PEARLAND INDEPENDENT SCHOOL DISTRICT
1928 N. Main Street
Pearland, TX
281-485-3203

FAMILY MEDICAL LEAVE (FML)

Employees who have worked for the district for one full year, and who have worked 1250 hours in the 12 months before leave is needed, are eligible for FML. The contract or employment of the employee may not be terminated while on FML.

EMPLOYEE REQUEST FOR LEAVE

The below must be completed to request FML:

- Request for Leave form (online)
- Use of Leave form (online)
- Family Medical Leave Medical Certification – (Given to employee after Request for Leave is received. Leave will not be approved until the Certification of Healthcare provider form is received from provider.)

FAMILY AND MEDICAL LEAVE ACT OF 1993

Federal Family and Medical Leave Act (FMLA) grants to qualified employees a total of 12 work weeks of leave, without loss of any employment benefits, during any 12 month period for one or more of the following reasons:

1. Because of the birth or adoption, including placement for foster care, of the employee's child and in order to care for the child, provided the leave is taken within 12 months of the birth, adoption, or placement of the child.
2. To care for the employee's spouse, child, or parent if the spouse, child, or parent has a serious health condition including injury.
3. Because of the employee's serious health condition that makes the employee unable to perform functions of his or her position.

[PISD Board Policy Compensation and Benefits (DEC LOCAL)]

Military Service FML

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies which may include:

1. Attending certain military events,
2. Arranging for alternative childcare,
3. Addressing certain financial and legal arrangements,
4. Attending certain counseling sessions,
5. Attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period.
A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty

on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list. The service member must be the employee's spouse, child, parent, or next of kin.

CERTIFICATION OF HEALTH CARE PROVIDER

[COMPLETED BY LICENSED HEALTH CARE PROVIDER]
Health care provider is defined as a doctor of medicine who is authorized to practice medicine or surgery. A health care provider does include others who are authorized to practice (e.g. podiatrists, clinical psychologists, optometrists, chiropractors, and Christian Science Practitioners). Board policy DEC (LEGAL) fully lists all acceptable practitioners or you may contact the Human Resources Department for further assistance.

When the leave is foreseeable and at least 30 days' notice has been provided, the employee should provide the medical certification before the leave begins. When this is not possible, the employee must provide the requested certification to the employer within the time frame requested by the employer (which must allow at least 15 calendar days after the employer's request), unless it is not practicable under the particular circumstances to do so despite the employee's diligent, good faith efforts.

Pearland ISD reserves the right to request medical certification of the illness or disability by a health care provider at 30 days intervals when an employee is out on FML for the employee's serious health condition or that of a spouse, parent or child.

USE OF LEAVE DESIGNATION FORM

FML is an unpaid leave. However, the District requires the use of all applicable accumulated leave while out on FML. Employees now have a choice how leave will be used. Select the order in which earned leave will be taken during your absence, and decide on the number of days per category to be charged to your leave balances.
Failure to designate the order will result in leave being charged as follows:
1) State Sick Leave;
2) State Personal Leave;
3) Local Leave;

RETURN TO WORK

When an employee is ready to return to work, it is the employee's responsibility to deliver a health care provider release (fitness for duty report) to the Human Resource Services Office. This must be an original release signed by the doctor stating the return-to-work date and restrictions status as well as list any restrictions. The Benefits Office will review and determine if employee is eligible to return to work. If it is determined you can return to work, the employee will be given a Return-to-Work Notice. The notice will also be forwarded to the campus/location. All employees must report to the Benefits Office and receive a Return-to-Work Notice prior to returning to his/her campus or department. If an employee does not report to the Benefits Office, the employee will not be active in payroll and will not receive a check. The district does not consider an employee returned to work unless the employee is approved through Human Resource Services.

CONTINUATION OF BENEFITS

The district shall continue to provide its portion of the employee's health insurance premiums for the approved period of time. Once paychecks cease, the employee shall submit payments for his/her portion of all health insurance coverage to the District. You should receive information from Payroll indicating what your last paycheck will be while on leave. Premiums are due to the District by the 5th of each month. Payment of premiums can be submitted to the District at the below address.

Pearland ISD
Attn. Benefits Office
1928 N. Main
Pearland, Texas 77581

For Benefits inquiries:
Employee Benefits Specialist, Human Resource Services, Carrie Bañuelos
benefits@pearlandisd.org. | 281.485.3203| |281.412.1540 (F)
For Payroll inquiries:
Payroll Manager, Christine Coleman
payroll@pearlandisd.org |281.485.3203

DEFINITIONS

"Serious Health Condition" means an illness, injury, impairment, or physical or mental condition that involves one of the following:

- Hospital Care
- Inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility, including any period of incapacity or subsequent treatment in connection with or consequent to such inpatient care.
- Absence Plus Treatment
    - A period of incapacity of more than three consecutive calendar days (including any subsequent treatment or period of incapacity relating to the same condition), that also involves:
        - Treatment two or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services (e.g. physical therapist) under orders of, or on referral by, a health care provider; or
        - Treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider.
- Pregnancy
- Any period of incapacity due to pregnancy or for prenatal care.
- Chronic Conditions Requiring Treatment

A chronic condition which:
(1) Requires periodic visits for treatment by a health care provider, or by a nurse or physician's assistant under direct supervision of a health care provider:
(2) Continues over an extended period of time (including recurring episodes of a single underlying condition); and

(3) May cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc).

5. Permanent/Long-term Conditions Requiring Supervision

A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider. Examples include Alzheimer's, a severe stroke, or the terminal stages of a disease.

6. Multiple Treatments (Non-Chronic Conditions)

Any period of absence to receive multiple treatments (including any period of recovery therefrom) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc), severe arthritis (physical therapy), kidney disease (dialysis).