



Book	Policy Manual
Section	300 Employees
Title	Family and Medical Leaves
Code	335
Status	Active
Legal	<a href="#">1. 29 U.S.C. 2601 et seq</a> <a href="#">2. 29 CFR Part 825</a> <a href="#">3. 29 U.S.C. 2619</a> <a href="#">4. 29 U.S.C. 2611</a> <a href="#">5. 29 U.S.C. 2612</a> <a href="#">6. 29 CFR 825.200</a> Pol. 000 Pol. 813
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### **Authority**

The Board shall provide eligible administrative, professional and support employees with unpaid leaves of absence in accordance with the Family and Medical Leave Act, hereinafter referred to as FMLA.[\[1\]](#)[\[2\]](#)

Employee requests for FMLA leave shall be processed in accordance with law, Board policy and administrative regulations.

### **Delegation of Responsibility**

The Superintendent shall develop and disseminate administrative regulations to implement FMLA leave for eligible employees.

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.[\[3\]](#)

Employee requests for leave, both FMLA and non-FMLA, shall be submitted in writing on a district form to the Benefits Office.

### **Guidelines**

Employees' eligibility for FMLA leave shall be based on the criteria established by law.[\[4\]](#)[\[5\]](#)

Eligible employees shall be provided up to twelve (12) workweeks of unpaid leave 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.[\[5\]](#)

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 service member.[\[5\]](#)

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.[\[6\]](#)

When an employee requests an FMLA leave and qualifies for and is entitled to any accrued paid sick, vacation, personal or family leave, the employee is required to utilize all earned sick leave (if requesting FMLA for self) concurrent with the FMLA leave.[\[5\]](#)

Use of personal and vacation days are optional.

#### Procedure

Employees must notify the Benefits Office to make the FMLA request. The Benefits Office will provide:

1. U.S. Department of Labor Wage and Hour Division Fact Sheet #28 – FMLA.
2. Eligibility & Rights and Responsibilities (Federal Form WH-381).
3. Designation Notice (Federal Form WH-382).

Eligible employees will be provided the following documents to be complete:

1. Employee's serious health condition (Federal Form WH-380-E); or
2. Family member's serious health condition (Federal Form WH-380-F).