

Family Medical Leave Act

St. Michael-Albertville Schools #885

Definition: **Family leave** is for a birth of an employee's child; or for placement of a child with employee for adoption or foster care. **Medical leave** is available when an employee is needed to care for a child, spouse or parent who has a serious health condition or when an employee is unable to perform the functions of his or her position because of their own serious health condition.

Length of Leave: Eligible employees are entitled up to a total of 12 work weeks (per rolling 12 months) of Family and/or Medical Leave. Employees are eligible if they have worked for the past 12 months with the District and have worked more than 1250 hours in the past 12 months. Any Family or Medical Leave is counted against this total. The 12-month period is measured forward/backward from the date that on employee's first Federal Leave begins.

Relationship to paid leave:

- a. Accrued vacation, sick time, or personal time off is required to be used during Family or Medical leave in accordance with their existing contracts and policies.
- b. If eligible, paid long term disability may be used during a portion of the Medical Leave.
- c. If ill or disabled before leave commences, accrued sick may be used to the extent it is available.

Health Care Coverage: During Family or Medical leave, the District will pay its share of the health care coverage it provides as defined under the Terms and Conditions of Employment. Employees are required to pay their portion to maintain coverage. If sick/vacation leave does not cover the employee's portion, send check payable to ISD 885 which would be due to the Benefits Coordinator, Michelle Hayes the first of each month.

Medical Certification: If Medical Leave is taken for an employee's own serious health condition or to care for a serious health condition of a child, spouse, or parent, the District requires certification from a health care provider. The initial certification will be due requested from the District. Failure to provide the certification, the leave may be denied until it is provided.

In its discretion, the District may require a second medical opinion. This will be at the District's expense. If the medical opinion sought by the District differs from the certification from the employee's physician, the District may, at its own expense, require the opinion of a third health care provider chosen by the employee and the District. The third opinion will be binding.

Fitness for duty certificate: If Medical Leave taken because of an employee's own serious health condition, the District may require certification from the employee's health care provider stating that he/she may return to work duty, before actually returning to work. If certification is required, employees will not be reinstated to their position until certification is submitted.

Restoration for Key Employees. If you are considered a 'key employee', restoration to employment may be denied following FMLA leave on the grounds that such restoration will cause substantial and grievous economic injury to the District. Employees would be notified in writing if this was the case and advised on their rights concerning health care coverage and any related issues.

Further questions regarding leaves, employee rights and responsibilities may be addressed by contacting the Director of Administrative Services, Doug Birk at 763-497-6504.