

Sylvan Heights Science Charter School

Policy Number: 335

Policy Title: Family Medical Leave

Approved: November 16, 2020

Revised:

Authority

The Board of Trustee (Board) shall provide eligible administrative, professional and support employees with unpaid leaves of absence in accordance with the Family and Medical Leave Act, hereinafter referred to as FMLA.

Employee requests for FMLA leave shall be processed in accordance with law, Board policy and administrative regulations.

Delegation of Responsibility

The Principal/CAO or his/her designee may develop administrative regulations to implement FMLA leave for eligible employees.

The Sylvan Heights Science Charter School (School) shall post, in conspicuous places in the School customarily used for notices to employees and applicants, a notice regarding the provisions of the FMLA and the procedure for filing a complaint.

Employee requests for leave, both FMLA and non-FMLA, shall be submitted in writing to the Principal/CAO.

Guidelines

Employees' eligibility for FMLA leave shall be based on the criteria established by law.

Eligible employees shall be provided up to twelve (12) workweeks of unpaid leave in a twelve-month period for the employee's own serious health condition; for the birth, adoption, foster placement or first-year care of a child; to care for a seriously ill spouse, child or parent; or to address specific qualifying exigencies pertaining to a member of the Armed Forces alerted for foreign deployment or during foreign deployment.

Eligible employees shall be provided up to twenty-six (26) workweeks of unpaid leave in a single twelve-month period to care for an ill or injured covered service member.

The School shall utilize a rolling twelve-month period measured backwards from the date leave is used to determine if an employee has exhausted his/her FMLA leave in any twelve-month period.

A Fitness-for-Duty Certification must be provided to the School, regarding the specific health condition, upon return to work when an employee takes FMLA leave for their own serious health condition. The certification from the employee's health care provider must certify that the employee is able to resume work. Additionally, the certification specifically addresses the employee's ability to perform the essential functions of the employee's job.

When an employee requests an FMLA leave and qualifies for and is entitled to any paid time off (PTO), the employee shall be required to utilize such paid leave concurrent with FMLA leave. Once the School has acquired knowledge that the leave is being taken for an FMLA required reason, the School must promptly (within five (5) business days absent extenuating circumstances) notify the employee that PTO time is designated and will be counted as FMLA leave.

Legal

29 U.S.C. 2601 et seq

29 CFR Part 825

29 U.S.C. 2619

29 U.S.C. 2611

29 U.S.C. 2612

29 CFR 825.200