.</p>
3. Guidelines	<p>Employees' eligibility for FMLA shall be based on the criteria established by law.</p>
<p>Eligible employees shall be provided up to twelve (12) workweeks of unpaid leave</p>	

in a twelve-month period for the employee's own serious health condition; for the birth, adoption, foster placement or first-year care of a child; to care for a seriously ill spouse, child or parent; or to address specific qualifying exigencies pertaining to a member of the Armed Forces alerted for foreign deployment or during foreign deployment.

Eligible employees shall be provided up to twenty-six (26) workweeks of unpaid leave in a single twelve-month period to care for an ill or injured covered servicemember.

The District shall utilize a rolling twelve-month period measured backwards from the date leave is used to determine if an employee has exhausted his/her FMLA leave in any twelve-month period.

Medical certification forms shall be required whenever allowed or authorized by provision of the FMLA.

Employees shall be required to provide a fitness-for-duty certificate upon returning from FMLA leave when the leave was taken because of the employee's own serious health condition, except where such a requirement would be in violation of a collective bargaining agreement or district guidelines, or where the employee has taken a paid leave concurrent with the FMLA leave and District policy and practice has not required a fitness-for-duty certificate to be provided.

When an employee requests FMLA leave and qualifies for and is entitled to any accrued paid sick leave, the employee is required to use such applicable paid leave concurrently with the FMLA.

An employee will be denied intermittent leave or leave on a reduced leave schedule to care for an immediate family member (spouse, child, parent) with a serious health condition, or if the employee has a serious health condition when:

1. The employee fails to establish, through medical certification, that there is a medical need for such a leave (as distinguished from voluntary treatments and procedures).
2. The employee has failed to establish, through medical certification, that it is medically necessary for the leave to be taken intermittently on a reduced leave schedule.