

**ENFIELD PUBLIC SCHOOLS  
FAMILY MEDICAL LEAVE POLICY**

**PURPOSE**

The purpose of this policy is to establish guidelines for leaves taken by employees of the Enfield Public School System under the Federal Family and Medical Leave Act (FMLA) of 1993.

**ELIGIBILITY**

Employees who have worked at Enfield Public Schools for at least twelve (12) months, and who have worked at least 1,250 actual work hours during the twelve (12) months immediately preceding the start of a leave, are eligible for unpaid leave under the FMLA. The 12-month period for FMLA purposes will coincide with the school fiscal year (July 1 - June 30).

**REASONS FOR LEAVE**

Leaves under the FMLA may be taken for the following reasons:

- The birth and/or care of the employee's newborn child;
- The placement of a child with the employee by adoption or for foster care;
- To care for the employee's spouse, child or parent who has a serious health condition;
- To care for the employee's own serious health condition that renders the employee unable to perform the functions of his or her position

**LENGTH OF LEAVE**

If a leave is requested for one of the above-listed reasons, each eligible employee may take up to a total of twelve (12) weeks unpaid family or medical leave in any 12-month entitlement period.

The 12-month entitlement period for family or medical leave is measured on the basis of the school fiscal year (July 1 - June 30).

**TYPES OF LEAVE AND CONDITIONS**

**Full-Time, Intermittent and Reduced Schedule Leave:**

Full-time unpaid leave may be taken for any of the reasons permitted by the FMLA. Full-time leave excuses the employee from work for a continuous period of time.

Intermittent leave means leave taken in separate periods of time rather than for one continuous period of time. Examples of intermittent leave include: leave taken one day

per week over a period of a few months; or leave taken on an occasional/as-needed basis for medical appointments.

Reduced schedule leave is leave that reduces the employee's usual number of work hours per day for some period of time. For example, an employee may request half-time work for a number of weeks so the employee can assist in the care of a seriously ill parent.

An employee may take full-time, intermittent or reduced schedule leave whenever it is medically necessary for a serious health condition of the eligible employee, his or her spouse, child or parent. Intermittent leave or reduced schedule leave for other reasons will be permitted only with the approval of the Superintendent of Schools.

If intermittent or reduced schedule leave is medically required, Enfield Public Schools may, in its sole discretion, temporarily transfer the employee to another job with equivalent pay and benefits that better accommodates the type of leave requested. Also, special arrangements may be required of an instructional employee who needs to take intermittent or reduced-schedule leave which will involve absence for more than twenty (20) percent of the work days in the period over which the leave will extend, for example, more than five days over a five-week period.

#### Both Spouses Working for the Same Employer:

If both spouses are employees of Enfield Public Schools and request leave for the birth, placement of a child by adoption or for foster care, or to care for a seriously ill parent, they only will be entitled to a maximum combined total leave equal to twelve (12) weeks in any 12-month entitlement period. If either spouse (or both) uses a portion of the total 12-week entitlement for one of the purposes in the preceding sentence, each is entitled to the difference between the amount he or she has taken individually and the 12 weeks for FMLA leave for their own or their spouse's serious health condition in the 12-month entitlement periods.

#### Leave Taken by Instructional Employees Near the End of an Academic Term:

If a leave taken by an instructional employee for any reason begins more than five (5) weeks before the end of an academic term, Enfield Public Schools may require that employee to continue the leave until the end of the term if the leave will last at least three (3) weeks and the employee would return to work during the three-week period before the end of the term.

If the employee begins a leave during the five-week period preceding the end of an academic term for a reason other than the employee's own serious health condition, Enfield Public Schools may require the employee to continue taking leave until the end of the term if the leave will last more than two (2) weeks and the employee would return to work during the two-week period before the end of the term.

If the employee begins a leave during the three-week period preceding the end of an academic term for a reason other than the employee's own serious health condition, Enfield Public Schools may require the employee to continue taking leave until the end of the term if the leave will last more than five (5) working days.

