

NON-CERTIFIED PERSONNEL ABSENCE & LEAVE

Series 400

Policy Title

FAMILY AND MEDICAL LEAVE REQUEST WORK SHEET

Code No. 410.2E2

Complete this work sheet upon receiving a request for family and medical leave that may qualify under the Family Medical Leave Act. Be sure to note the requirements relating to family and medical leave in the school district's policy/collective bargaining agreement prior to relying on this work sheet as the sole source of the school district's obligations. Also be sure to note the definitions in Exhibit A-R2.

Section I: Eligible Employee. *(Please check all that apply.)*

_____ Covered by a policy/collective bargaining agreement. *(If checked, please move to Section II).*

_____ The employee must meet all criteria below to move to Section II.

_____ 50 or more employees are on the payroll of or under contract to the school district.

_____ Worked 52 weeks in the school district (consecutive or nonconsecutive). OR

_____ Worked 12 months in the school district (consecutive or nonconsecutive).

_____ Worked 1250 hours for the school district in 12 months prior to the request.

* Full-time professional employees who are exempt from the wage and hour law may be presumed to have worked the minimum hours required.

Section II: Family and Medical Leave Purpose. *(One must be checked to move to Section III.)*

_____ Birth and care of newborn prior to first anniversary of child's birth.

_____ Care of adopted child or foster care child prior to first anniversary of placement.

_____ Care for serious health condition of spouse, child, child for which employee is "in loco parentis" and for any of these if they are over eighteen and have a disability which prevents the child from caring for himself or herself.

_____ Requested medical certification for family and medical leave due to a serious health condition of the spouse, parent or child on _____ (date).

_____ Received medical certification within 15 days of the request on _____ (date).

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- Serious health condition of the employee.
- Requested medical certification for family and medical leave due to a serious health condition of the employee on _____ (date).
- Received medical certification within 15 days of the request on _____(date)
- Other purposes contained in a policy/collective bargaining agreement.

Section III: Timing of Family and Medical Leave Request.

- Date of family and medical leave request _____ (date).
- Date family and medical leave to begin _____ (date).
- Provide FMLA leave information to employee at time of request _____ (date).

(If one is checked, please move to Section IV.)

- Leave request for foreseeable family and medical leave is 30 days prior to date family and medical leave begins.
- Leave request for foreseeable family and medical leave was made as soon as practicable, and no later than one business day, prior to date family and medical leave begins.
- Leave request for foreseeable family and medical leave was made as soon as practicable, and no later than one business day, prior to date family and medical leave begins.
- Leave request for unforeseeable family and medical leave was made in accordance with the policy/collective bargaining agreement timelines.

Section IV: Calculation of Available Family and Medical Leave.

Beginning date for 12-month entitlement period: *(check the method adopted by the school district.)*

- July 1 (fiscal year)
- January 1 (calendar year)
- September 1 (school year)
- First day of forward 12-month entitlement period
- First day of rolling backward 12-month entitlement period
- Collective bargaining agreement year
- Other

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Total family and medical leave for the 12-month entitlement period _____
Leave taken to date in the entitlement period _____
Leave available for the entitlement period _____

If sufficient family and medical leave is available and the employee qualifies for family and medical leave, the family and medical leave will be granted in accordance with the policy/collective bargaining agreement.

The employee must be informed that the actual family and medical leave taken will be credited to the employee's 12-week entitlement.

If both spouses are employed by the school district, they may only take a combined total of 12 weeks during the entitlement period for the birth, adoption or foster care placement prior to the first anniversary of the child's birth or placement and for the care of a parent with a serious health condition.

If sufficient family and medical leave is available, the school district may award only the family and medical leave available or award the family and medical leave in accordance with other provisions of the policy/collective bargaining agreement.

Section V: Types of Family and Medical Leave. *(Please check all that apply.)*

- _____ Continuous leave for purposes listed in Section II.
- _____ Intermittent leave for birth, adoption or foster care placement prior to first anniversary of child's birth or placement with school district approval in accordance with other provisions of the policy/collective bargaining agreement.
- _____ Reduced work schedule leave for birth, adoption or foster care placement prior to first anniversary of child's birth or placement with school district approval in accordance with other provisions of the policy/collective bargaining agreement.
- _____ Intermittent leave if medically necessary for serious health condition of employee or family member and arranged as much as possible to not disrupt the school district's operation.
- _____ Reduced work schedule leave if medically necessary for serious health condition of employee or family member and arranged as much as possible to not disrupt the school district's operation.
- _____ Others contained in a policy/collective bargaining agreement. *(Please specify.)*

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Last work day of the semester _____
Date of fifth week before end of the semester _____
Date of third week before end of the semester _____

Date of requested leave _____
Length of requested leave _____
Date of return from leave _____

_____ The school district can require employee to remain on family and medical leave for leave other than an employee's serious health condition until end of semester if each of the following apply:

- _____ Leave begins during last five weeks before end of semester;
- _____ Leave is greater than two weeks; and
- _____ Employee will return during last two weeks of semester.

