

NISKAYUNA CENTRAL SCHOOL DISTRICT
FAMILY AND MEDICAL LEAVE OF ABSENCE
GUIDELINES & PROCEDURES

Purpose

The federal Family Medical Leave Act (FMLA) of 1993 allows eligible employees to take up to 12 **workweeks** of unpaid leave while keeping their job and benefits protected for the following reasons: birth, adoption or foster care placement of a child; a serious health condition that prevents the employee from doing the essential functions of his/her job; caring for a dependent child, spouse, or parent with a serious health condition.

Benefits While Absent on FMLA

District employees are entitled to the continuation of health insurance coverage while on FMLA leave on the same basis as coverage would be provided had the employee remained at work. Employees shall be required to continue any share of health insurance premiums that had been paid by the employee prior to the start of the FMLA leave. Insurance premiums during unpaid leave in excess of 12 workweeks are the sole responsibility of the employee. In most circumstances, paid vacation, personal or sick time may be utilized for a portion of the leave. Leave requests in excess of 12 workweeks are unpaid and must be approved by the Board of Education.

Eligibility

An employee is eligible for FMLA leave if he/she has been employed by the district for at least 12 months, and has been employed for at least 1250 hours of service during the 12 month period immediately preceding the first day of leave.

Procedures

Employees must notify their immediate supervisor and the Office of Human Resources 30 days prior to the start of the leave or as soon as possible when the leave is not foreseeable. Employees will furnish medical certification and meet with the Administrator for Human Resources to review benefits which may apply during the leave.

Seniority & Tenure

Unpaid leave, including the eight (8) day waiting period for the NTA sick bank, does not count toward seniority or tenure.

Definitions

1. Parent: A biological parent or an individual who stands or stood in loco parentis to an employee when the employee was a child; the term does not include an "in-law."
2. Child: A biological, adopted, foster, or stepchild, a ward, and a child of a person standing in loco parentis, provided that the individual is under 18 years of age, or is any age if incapable of self-care due to mental or physical disability.
3. Spouse: Husband or wife as defined under New York law.

Date of birth - October 12, 2002

6 weeks of disability - 10/14/02-11/25/02

Days paid, charged to illness - 10/15-10/25 (total, 9 days paid plus one paid holiday)

8 days unpaid wait for sick bank - 10/28-11/6

12 days paid through sick bank - 11/7-11/22

Unpaid leave - 11/25/02-1/20/03 (Employee is not paid for recess and holidays which occur in this time frame.)

Latest Revision: 3/17/03