

Boundary County School District No. 101

PERSONNEL

5410

Family Medical Leave

1 Upon request of the employee, the superintendent may recommend that the board consider
2 granting a birth leave without pay for up to one year. Conditions of birth leave for full year: The
3 individual concerned must have worked one full year in the district before the leave may be
4 granted. To be reinstated on the salary schedule at the point at which the individual began the
5 leave, the employee must notify the personnel office not later than March first prior to the school
6 year he/she plans to return.

7 The Family Medical Leave Act, passed by Congress in 1993, stipulates conformity by
8 organizations which have fifty (50) or more employees. Boundary County School District No.
9 101 is one of those organizations and is therefore subject to its provisions. Employees who have
10 worked at least 1,250 hours in the previous 12 months are covered by the FMLA. While too
11 lengthy to quote verbatim, the FMLA provides eligible employees with a total of twelve (12)
12 work weeks of leave (paid or unpaid) during any 12 month period for one or more of the
13 following:

- 14 • Because of the birth of a child of the employee and in order to care for such child.
- 15 • Because of the placement of the child with the employee through adoption or foster
16 care;
- 17 • In order to care for an employee's spouse, child or parent who has a serious health
18 condition;
- 19 • Because a serious health condition makes the employee unable to perform the
20 functions of his/her position.

21 In addition, the FMLA stipulates that an employee will not lose any employment benefits accrued
22 prior to taking the leave; however, if an employee fails to return to work, the employer may
23 recover premiums paid for benefits during the family leave.

Legal Reference: 29 CFR 825, 29 USC 2601, et seq. Family Medical Leave Act --

Policy History:

Adopted on: JUNE 21, 2004

Revised on: