



FAMILY AND MEDICAL LEAVE ACT (FMLA)

In order to qualify to take family and medical leave, an employee must meet one of the following two requirements:

1. An employee who has worked for the District at least twelve (12) months and has worked 1,250 hours in the 12 months immediately preceding the need for leave are eligible for the federal family and medical leave.

OR

2. An employee who has worked for the Stevens Point Area Public School District at least fifty-two (52) weeks and has worked 1,000 hours in the 52 weeks immediately preceding the need for leave are eligible for the state family and medical leave.

An eligible employee can take up to 12 weeks of unpaid leave each calendar year for the following reasons:

1. The serious health condition (as defined) of the employee:
 - a) An employee may take leave because of a serious health condition that makes the employee unable to perform the functions of the employee's position;
 - b) A serious health condition is defined as a condition, which requires inpatient care at a hospital, hospice, or residential medical care facility, or a condition, which requires continuing care by a licensed health care provider.
2. To care for a spouse, child, parent, domestic partner, or domestic partner's parent with a serious health condition;
3. The birth of a child and in order to care for that child;
4. The placement of a child for adoption or foster care.
5. Military Family Leave – up to 26 work weeks
 - a. To care for a family member with a serious illness or injury incurred in the line of duty
 - b. Urgent needs arising out of covered employee's spouse, child or parent being called to active duty in the armed forces. No illness or injury is required.

Spouses who are both employed by the District are limited in the amount of family leave they may take for the birth and care of a newborn child, placement of a child for adoption or foster care, or to care for a parent who has a serious health condition to a **combined** total of 12 weeks.

An eligible employee is entitled to continue health care benefits under the same terms and conditions as when the employee was on the job and is entitled to return to their previous job or an equivalent job at the end of the leave.

If an employee qualifies for Federal and state family and medical leave, the leave runs concurrently. Although the leave is designed as unpaid leave, the employee may substitute paid leave available and take the remainder of the leave as unpaid. Family and medical leave runs concurrently with paid leave available, temporary disability leave and absences due to work-related illness or injury. The District will designate the leave as family and medical leave and notify the employee that accumulated leave will run concurrently.

In some circumstances, an employee may take family and medical leave in blocks of time or by reducing their normal weekly or daily work schedule. Intermittent leave may be taken under the following circumstances:

- an employee is needed to care for a seriously ill spouse, child, or parent;
- an employee requires medical treatment for a serious illness;
- an employee is seriously ill and unable to work; and/or
- an employee becomes a parent or has a foster child placed in their home

When an employee plans to take family and medical leave, the employee is encouraged to give as much notice as possible. While on leave, the employee is requested to report periodically to the Human Resources Office the status of the medical condition and the employee's intent to return to work. An employee returning to work from a medical leave will need a doctor's statement before returning to work. The doctor's statement must state that the employee can return to full duty without restrictions or must specify the employee's restrictions.

The *Notice of Eligibility and Rights & Responsibilities* and Family and Medical Leave brochure are attached as supplemental information.

Definitions:

- Child: Includes biological child, adopted child, foster child, foster treatment, stepchild or legal ward, who is less than 18 years of age OR more than 18 years of age and incapable of self-care because of a mental or physical disability.
- Parent: Includes biological, foster parent, adoptive parent, or legal guardian.
- Spouse: An individual who is a husband or wife pursuant to a marriage, including those in same sex marriages, that is a legal union

Reference: Family and Medical Leave Act of 1993
Wisconsin Family and Medical Leave Act