

FMLA/Medical Leave/Maternity Leave FAQ's

- **What is a Family Medical Leave of Absence (commonly known as FMLA)?**
 - FMLA is job position and benefit protection for an approved medical leave of absence for up to 60 work days (12 weeks).
- **When do I file for FMLA?**
 - Any employee absent for more than 5 consecutive sick or unpaid days will be sent FMLA information and the Human Resources department will begin your FMLA approval process by sending you documentation for completion.
- **How do I qualify for FMLA?**
 - An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave:
 - Have worked for the employer for at least 12 months;
 - Have at least 1,250 hours of service in the 12 months before taking leave; AND
 - Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite.
- **Is FMLA paid?**
 - No. FMLA is an unpaid leave benefit that (when qualified) protects your job position and benefits. During FMLA leave, EES employees are required to use any/all available accrual time in order to receive pay.
- **Is FMLA Separate from Maternity Leave?**
 - Yes. Pregnancy qualifies you for a leave of absence for 6 weeks after a natural birth and 8 weeks after a cesarean birth (C-Section).
 - Employees who are eligible for FMLA are required to run that concurrent with maternity leave through their 6 or 8 week leave. Once the employee's physician has released them from their care, they are no longer able to use "sick" time to be paid for the days off, but can remain on leave through the 12 weeks protected under FMLA. They will go unpaid for any days outside of the doctor appointed "recovery time".
- **Do we offer Paternity Leave?**
 - No. Unfortunately there is no paternity leave policy. However, you are welcome to apply for vacation, personal, and (sometimes) sick days to cover you while you take time with your new baby or to care for your spouse post-partum.
- **How soon should I call someone if I know I will be going on an FMLA leave?**
 - As soon as possible. It's always best practice to notify your supervisor and the Human Resources department as soon as you find out that you will be out of work. HR will schedule an in person meeting with you to make sure that you have all the information and tools you need to have a successful and smooth leave of absence.
- **Can I file for disability even if I am getting paid while out on medical or maternity leave?**
 - Yes. If you have a disability policy, even if you have enough sick time to cover your leave, you can still file disability and receive a disability check in addition to your regular paycheck.

- **What happens when I run out of sick leave?**
 - After all sick/personal/vacation time has been exhausted to cover your absence, sometimes a leave extends beyond the paid time off that you have available. Having said that, you will be docked for the days you don't have sick/personal/vacation time to cover. During dock days, you are responsible for the premiums you are required to pay for your elected benefits. We will payroll deduct as we can, but you may be asked to supply a personal check or an electronic payment to cover costs of plans not supported by your reduced paycheck due to docking.
 - With FMLA, your benefits stay active for up to 60 work days (12 weeks). If you have to take an extended leave of absence and your FMLA expires (on your 61st day absent from work), your health insurance will be terminated.
 - Without FMLA, once you are in a docked status, your health insurance will be termed.
- **Why didn't I qualify for FMLA?**
 - You will receive notice if you do not qualify for FMLA. In this notice, it will be explained why you did not qualify. At that point, you may seek approval for an extended leave of absence.
- **What happens if I cannot return to work within the 60 work days (12 weeks) of FMLA and it expires?**
 - If you do not return to work by the 61st work day, your benefits may terminate, and you will need to gain approval for an extended leave of absence.
- **What is Extended Medical Leave?**
 - This is an unpaid disability leave that is granted after submitting the designated form to Human Resources. Extended leave does not secure your position or health benefits. Extended Medical Leave cannot be taken intermittently.
- **When should I submit a request for Extended Medical Leave?**
 - Extended Medical Leave should be requested if you have exhausted FMLA or in the case that you do not qualify. Extended Medical Leave is granted at the discretion and cooperation of your principal/supervisor and the Superintendent.
- **What needs to be included with Extended Medical Leave Request?**
 - Documentation from your medical provider showing the dates needed for the requested extended leave MUST accompany your request.
- **What are accommodations?**
 - Accommodations are a medical provider's suggested limitations for an employee to return to work.
 - We do NOT typically approve accommodations of any kind. Please be sure that you have approval from the superintendent or their designee before returning to work with any sort of accommodations.

- **Can I receive Donated Days?**
 - Donated days are approved on an as needed basis, case-by-case. These are only approved if the sick time recipient has a doctor's note on file that has been reviewed by HR. The note must require that the employee be out for at LEAST 10 consecutive days for an approved reason.
 - In order to be approved for donated days and eligible to use them, you must have exhausted all other forms of paid leave. This means that all Sick, Personal, and Vacation must be used BEFORE we apply donated days.
- **How can I solicit donated days?**
 - Please contact your principal or immediate supervisor for how they would like you to ask for sick day donations.
- **How does a leave of absence affect my step increase, and/or service years with my retirement system?**
 - In order to be eligible for a step increase, an employee must work (be paid for) at least 75% of their contracted days.
 - Teacher's Retirement and Kentucky Public Pensions Authority have different rules and policies in regards to how they handle leaves of absence. Please refer to your retirement counselor or retirement website for more information.
- **How do I get a sub to cover my absence? How is my time recorded?**
 - Your school's bookkeeper or secretary can help you enter your absence days into Frontline. Please discuss in advance (if possible) with your school's office support staff to get a long term substitute if possible.
- **How do I file a disability claim?**
 - Employees who have American Fidelity disability policies can complete the forms online, use the American Fidelity claims app for mobile devices, or can contact the HR office for a paper form.
- **I have been hurt on the job... who can I call?**
 - Please let your principal or immediate supervisor know immediately any time there is an accident on the job. After your principal or immediate supervisor has been notified, please call Monica Mackie at Central Office and she will walk you through the worker's compensation process. (859) 727-2009.
- **How do I request "unpaid days" if I only need a couple of days, and not an entire leave of absence?**
 - You would need to contact your Principal/Immediate Supervisor and they will help you to fill out a form that is submitted to the Superintendent for approval.
- **I am on leave, being docked, and I don't think my paycheck looks right. Who can I call?**
 - Mandy Crenshaw in Payroll can help navigate your docking options with you. We are always here to help feel free to call Mandy with any questions at (859)727-2009 or mandy.crenshaw@erlanger.kyschools.us.
- **Who can I call if I have any questions about this entire process?**
 - Jennifer Mahon in Human Resources is your main contact for all things leave, unpaid, and benefits related. She can be reached at (859)727-2009 or Jennifer.campbell2@erlanger.kyschools.us

All related board policies can be found here: <http://policy.ksba.org/Chapter.aspx?distid=24>