



General FMLA Leave Process Guide

Lebanon School District SAU #88

Step 1 (Notification):

- Notify the Principal and the HR Department of the need to be out of work for an extended time, the expected start date of the leave, and the expected return to work date (if available):
 - The Principal's office will submit a Change of Status Form to HR and look for a temporary substitute replacement.
 - The HR Department will evaluate options available to each employee, and start the process by providing the employee the appropriate documentation and next steps.

Step 2 (Options):

➤ FMLA:

- In general, to be eligible to take leave under the Family and Medical Leave Act (FMLA), an employee must have worked for an employer for at least 12 months, have worked 1,250 hours in the 12 months preceding the leave.
- The following scenarios are eligible for FMLA per federal law:
 - The birth of a child, or placement of a child with you for adoption or foster care, and to bond with the newborn or newly-placed child
 - Employee's own serious health condition
 - Family member with the serious health condition
 - Spouse
 - Parent
 - Child under 18.
 - Child 18 or over (if incapable of self-care because of a physical or mental disability)
 - A qualifying exigency arising out of the fact that your family member is on covered active duty or has been notified of an impending call or order to covered active duty status. Your family member on covered active duty is your:
 - Spouse
 - Parent
 - Child of any age
 - You are needed to care for your family member who is a covered servicemember with a serious injury or illness. You are the servicemember's:
 - Spouse
 - Parent
 - Child
 - Next of Kin
- Such a leave would be protected under the Family and Medical Leave Act of 1993 (FMLA), which entitles the employee to job reinstatement and continuation of health insurance coverage (if applicable) on the same terms as other employees.
- Overall FMLA does grant eligible employees a total amount of 12 weeks (60 work days) of unpaid leave per "rolling" 12-month period measured backward from the date of any previous FMLA leave usage.
- Consistent with FMLA guidelines, sick days would be used concurrently with the FMLA leave so that there would be no interruption in pay.

Step 2 (Options—Continued):

➤ Union Sick Bank (LEA, LSS, LSDSA, LAG):

- If for any reason you do not enough sick and/or personal days accrued to cover the entirety of your FMLA leave, you may contact your Union rep about starting the process to request sick time from Union's “sick bank” (requires approval from the Union’s Sick Bank Committee).
 - Has to be for verifiable serious health condition.
 - Maternity / Paternity Leave are not eligible reasons.

Step 3 (Process):

➤ FMLA:

- The HR Department will send the employee the FMLA Notice of Eligibility and Rights and Responsibilities Form notifying the employee of their eligibility status upon receiving initial notification from the employee.
- If eligible, the employee will also receive the FMLA Medical Certification Forms that the employee's doctor will need to complete in order to certify the FMLA leave request.
- Upon reviewing the FMLA Medical Certification Forms completed by the employee's doctor, the District will make an approval decision on the FMLA Leave request.
- If approved, the employee will also receive a notification of next steps and important timelines to pay attention to while on leave.
- If ineligible for FMLA, the employee will receive notification of other available options and next steps.

Step 4 (Employee Responsibilities):

- It is the employee's responsibility to coordinate with their direct supervisor and the Principal's Office Administrative Staff, to ensure their approved sick or unpaid administrative leave days are accurately entered to ensure accurate pay every pay period. Failure to do so, may result in the employee being overpaid, and having to reimburse the District for any overpayments made as a result.
- The employee must carefully read and examine all notifications received from the HR Department to ensure all required action items are taken care off. Failure to do so, may result in a delay or denial of the leave request.
- If any portion of the FMLA leave is unpaid, it is still the employee's responsibility to cover the cost of their health insurance premiums to avoid an interruption in coverage. Furthermore, the contributions to other benefits such as; NHRS retirement pension, life insurance, and Long-Term Disability will be paused until the employee's return.

Step 5 (Unpaid Administrative Leave):

➤ Unpaid Administrative Leave:

- Due to current SchoolCare/Cigna guidelines, while under an unpaid administrative leave of absence, the employee's medical and dental coverage are suspended until their return to work. In this case, an employee may continue the same coverage independently through COBRA. Meaning, the employee would be contacted by SchoolCare regarding COBRA close to their FMLA Leave end date.
- Please refer to corresponding Collective Bargaining Agreement for additional information on Unpaid Administrative Leave. Copies of all current CBA's can be found on the District's [website](#).
- Requires approval from the Union and the Superintendent's office.

Step 6 (Long-Term Disability):

➤ Long-Term Disability:

- The District does offer Long-Term Disability Insurance. An employee becomes eligible for LTD after 90 days from the onset of a medically certified permanent disability. The decision to approve or deny a Long-Term Disability claim is completely up to Guardian Insurance Company. The district has no say in the process.
- If approved for LTD by the insurance company, employees would not be eligible to use sick days from the Union's sick bank.
- To clarify, LTD is not a protected leave status, rather just an income stream.
- If approved for LTD by the insurance company, based on the District's operational needs, the District may not be able to hold the position open indefinitely, and may pursue filling the position permanently. Thus, the employment relationship with the District would come to an end.
- If the employee's health improves to the point where they are cleared to work again, we encourage the employee to apply for any potential future job openings with the Lebanon School District that may interest them at that time. The former employee's application will be given the same consideration as any other applicant.

Need Help?

- If you have any questions, please do not hesitate to contact the District's Human Resources Department (Xavier Ramos), or Tim Ball, the Business Administrator.