FAMILY AND MEDICAL LEAVE ACT BENEFITS & PROCEDURES FACT SHEET

What is FMLA?
Family and Medical Leave Act of 1993 (FMLA) is a federal law that provides up to twelve weeks of leave for eligible employees. See Board Policy GBGF and Board Regulation GBGF-R for more information.

Who should request FMLA benefits?
Eligible employees should request FMLA leave for the following reasons:

- Birth and/or care of a child of the employee;
- Placement of a child into the employee's family by adoption or by a foster care arrangement;
- Care of the employee's spouse, child, or parent who has a serious health condition;
- Inability of the employee to perform the functions of his/her position due to a serious health condition;
- A qualifying exigency (a pressing or urgent situation) arising out of the employee's spouse, child or parent's active duty or call to active duty in the Armed Forces in support of a contingency operation (an action or operation against an opposing military force); or
- Care of the employee's spouse, child, parent, or next of kin (nearest blood relative) who has incurred an injury or illness in the line of duty while on active duty in the Armed Forces, provided that such injury or illness may render the spouse, child, parent, or next of kin medically unfit to perform duties of his/her office, grade, rank or rating, (referred to as "caregiver leave").

Who is eligible for FMLA benefits?
To be eligible for FMLA benefits, employees must have worked for the district for at least one year and have worked at least 1,250 hours in the twelve months prior to the time they apply for leave. **To comply with federal law, all eligible employees must complete the forms provided to them by their employers.**

When and how do I request FMLA benefits?
Contact the HR Benefits & Leave Specialist **(robbi.stokovaz@thompsonschools.org OR 613-5774) as soon as you have one of the above reasons to request FMLA benefits.** For illnesses or emergency situations, contact the specialist as soon as practical. When the need is foreseeable, the employee should provide at least 30-days prior notice.

How do FMLA benefits work?
Under federal law, FMLA provides unpaid leave. However, to help maximize an employee's paid leave, district policy requires employees to use all earned paid leave benefits at the beginning of a leave covered by FMLA. (This includes use of current annual and accrued leave, as well as Sick Leave Bank if applicable.) Once an employee's paid leave runs out, the employee is unpaid for the remainder of the twelve weeks of FMLA, which began the first day of his/her leave.

An eligible employee is entitled to up to 12 weeks of unpaid FMLA leave in a 12-month period for the first five reasons listed above. An eligible employee may take up to 26 weeks of unpaid FMLA leave during a single 12-month period for "caregiver leave." When combined with other FMLA qualifying leave, caregiver leave may not exceed 26 weeks in a single 12-month period.

During the period of eligible leave, the district will continue to pay its portion of the insurance premium based on the amount that was paid prior to the beginning of leave. If the employee is on unpaid leave and is going to be absent for over 30 days, any earned, but unpaid wages or salary will be paid to the employee. This may impact future insurance premiums and/or other benefits, depending on the return to work date. Employees who are considering a leave of absence (after paid leave and FMLA benefits have ended) should contact the Payroll & Accounts Payable Manager (donna.freed@thompsonschools.org OR 613-5044) about how the Flexible Spending Account contributions will be affected.

(Revised July 2021)