Last work day of the semester _____
Date of fifth week before end of the semester _____
Date of second week before end of the semester _____

Date of requested leave _____
Length of requested leave _____
Date of return from leave _____

_____ The school district can require the employee to remain on family and medical leave for purpose other than an employee's serious health condition until the end of the semester if each of the following apply:

- _____ Leave begins during last three weeks before end of the semester; and
- _____ Leave is greater than five working days.

Last work day of the semester _____
Date of third week before end of the semester _____

Date of requested leave _____
Length of requested leave _____

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The employee must be informed that the actual family and medical leave taken under these rules will be credited to the employee's 12-week entitlement.

Section VIII: Paid or Unpaid Family and Medical Leave.

_____ Provide employee notice whether the family and medical leave is paid or unpaid leave after completing the work sheet in accordance with the policy/collective bargaining agreement.

_____ Policy/collective bargaining agreement allows substitution of paid leave for family and medical leave.

_____ Family and medical leave is unpaid leave.

Section IX: Employee Progress Report.

_____ Arrangements are made with the employee to report to the school district on a regular basis during the family and medical leave (please specify).

_____ Requested medical recertification for family and medical leave due to a serious health condition of the spouse, parent or child on _____ (date).

_____ Received medical recertification within 15 days of the request on _____ (date).

Section X: Employee Benefits During Family and Medical Leave.

The employee's health insurance coverage must be continued during the period of family and medical leave. The school district may choose to continue other employee benefits to ensure their restoration along with the health insurance upon the employee's return to work. The employee will pay the employee's share of health insurance and other benefits during the leave period.

_____ Arrangements have been made with the employee to continue the employee's share of health insurance premiums while on family and medical leave:

- _____ From monies due to the employee
- _____ By the first of each month from the employee
- _____ Other (please specify)

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_____ Arrangements have been made with the employee to continue the employee's share of the employee's other benefits while on family and medical leave:

- _____ From monies due to the employee
- _____ By the first of each month from the employee
- _____ Other (please specify) _____

_____ The employee has chosen to discontinue all employee benefits while on family and medical leave.

_____ Employees who fail to provide payment of the employee's share of benefits premium during the period of family and medical leave have 15 days following notice to pay the employee's share.

_____ Employees who fail to pay within 15 days after receiving notice of payment due may have employee benefits discontinued.

_____ The school district will deduct unpaid employee portion of benefits from monies due to the employee upon return to work, and the employee has signed a written statement authorizing the deduction.

_____ The school district will seek recovery of unpaid employee portion of benefits through small claims court or other appropriate recovery process.

Even if the employee chooses to discontinue employee benefits during the period of family and medical leave, the school district should exercise great care before discontinuing employee benefits. The school district is required to restore the employee to full benefits when the employee returns to work, including group health insurance, without any qualifying period, physical examination, exclusion of pre-existing conditions and other similar requirements.

_____ The school district may discontinue the employee's benefits upon receipt of written notice of the employee's intent not to return to work.

Section XI: Key Employees.

_____ Salaried employees among the highest paid ten percent of a school district's employees are considered key employees of the school district.

Year-to-date earnings for employee	_____
Total weeks of work and paid leave	_____
Highest pay for employee	_____

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_____ Provide notice to key employees stating they are a key employee and they may not be reinstated at end of the family and medical leave period if substantial and grievous economic injury exists.

_____ Compile data to justify substantial and grievous economic injury. Substantial and grievous economic injury does not include minor inconvenience and costs typical to the normal operation of the school district.

_____ The key employee is entitled to benefits during the family and medical leave in the same manner as other employees.

Section XII: Employee's Return to Work.

_____ Employee is fully restored the same or an equivalent position with:

_____ Pay and benefits

_____ Health insurance

_____ Life insurance

_____ Other benefits or requirements in a policy/collective bargaining agreement