

Book	Policy Manual
Section	300 Employees
Title	Family and Medical Leaves
Code	335 Vol II 2020
Status	First Reading
Last Revised	February 11, 2021

Authority

The Joint Operating Committee 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.[\[1\]](#)[\[2\]](#)

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

Delegation of Responsibility

The Administrative Director shall develop and disseminate administrative regulations to implement FMLA leave for eligible employees.

The center (school) shall post, in conspicuous places in the center (school) customarily used for notices to employees and applicants, a notice regarding the provisions of the FMLA and the procedure for filing a complaint.[\[3\]](#)

Employee requests for leave, both FMLA and non-FMLA, shall be submitted in writing on a designated form to the

☒ ~~Administrative~~ Director.

☐ building administrator.

☐ Director of Personnel.

☒ Administrative Services/~~Director of~~ Human Resources Coordinator.

☐ Business Manager.

Guidelines

Employees' eligibility for FMLA leave shall be based on the criteria established by law.[\[4\]](#)[\[5\]](#)

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.[\[5\]](#)

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.[\[5\]](#)

The center (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.[\[6\]](#)

CHOOSE ONLY 1 OF THE FOLLOWING OPTIONS – REVIEW CBA'S:

☐ When an employee requests an FMLA leave and qualifies for and is entitled to any accrued paid sick, vacation, personal or family leave, the employee is required to utilize such paid leave concurrent with the FMLA leave.[\[5\]](#)

☒ When an employee requests an FMLA leave and qualifies for and is entitled to any accrued paid sick, vacation, personal or family leave, the employee may utilize such paid leave concurrent with the FMLA leave.[\[5\]](#)

NOTES:

Both spouses – 29 U.S.C. Sec. 2612, 29 CFR Sec. 825.202

DO NOT add guardian to this policy.

If current policy reads "anticipated disability" – delete and replace with new mast, unless the language is in addition to FMLA.

Take out seniority language due to a conflict in the law.

1. 29 CFR Part 825
 2. 29 U.S.C. 2601 et seq
 3. 29 U.S.C. 2619
 4. 29 U.S.C. 2611
 5. 29 U.S.C. 2612
 6. 29 CFR 825.200
- Pol. 813

335. Attach - FAMILIES FIRST CORONAVIRUS RESPONSE ACT.docx (29 KB)

335-Attach2-FFCRA_Poster_Spanish.pdf (185 KB)

335-Attach1-FFCRA_Poster_English.pdf (180 KB)