



FAMILY MEDICAL LEAVE (FMLA/OFLA/PFML)

The Federal Family and Medical Leave Act (FMLA) and the Oregon Family Leave Act (OFLA) each require certain employers to provide employees up to 12 weeks of protected leave during a leave year in certain qualifying situations. Paid Leave Oregon (PFML) provides up to 12 weeks of paid leave, based on your income eligibility. Eligible employees have reinstatement and/or reemployment rights after taking a family leave. While FMLA and OFLA are unpaid, employees are entitled to use certain accrued paid leaves during their absences. When using PFML, employees may be paid a portion of the daily salary. Staff may use accrued SSD leave in addition to the PFML benefits. An employee may request medical leave provided they qualify under the following circumstances and, if required by leave type, provide Scappoose SD and/or The Standard Insurance Company with certification of eligibility from a health care provider.

WHO IS ELIGIBLE FOR LEAVE?

FMLA	OFLA	PFML
<p>Employee must have worked for a total of at least 12 months (not necessarily consecutive); and</p> <p>Employee must have worked for at least 1,250 hours during the 12 month period immediately preceding the leave</p>	<p>Employee must have worked for a period of 180 calendar days immediately preceding the date leave begins; and</p> <p>Employee must have worked an average of 25 hours per week during the 180-day period</p>	<p>Any current SSD Employee who earned at least \$1,000 the year before they apply for benefits.</p>

WHAT QUALIFIES FOR FAMILY LEAVE?

FMLA	OFLA	PFML
<p>Employee's own serious health condition including pregnancy related conditions</p> <p>Serious health condition of employee's family member: spouse or domestic partnership, parent, or child (biological, adopted, or foster)</p> <p>Pregnancy Leave (a type of serious health condition), Parental leave, newly adopted or newly placed foster child</p> <p>Qualifying Exigency leave which arises out of foreign deployment of the employee's spouse, son, daughter, or parent</p>	<p>Pregnancy Disability</p> <p>Home care for the employee's child (both serious and non-serious health conditions) as well as school and childcare closures for public health emergencies.</p> <p>Bereavement leave to deal with the death of a family member (<i>maximum two weeks leave per incident, with a maximum of 4 week per year</i>)</p> <p>Oregon Military Family Act (OMFLA) – see HR</p>	<p>Employee's own serious health condition including pregnancy related conditions</p> <p>Serious health condition of employee's family member: same as FMLA plus parent-in-law, grandparent/child</p> <p>Pregnancy Leave (a type of serious health condition), Parental leave, newly adopted or newly placed foster child</p> <p>Safe Leave for survivors of Sexual Assault, Domestic violence, Harassment, and/or Stalking</p>

Military caregiver leave to care for a covered service member and/or veteran undergoing medical treatment, recuperation, or therapy for a serious injury of illness		
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HOW MUCH NOTICE MUST EMPLOYEES GIVE BEFORE TAKING LEAVE?

Employees are required to give 30 days’ notice in advance of leave to the SSD Human Resources Office and The Standard Insurance Company, unless the leave is taken for an emergency. **Please set up a meeting with the HR Manager to discuss options and receive the required paperwork.** The notice MUST include the anticipated start and end date (estimated, if necessary), reasons for the requested leave, and relation to ill family member (if applicable). The Human Resources Manager will determine your eligibility for FMLA and OFLA and will contact you with further information within five business days. The Standard Insurance Company will determine your eligibility for PFML.

HOW MUCH FMLA/OFLA LEAVE DO I GET?

$(12 \text{ weeks}) \times (\text{your hours per week}) = \# \text{ of FMLA/OFLA leave hours (per leave year) available except in the case of Bereavement when only two weeks of leave are available per incident. Additional Pregnancy and Parental leave may be available.}$

If an employee’s schedule varies from week to week, the normal workweek for that employee is calculated based on the weekly average of hours worked over the 12 weeks preceding the leave.

Parental leave is NOT eligible for intermittent leave and must be taken in one consecutive block through FMLA and OFLA. With PFML it can be used intermittently. However, intermittent leave through PFML can only be used in whole day or week long increments.

Scheduled school breaks lasting a calendar week or more do not count toward leave allotments and PFML benefits are not payable during such school breaks.

WHY BOTHER WITH FMLA and/or OFLA?

FMLA and OFLA offer job protection which means upon the conclusion of the leave, you will be reinstated to your previous position, or to an equivalent position if the former position no longer exists¹. PFML provides paid time in addition to the job protection listed above.

FMLA/OFLA is NOT PAID TIME OFF. You will be required to use certain available accrued paid leaves towards your absence that may not normally apply. PFML will be paid time. You will be reimbursed from The Standard for the rate they approve. If are approved for PFML, you will not be required to use your accrued paid leave while also on FMLA/OFLA. However, you may to elect to use any additional leave time while on PFML. You must notify HR by filling out a **PFML-Application for Leave Communication form** that this is what you intend to do and let us know what kind of leave types you would like to use.

Employee Serious Health Condition	Parental Leave	Care for a Family Member	Deal with Death of a Family Member
You may use: <ul style="list-style-type: none"> • Sick leave • Discretionary • Vacation 			You may use: <ul style="list-style-type: none"> • Bereavement* • Discretionary • Vacation • Sick Leave <i>*Must run concurrently with OFLA Bereavement Leave</i>

WHAT HAPPENS AFTER I AM DETERMINED ELIGIBLE?

You will be required to:

1. Provide HR with medical certification within 15 days, if required and not sent already. Provide The Standard with their required documentation.
2. Enter absence into Frontline or with Lead Secretary according to whether you are using accrued leave (FMLA/OFLA/PFML) or just receiving pay from The Standard (PFML Unpaid).
3. Keep HR informed of any changes to your leave dates. If you return sooner, you will be required to give 2 days notice.
3. If you are paying a portion of your medical, vision, dental or voluntary benefits, contact Payroll to make arrangements to continue to make your share of the payments, if you did not elect to being paid by the District. If you do NOT return to work following FMLA/OFLA/PFML leave for a reason other than the continuation, recurrence, or onset of a serious health condition or other circumstances beyond your control, you may be required to reimburse SSD for our share of health insurance premiums paid on your behalf during your FMLA/OFLA/PFML leave.

WHAT IS THE WEEKLY BENEFIT AMOUNT I WILL RECEIVE FROM PFML?

If approved by The Standard Insurance Company for PFML, your benefit amount is based on your average wages from the previous year. Minimum and maximum amounts are based on the state average weekly wage. You can use the state's Benefits Estimate Calculator at <https://paidleave.oregon.gov/employees/benefits-calculator.html>. Do not apply with the state through Frances Online.

WHAT HAPPENS WHEN I'M DONE WITH MY LEAVE

If you are on FMLA/OFLA/PFML for your own serious health condition, you will be required to present to HR a medical release (return to work form) from the doctor that clearly states the date you may return to work. This document is required **BEFORE** you may return to work!

Contact the SSD Human Resources Office with any questions you may have at hr@scappoose.k12.or.us or 971-200-8000, select HR.

¹ Employees on FMLA/OFLA leave are still subject to nondiscriminatory employment actions such as layoff or discipline that would have been taken without regard to the employee's leave.