

Unified School District 309, Nickerson-South Hutchinson

The Family and Medical Leave Act of 1993

Application

Name of Employee: _____

Date Submitted: _____ Building/Department: _____

Employees of U.S.D. 309 shall be granted family/medical leave under the terms and conditions listed below:

Definition: FMLA 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. Amendments to the FMLA by the National Defense Authorization Act for FY 2008 expanded the FMLA to allow eligible employees to take up to 12 weeks of job-protected leave in the applicable 12-month period for any "qualifying exigency" arising out of the fact that a covered military member is on active duty, or has been notified of an impending call or order to active duty, in support of a contingency operation. The NDAA also amended the FMLA to allow eligible employees to take up to 26 weeks of job-protected leave in a "single 12-month period" to care for a covered service-member with a serious injury or illness.

The position vacated by the employee will be held open for the employee throughout the duration of the leave. The defined benefit for health insurance, if applicable, will be paid by the employer during the duration of the leave. The employee portion of the health insurance premium must be submitted to the district office on or before the 10th of the month preceding the month the premium is due. The leave shall normally be unpaid leave. However, if the employee has any paid sick, personal, vacation, or disability leave that is available for use because of the reason for the leave, the paid leave shall be used first and counted toward the annual family and medical leave.

Employee Eligibility:

To be eligible for FMLA benefits, an employee **must**:

- have worked for USD 309 for a total of 12 months;
- have worked a minimum of 1,250 hours during the preceding year. (July 1 through June 30)
- **request leave 30 days in advance.** The superintendent may waive the advance notice if circumstances prohibit such notice.

Leave Entitlement:

- _____ 1. Birth/adoption/foster placement and/or care of child. (Must be within 12 months of birth/placement.)
- _____ 2. Provide care for serious health condition of spouse child, or parent.
- _____ 3. Personal health condition that prohibits performing job function. Statement from doctor required.
- _____ 4. Qualifying exigencies arising out of the fact that the employee's spouse, son, daughter, or parent is on active duty or call to active duty status in support of a contingency operation. (26-weeks for care of service-member during a single 12 month period to care for the service-member).