FILE: GCC/GDC

PROFESSIONAL STAFF/SUPPORT STAFF LEAVES AND ABSENCES
FAMILY AND MEDICAL LEAVE (FMLA) POLICY

It is the policy of the Bristol Warren Regional School District (BWRSD) to provide eligible employees with a leave of absence in accordance with the provisions of the federal Family and Medical Leave Act of 1993 (FMLA) and the Rhode Island Parental and Family Medical Leave Act (RIPFMLA). Pursuant to the FMLA, BWRSD has elected to consistently and uniformly apply a 12-month period measured forward method to define the 12-month period for leave taken under this policy.

FMLA entitles eligible employees of covered employers to take up to 12 weeks in a 12-month period (13 weeks for RIPFMLA in 24 month period) of unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave.

Eligibility

To be eligible for leave under FMLA, employees must meet **all** of the following requirements:

- Have worked at least twelve (12) months for the district
- Have worked at least 1,250 hours for the district during the 12-month period immediately before the date the FMLA leave is to start
- Currently work at a location where there are at least fifty (50) employees within seventy-five (75) miles.

Only the time actually worked, including overtime hours worked is counted. Time not actually worked, including vacation, personal leave, sick leave, holidays and any other form of paid time off (PTO) is not counted towards the 1,250 hours of service. Unpaid leave of any kind or periods of layoff are not counted.

To be eligible for leave under RIPFMLA, employees must meet **all** of the following requirements:

- Have worked for the BWRSD for 12 consecutive months
- Be a full time employee who works an average 30 or more hours per week.

Qualifying Absences

Eligible employees are entitled to FMLA leave for the following reasons:

- The birth of a child or placement of a child with the employee for adoption or foster care.
- To care for a spouse, child or parent who has a serious health condition.
- For a serious health condition that makes the employee unable to perform the essential functions of his or her job.
- For any qualifying exigency arising out of the fact that a spouse, child or parent is a military member on covered active duty or on call to covered active duty status.

- To care for a covered service member with a serious injury or illness.

Eligible employees are also entitled to RIPFMLA leave for the following reasons:

- For a serious health condition that makes the employee unable to perform his or her job;
- To care for the employee's spouse, qualifying domestic partner, parent, child, or parent-in-law with a serious health condition
- The birth, adoption or foster placement of a child sixteen (16) years of age or less

Definition of Serious Health Condition:

- Conditions requiring an overnight stay in a hospital or other medical care facility;
- Conditions that incapacitate you or your family member (for example, unable to work or attend school) for more than three consecutive days and have ongoing medical treatment (either multiple appointments with a health care provider, or a single appointment and follow-up care such as prescription medication);
- Chronic conditions that cause occasional periods when you or your family member are incapacitated and require treatment by a health care provider at least twice a year;
- Pregnancy (including prenatal medical appointments, incapacity due to morning sickness, and medically required bed rest).

Notice Requirements

In order to be entitled to FMLA/RIPFMLA leave, the employee must give at least thirty (30) days' notice of the intended date upon which the requested leave is to commence if their need for leave is foreseeable unless prevented by medical emergency from doing so. Employees who need leave for an unforeseeable reason must give as much notice as is practicable.

Employees will be requested to provide a Certification of Health Care Provider from a physician caring for the person who is the subject of the leave request, which will specify the probable duration of the requested leave. The BWRSD may require the employee to be evaluated by a medical provider of its choice in order to confirm eligibility for the leave; failure to comply with this request may result in ineligibility for the leave.

Paid Leave Coordination

FMLA Leave under this policy is generally unpaid leave. If, however, the employee is eligible for any paid leave under an applicable Collective Bargaining Agreement such as vacation, sick or personal days, the employee will be required to exhaust the paid leave upon the commencement of, and concurrently with, FMLA leave (unless the employee is receiving workers' compensation benefits).

Paid leave will run concurrently with and be counted toward the employee's total 12-weeks (13 consecutive weeks for RIPFMLA).

The Family and Medical Leave Act of 1993
RIGL § 28-48-2 through § 28-48-12 Rhode Island Parental and Family Medical Leave Act

Title I ADA 29 C.F.R. §1630.14(b)(1)
RIGL § 30-33-3 Family Military Leave Requirements

Adopted: June 23, 2025