

# **FMLA**

## **What is FMLA?**

FMLA (Family and Medical Leave Act of 1993) entitles eligible employees to take up to 12 weeks of **unpaid**, job-protected leave in a 12 month period for specified family and medical reasons.

## **How do I become eligible?**

1. Have you worked for Williamston Community Schools for a total of 12 months?
2. Have you worked at least 1,250 hours (1,080 for teachers) over the previous 12 months?

## **What is covered by FMLA?**

1. The birth and care of the newborn child of the employee.
2. Adoption or foster care placement.
3. To care for an immediate family member (spouse, child or parent) with a serious health condition.
4. Medical leave for you when you are unable to work because of a serious health condition. (Several limitations see FMLA highlights)

## **What benefits do I receive under FMLA?**

1. Upon return from FMLA, you will be restored to your original job, or to an equivalent job with equivalent pay, benefits and other terms and conditions of employment.
2. Continued insurance coverage as if you were working.

## **Can I substitute paid leave for unpaid leave?**

1. If the reason for FMLA is for a normally paid leave according to the bargaining agreement, you could substitute paid leave for unpaid leave. Paid leave could include personal illness, personal business days, earned leave days and vacation days.
2. The number of days of paid leave days substituted for unpaid leave will be limited to contract and past practice. At no time, will the employee be allowed more paid days than what is in their sick leave bank, they will only be paid up to those 10 sick days.

## **Would I get more sick days paid by being on FMLA?**

**NO**, you will not get paid more sick days than if you were off on a non-FMLA absence. For example, if you have a baby, you will be allowed up to six weeks paid leave, if you have enough

in your sick leave bank. After the six weeks, you will not receive any pay for the remaining six weeks of FMLA.

You will also not receive paid leave for any day that is not a scheduled school day. For example, if you have a baby during the summer and six weeks after the birth is over before schools starts in the fall, you will receive no paid days. This is the same if you were not on FMLA.

### **What is I don't return after the 12 weeks FMLA?**

If you do not return after the 12 weeks of FMLA, you will be responsible to pay the health premium during the time of 12 weeks that you were off. If you continued to be off after the 12 weeks, you would be eligible to continue your benefits at your own cost for up to an additional 39 months.

### **What if I know that I will be off more than 12 weeks of FMLA?**

If you know that you will be off more than 12 weeks, you will **not** be eligible for FMLA. If this is the case, you should apply for a long-term leave that is available to you in your bargaining agreement.

Please see attached U.S. Department of Labor Program Highlights for further details. If you have any questions on your FMLA rights, please feel free to call our business office at 655-4361.

At anytime, the Williamston Community Schools Administration reserves the right to alter the previous FMLA determination, if during the discussion or approval process, facts change or become known.