FAMILY MEDICAL LEAVE AND MATERNITY LEAVE

All employees of Piedmont Public Schools who have been employed for one (1) calendar year and worked a minimum of 1,250 hours in any calendar are eligible for unpaid family/medical leave.

Eligible employees are entitled to receive up to twelve (12) unpaid workweeks of leave during any 12 month period for any of three reasons:

1. Birth, adoption, or foster placement of a child by an employee;
2. The care of an employee's parent, spouse, son or daughter who suffers from a serious health condition;
3. A serious health condition of an employee that makes the employee unable to perform job duties.

All applicable leave (i.e. / sick leave, personal leave, and vacation) will run concurrently with family and medical leave. Before any leave is taken, the Board of Education will review formal requests involving extreme and/or exceptional circumstances. Upon completion of family leave, the employee will be entitled to return to the former position of employment with equivalent benefits and pay without loss of career status. All health care benefits paid by the employer shall continue during the time of the leave. However, the leave time will not be counted toward career status. The employee may be transferred to another position that can better accommodate the employee's recurring absences. Such transfer will not reduce the employee's pay and benefits.

The employee shall present certification by a physician of the necessity of medical leave. Certification shall require the following information:

1. The date on which the serious health condition began;
2. The probable duration of the condition;
3. The appropriate medical facts within the knowledge of the health care provider regarding the medical condition;
4. For purposes of leave to care for another, a statement that the employee is needed for care and an estimate of the amount of time that such employee will be needed to care for the relative;
5. For purpose of the employee's own condition, a statement that the employee is unable to perform job duties;
6. In the case of requested intermittent or reduced leave schedule for planned medical treatment to be given and the duration of the treatment; and,
7. In the case of requested intermittent or reduced leave schedule for the care of a relative, a statement that the employee's intermittent leave or leave on a reduced schedule is needed for the care of the relation, or will assist in their recovery, and the expected duration and schedule of the intermittent leave or reduced leave schedule.

FAMILY MEDICAL LEAVE (Cont.)

If the district deems it necessary or desirable, the superintendent may require a second opinion by a physician selected and paid by the district. If the first and second opinion differs, the district, again at its expense, may require the binding opinion of a third health care provider, approved jointly by the employee and the district.

Intermittent leave may be taken in lieu of continuous leave for the birth or adoption of a child only with the concurrence of the district. The employee must provide 30 days of advance notice or as many days of advance notice as are practical.

MATERNITY LEAVE

Full-time employees in the District shall be entitled to six (6) weeks of paid maternity leave following the birth or adoption of the employee's child provided that:

A. The employee has been employed by the District for at least one (1) year;

B. The employee has worked at least one thousand two hundred fifty (1,250) hours during the preceding twelve-month period;

C. The child is under the age of four (4) years old; and

D. The leave is used immediately following the birth or adoption of the employee's child.

Paid maternity leave provided pursuant to state law shall be in addition to sick leave taken due to pregnancy and no employee who takes maternity leave pursuant to state law shall be deprived of any compensation or other benefits to which the employee is otherwise entitled. In addition, maternity leave shall run concurrently with the first six (6) weeks of any qualifying FMLA leave.

Qualifying employees may utilize accrued sick leave to extend the duration of their maternity leave beyond six (6) weeks in order to recover from childbirth, bond with a newborn or infant, or care for a newborn or infant, without requiring additional approval of the Board or administration. The employee must have sufficient sick leave to cover the extended duration of the leave and the additional sick leave shall not exceed six (6) weeks or a combined total of twelve (12) weeks of FMLA leave, unless a licensed medical professional provides the district with written certification recommending additional leave for the employee due to medical necessity related to recovery from child birth, or to care for the newborn.

An employee seeking to use sick leave to extend the duration of their maternity leave shall notify their employer in accordance with FMLA. FMLA leave shall run concurrently with the extended duration of the paid sick leave.

Once sick leave and maternity leave are exhausted, a full-time teacher, who with proper Board approval, takes not more than ninety (90) school days of leave without pay to care for the teacher's child during the first year of life, shall receive full credit for days on leave without pay as though the teacher had been on leave with pay for purposes of computing experience for the minimum teacher salary schedule. A teacher on leave without

pay pursuant to this section shall have the period during which such leave is taken counted toward retirement service credit as though the teacher had been on leave with pay so long as the requirements of Oklahoma law and OTRS are met.

NOTE: **During FMLA leave, a board has no obligation to continue to give an employee any benefits other than health insurance, and those benefits thus may be discontinued during the leave. A board may decide whether to extend continuation of coverage to life, dental, and vision insurance, but should know extensions are not required by the FMLA and there can be a substantial cost to the district in doing so. One option that is cost effective and still protects employees while they are on unpaid leave is to permit employees to retain ancillary insurances by reimbursing the district for the full cost of the premiums during the leave period. No benefits or seniority accrues during leave. The district may require documentation from the employee's physician that the employee is able to return to work. FMLA will run concurrently.**

REFERENCE: 29 CFR pt. 825
P.L. 103-3