



## WAYNE LOCAL SCHOOL DISTRICT APPLICATION FOR FAMILY MEDICAL LEAVE

Name: \_\_\_\_\_ Building: \_\_\_\_\_ Job Title: \_\_\_\_\_

Address: \_\_\_\_\_

Anticipated Leave Period: \_\_\_\_\_ Specific Period Beginning: \_\_\_\_\_ Ending: \_\_\_\_\_  
Intermittent

Reason for Leave (see reverse): \_\_\_\_\_

The Board may require medical certification from a licensed physician as to the medical necessity for FMLA leave taken for reasons (c) or (d). Such certification will include a statement by the physician that the employee is unable to perform one or more of the essential functions of his/her position, or that their presence is required to care for the employee's spouse, parent, son or daughter with a serious health condition. This Section shall be uniformly applied.

I understand that fraudulently obtaining FMLA leave will disqualify me from this policy's job restoration or maintenance of health benefit provisions.

Employee's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

This is to inform you that:

☐ You **are** eligible for leave under the FMLA.

☐ You are not eligible for FMLA leave, because:

☐ You have not met the FMLA's 12-month length of service requirement. As of the first date of requested leave, you will have worked approximately \_\_\_\_\_ months towards this requirement.

☐ You have not met the FMLA's 1250 hours of service requirement. As of the first date of requested leave, you will have worked approximately \_\_\_\_\_ hours towards this requirement

Treasurer Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Submit this application at least 30 days in advance of anticipated leave (when possible) to the Treasurer for approval.

\*See the reverse side of this application for leave provisions and protection of employment and insurance. Also refer to Wayne Local School District policies 1630.01, 3430.01, and 4430.01, as well as the collective bargaining agreements Article Fourteen (WEA) and Articles Sixteen and Seventeen (WNEA) for additional information.

## **Qualifying Reasons for FMLA and Military Family Leave**

In accordance with the Family and Medical Leave Act of 1993, as amended, (FMLA), eligible staff members may take up to twelve (12) work weeks of job-protected, unpaid leave, or substitute appropriate paid leave if the staff member has earned or accrued it, for the following reasons:

- a. the birth and/or care of a newborn child of the staff member, within one (1) year of the child's birth;
- b. the placement with the staff member of a child for adoption or foster care, within one (1) year of the child's placement;
- c. the staff member is needed to provide physical and/or psychological care for a spouse, child or parent with a serious health condition;
- d. the staff member's own serious health condition makes him/her unable to perform the functions of his/her position; or
- e. any qualifying exigency (as defined in applicable Federal regulations) arising out of the fact that the staff member's spouse, son, daughter, or parent is on covered active duty (or has been notified of an impending call or order to covered active duty) in the Armed Forces (Qualifying Exigency Leave).  
Covered active duty means duty during deployment with the Armed Forces to a foreign country.

An eligible employee is not entitled to a separate 12 weeks of FMLA leave each of these five reasons, but only up to 12 weeks among these five reasons for any given year.

In addition, an eligible staff member who is a spouse, son, daughter, parent or next of kin of a covered service member with a serious injury or illness may take up to a total of twenty-six (26) work weeks of job-protected, unpaid leave, or substitute appropriate paid leave if the staff member has earned or accrued it, during a single twelve (12) month period to provide physical and/or psychological care for the covered service member (Military Caregiver Leave).

## **Eligible Employees**

To be eligible for FMLA leave, an employee must have one (1) year of service with the Board and must also have actually worked a total of 1,250 hours for the Board over the twelve (12) months prior to the leave request. Twelve (12) month period is defined as the twelve (12) month period measured forward from the date the staff member's first FMLA leave begins (i.e. the leave year is specific to each individual staff member).

## **Substitution of Paid Leave**

The Board shall require the staff member to substitute (i.e. run concurrently) any of his/her earned or accrued paid leave (e.g. sick leave, personal leave, assault leave, vacation leave, family leave) for unpaid FMLA leave. An employee's ability to substitute accrued paid leave is determined by the terms and conditions of the District's normal leave policy. A staff member electing to use any type of paid leave concurrently with FMLA leave must follow the same terms and conditions of the Board's policy that apply to other employees for use of such leave. The staff member is always entitled to unpaid FMLA leave if s/he does not meet the Board's conditions for taking paid leave.

## **Protection of employment and insurance**

- a. The Board shall return, if possible, the employee taking a leave under this Section to the same position he/she occupied prior to the leave, or to an equivalent position with equivalent pay, benefits, and other terms of employment.
- b. The Board shall continue to pay the board contribution to the current group health plan for the employee while they are on FMLA leave.
- c. The taking of FMLA leave shall not result in the loss of any employment benefit accrued prior to the date the leave commenced.