

# **5022**

## **FAMILY MEDICAL LEAVE ACT** BOARD ADOPTED OCTOBER 16, 2017

---

### **5022 FAMILY MEDICAL LEAVE ACT**

#### **A. PURPOSE**

1. The purpose of this policy is to ensure that the Intermediate Unit is in compliance with the federal Family Medical Leave Act (hereinafter referred to as “FMLA”).

#### **B. RESPONSIBILITY**

1. The Executive Director or her/his designee shall develop administrative guidelines regulating leaves provided under the FMLA and ensuring compliance with the FMLA. Although the details of the administrative guidelines are to be left to the discretion of the Executive Director, the guidelines must adhere to the following basic principles.

#### **C. GUIDELINES**

1. Employees shall be notified of their rights and responsibilities as required by law when the employee makes such a request, an employee requests a FMLA leave or when the Intermediate Unit designates a leave as a FMLA leave.
2. Required notices shall be posted.
3. All requests for FMLA shall be made in writing including sufficient information from which to determine whether the leave qualifies as a FMLA leave.
4. Eligibility for an FMLA leave shall be based entirely on the eligibility criteria established by the FMLA. This policy shall not be construed to expand eligibility for a FMLA leave beyond what is required by the FMLA.
5. Medical Certification forms/documents as allowed by the FMLA shall be required whenever authorized by the FMLA.
6. Employees shall be required to provide a fitness-for-duty certificate upon returning from an FMLA leave when the leave was taken because of the employee’s own serious health condition.
7. For purposes of determining whether an eligible employee under the FMLA has exhausted the twelve (12) weeks of leave in any twelve (12) month period, the Intermediate Unit shall utilize a twelve-month period measured forward from the first date of his/her leave.
8. This policy was adopted because of the enactment of the FMLA. Should this Act be repealed or declared invalid, in whole or in part, this policy shall become wholly void and a new policy will be adopted if and as necessary to comply with law.