### REQUEST FOR LEAVE

Request for a family or medical leave must be submitted to the Human Resources Department at least thirty (30) days before the leave is to commence, if possible. If thirty (30) days notice is not possible, please submit your request as soon as practicable under the circumstances.

For leaves taken because of the employee's or a family member's serious health condition, the employee must submit a completed "Physician or Practitioner Certification" form before the leave begins, if possible. This form may be obtained from the Personnel Department. If such advance certification is not possible, the medical certification must be provided by the employee within fifteen (15) calendar days of the employer's request for the medical certification.

If an employee takes leave to care for his or her own serious health condition, immediately upon return to work the employee must provide medical certification that the health condition which created the need for the leave no longer renders the employee unable to perform the functions of the job. This certification must be submitted to the Human Resources Department.

Enfield Public Schools reserves the right to designate an absence lasting more than three (3) days, as Family Medical Leave if it meets the above criteria.

### USE OF PAID LEAVE

Accrued paid personal leave and accrued paid vacation will be substituted (in that order) for any unpaid portions of family or medical leave taken for any reason. However, where the leave is for the employee's own serious health condition, accrued paid sick leave shall be substituted for unpaid portions of family or medical leave prior to the substitution of accrued paid personal and accrued paid vacation leave. The amount of unpaid family or medical leave entitlement is reduced by the amount of paid leave that is substituted.

### MEDICAL INSURANCE AND OTHER BENEFITS

During approved family or medical leaves of absence, Enfield Public Schools will continue to pay its portion of medical insurance premiums for the period of unpaid family or medical leave. The employee must continue to pay his/her share of the premium, and failure to do so may result in loss of coverage. If the employee does not return to work after expiration of the leave, the employee will be required to reimburse Enfield Public Schools for payment of medical insurance premiums during the family or medical leave,

unless the employee does not return because of a serious health condition or circumstances beyond the employee's control.

During a leave, an employee shall not accrue benefits entitled by contract. However, unused employment benefits accrued by the employee up to the day on which the leave begins will not be lost upon return to work.

#### REINSTATEMENT

Except for circumstances unrelated to the taking of a family or medical leave, an employee who returns to work following the expiration of a family or medical leave is entitled to return to the job held prior to the leave or to an equivalent position with equivalent pay and benefits.

#### ADDITIONAL INFORMATION

Questions regarding family or medical leave may be directed to the Human Resources Department.

10/2003

## FMLA FACT SHEET

This sheet is a summary of benefits under the Federal Family and Medical leave Act (FMLA) of 1993. Please refer to the Policy for more information or contact the Personnel Office.

- Employee must work at Enfield Public Schools for at least 12 months and work at least 1,250 hours during the 12 months prior to leave.
- Reasons for leave under FMLA - birth and/or care of employee's newborn child, placement of a child with the employee by adoption or foster care, care for employee's spouse, child or parent who has a serious health condition, or care for the employee's own serious health condition.
- Length of Leave - An eligible employee may take up to a total of twelve (12) weeks in any 12-month entitlement period. The 12-month entitlement period is the school fiscal year (July 1 - June 30).
- Leave may be paid or unpaid. To receive a paid leave, employee must utilize accrued leave time (i.e. vacation, personal or sick). Employee is eligible to use accrued leave under existing terms of contract or Board Policy. For example, if an employee is out sick, they may use accrued sick leave under the terms of the contract, however, they may not use accrued personal leave.
- If FMLA leave is paid, employee will continue to receive a paycheck and employee's insurance cost share will continue to be withdrawn from the paycheck. If FMLA leave is unpaid, the employee must contact the Benefits Specialist at 253-6537 to arrange for payment of employee's insurance cost share (this is the amount the employee typically pays through their paycheck).
- FMLA leave does not effect the benefits employee receives under their collective bargaining agreement. FMLA leave can be taken at the same time as contract granted leave. Enfield Public Schools has the right to deem any leave beyond three (3) days as FMLA leave provided it meets one of the reasons for leave.
- Employee may be required to produce a doctor's note prior to leave or, in the case of an unexpected leave, within a reasonable period of time after leave commences.