



Family Medical Leave Act Q&A

What is the Family Medical Leave Act (FMLA)?

The Family Medical Leave Act entitles eligible employees to take up to 12 workweeks (duty days) of unpaid, job-protected leave in a 12-month period for specified family and medical reasons, or 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 FMLA also allows an eligible employee who is a spouse, son, daughter, parent, or next of kin of a covered service member with a serious injury or illness up to a total of 26 workweeks of unpaid leave during a single 12-month period to care for the service member.

Who is eligible for FMLA?

Employees are eligible for leave if they have worked for their employer at least 12 months, and at least 1,250 hours over the past 12 months

What are qualifying events for taking FMLA?

- for the birth and care of a newborn child of the employee;
- for placement with the employee of a son or daughter for adoption or foster care;
- to care for a spouse, son, daughter, or parent with a serious health condition;
- to take medical leave when the employee is unable to work because of a serious health condition;
- **or** for 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 as a member of the National Guard or Reserves in support of a contingency operation.

How does FMLA work if my spouse and I both work for the District?

Spouses employed by the same employer are limited in the amount of family leave they may take for the birth and care of a newborn child, placement of a child for adoption or foster care, or to care for a parent who has a serious health condition to a combined total of 12 workweeks (or 26 workweeks if leave to care for a covered service member with a serious injury or illness is also used). Leave for birth and care, or placement for adoption or foster care, must conclude within 12 months of the birth or placement.

What is intermittent leave?

Under some circumstances, employees may take FMLA leave intermittently – taking leave in separate blocks of time for a single qualifying reason – or on a reduced leave schedule – reducing the employee’s usual weekly or daily work schedule. When leave is needed for planned medical treatment, the employee must make a reasonable effort to schedule treatment so as not to unduly disrupt the employer’s operation. If FMLA leave is for birth and care, or placement for adoption or foster care, use of intermittent leave is subject to the employer’s approval.

How and where do I obtain the necessary FMLA paperwork?

As soon as you know you need to take leave, you must notify your campus about the leave. There is a contact person on each campus who will notify Michelle Fry in the Benefits Office of the need for FMLA. All necessary forms are sent out 30 days ahead of time for all foreseeable absences, or as soon as possible after notification. All FMLA paperwork and doctor's notes must go to the Benefits Office. Once you've been released to return to work, you will take your doctor's note to the Benefits Office and they will give you a release to take to your campus.

It is the responsibility of the FMLA campus contact to ensure that notification has been provided to the Benefits Office in a timely manner.

It is the responsibility of the employee to meet all deadlines for turning in any requested paperwork to insure qualification of FMLA and to secure a release from the doctor before any employee can return to work (unless an employee's leave is to take care of a family member).

What level of involvement or communication may employees on FMLA keep with their campus/department during leave?

Employees requesting to be off work for a qualifying event under FMLA must provide medical documentation of why leave is needed and certification that they are unable to perform the essential functions of the job to which they are assigned. Therefore, once leave has been granted, employees should not be on campus until a physician's release has been obtained. If an extenuating circumstance exists which the employee believes necessitates a visit to his/her workplace, the employee must obtain principal approval prior to the visit. Teachers are permitted to communicate with their classroom substitutes while on FMLA.

For more questions, please contact Michelle Fry at 817/299-6335 or by fax at 817-473-5330. The Benefits Office is located in the portable building at 605 E. Broad St. at the Administration Complex.