

MONTGOMERY AREA SCHOOL DISTRICT

SECTION: PROFESSIONAL EMPLOYEES
 TITLE: FAMILY AND MEDICAL LEAVES
 ADOPTED: February 16, 1981
 REVISED: May 19, 2009

435. 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 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.</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>29 CFR Sec. 825.200</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 National Guard or Reserves.</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>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>

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29 U.S.C.
Sec. 2612

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 during the FMLA leave.

References:

Family And Medical Leave Act – 29 U.S.C. Sec. 2601 et seq.

Family And Medical Leave, Title 29, Code of Federal Regulations – 29 CFR
Part 825

Board Policy – 000, 813

PSBA Revision 3/09