

# ST. MARYS AREA SCHOOL DISTRICT

SECTION: EMPLOYEES

TITLE: FAMILY AND MEDICAL  
LEAVES

ADOPTED: November 8, 2010

REVISED:

335. FAMILY AND MEDICAL LEAVES	
<p>1. Authority 29 U.S.C. Sec. 2601 et seq 29 CFR Part 825</p>	<p>The 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.</p> <p>Employee requests for FMLA leave shall be processed in accordance with law, Board policy and administrative regulations.</p>
<p>2. Delegation of Responsibility</p> <p>29 U.S.C. Sec. 2619</p>	<p>The Superintendent shall develop and disseminate administrative regulations to implement FMLA leave for eligible employees.</p> <p>The district shall post, in conspicuous places in the district customarily used for notices to employees and applicants, a notice regarding the provisions of the FMLA and the procedure for filing a complaint.</p> <p>Employee requests for leave, both FMLA and non-FMLA, shall be submitted in writing on a district form to the Superintendent or designee.</p>
<p>3. Guidelines 29 U.S.C. Sec. 2611, 2612</p> <p>29 U.S.C. Sec. 2612</p> <p>29 U.S.C. Sec. 2612</p>	<p>Employees' eligibility for FMLA leave shall be based on the criteria established by law.</p> <p>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.</p> <p>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 servicemember.</p>

<p>29 CFR Sec. 825.200</p>	<p>The district 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.</p>
<p>29 U.S.C. Sec. 2612</p>	<p>For leave due to the birth or placement of a child, employees may use accrued vacation or personal time if they are eligible for such time under Board policy and/or collective bargaining agreement. For leave of absence due to the employee's own serious health condition, employees may use accrued vacation, personal and sick time, if eligible under Board policy and/or a collective bargaining agreement. For leave of absence due to the serious health condition of a family member, employees may use accrued vacation or personal time, if eligible under Board policy and/or a collective bargaining agreement.</p> <p>This policy shall not be considered a modification or reduction in any leave or benefits required under the collective bargaining agreements. Where a collective bargaining agreement provides for greater benefits to a covered employee than those provided herein, the collective bargaining agreement is controlling.</p>
	<p>References:</p> <p>Family and Medical Leave Act – 29 U.S.C. Sec. 2601 et seq.</p> <p>Family and Medical Leave, Title 29, Code of Federal Regulations – 29 CFR Part 825</p> <p>Board Policy – 000, 813</p>