

Family and Medical Leave (FMLA) Frequently Asked Questions

The [Family and Medical Leave Act \(FMLA\)](#) provides certain employees with up to 12 weeks of unpaid, job-protected leave per rolling 12-month period. It also requires that their group health benefits be maintained during the leave.

FMLA is designed to help employees balance their work and family responsibilities by allowing them to take reasonable unpaid leave for certain family and medical reasons. It also seeks to accommodate the legitimate interests of employers and promote equal employment opportunity for men and women.

- For the birth and care of the newborn child of an employee;
- For placement with the employee of a child for adoption or foster care;
- To care for an immediate family member (i.e., spouse, child, or parent) with a serious health condition; or
- To take medical leave when the employee is unable to work because of a serious health condition.

Employees are **eligible for leave** if they have worked for their employer at least 12 months and at least 1,250 hours over the past 12 months. Time taken off work due to pregnancy complications can be counted against the 12 weeks of family and medical leave.

❖ What is the difference between Intermittent FMLA and Continuous FMLA?

Intermittent Leave is to be used for occasional absences related to your approved and documented FMLA reason.

Continuous Leave is to be used in blocks of time, usually more than 3 consecutive work days, with a documented start date and anticipated end date.

❖ Am I permitted to renew Intermittent FMLA every year if I obtain the necessary medical documentation?

Your eligibility for FMLA will be calculated each time you renew your Intermittent FMLA. As long as you are still eligible and provide the required documentation, you will be approved for renewal.

❖ What forms do I need to fill out and where can I find them?

The following forms can be found on the District website or by clicking on the applicable link below:

FMLA Doctor Certification for Your Own Serious Health Condition:

<https://www.waterbury.k12.ct.us/fs/resource-manager/view/a335a056-e551-4d39-a6d4-df619af1b1b4>

FMLA Doctor Certification for Family Members:

<https://www.waterbury.k12.ct.us/fs/resource-manager/view/ef010051-a8fd-4d5c-8a5b-42b2f30c387d>

❖ **How long does it take to be notified that I am eligible for FMLA? If I am NOT eligible, what do I do next?**

You will receive a Notice of Eligibility form within 5 days of our receipt of your request and/or completed paperwork.

If you are not eligible per the Eligibility Requirements above, you will receive an email with the reason you do not qualify and instructions on how to proceed, taking into consideration your individual needs.

❖ **What increments of time during the day am I allowed to take for Intermittent FMLA?**

FMLA absences are to be taken in blocks of time or increments of no less than 15 minutes. Any FMLA time submitted for less than 15 minute increments, will be rounded up.

❖ **Do I need to provide medical notes if I am out more than 3 consecutive working days if I have Intermittent FMLA?**

Any consecutive absences that exceed 3 days, require a medical note per Contract, regardless of FMLA status. The note should be submitted to FMLAinquiry@waterbury.k12.ct.us as soon as you return to work or earlier if possible.

❖ **Is FMLA a paid or unpaid leave? How do I get paid while out on FMLA? What happens if I don't have any accruals left?**

FMLA in and of itself, is an Unpaid Leave. The District requires that you exhaust all of your accrued time off before going unpaid. Once you exhaust your accruals, your leave will automatically become unpaid under FMLA. You are entitled to a total amount of 12 weeks of FMLA leave during a 12-month period.

❖ **Do I need documents to return to work after a continuous leave?**

Yes. In order to clear you to return to work, WPS requires a completed Fitness for Duty Certification form from your medical provider. A note on their letterhead that clearly states the date you are clear to return to full duty, with or without restrictions, is also acceptable documentation.

❖ **How early should I start the FMLA application process when I know I will need time off for surgery or maternity leave?**

Employees seeking to use FMLA leave are required to provide 30-day advance notice of the need to take FMLA leave when the need is foreseeable and such notice is practicable. If leave is foreseeable less than 30 days in advance, the employee must provide notice as soon as practicable – generally, either the same or next business day. When the need for leave is not foreseeable, the employee must provide notice to the employer as soon as practicable under the facts and circumstances of the particular case. Absent unusual circumstances, employees must comply with the employer's usual and customary notice and procedural requirements for requesting leave.

Employees must provide sufficient information for an employer to reasonably determine whether the FMLA may apply to the leave request. Depending on the situation, such information may include that the employee is incapacitated due to pregnancy, has been hospitalized overnight, is unable to perform the functions of the job, and/or that the employee or employee's qualifying family member is under the continuing care of a health care provider.

❖ **What if I have additional questions?**

Any and all questions regarding FMLA Intermittent Leave and/or Continuous Leaves must be addressed to FMLAinquiry@waterbury.k12.ct.us in order to receive an answer that is applicable to your individual needs.

Our Leave Coordinators will be happy to assist you in deciding the best route for you to take and the applicable forms you will need in your individual process