

FAMILY AND MEDICAL LEAVE ACT

The District will comply with the Family and Medical Leave Act.

Twelve-Month Leave Description

Eligible employees may request, and upon approval use, unpaid family and medical leave in accordance with and for the applicable duration guaranteed by the federal Family and Medical Leave Act. Unless subject to an exception in law, FMLA shall be made available for up to a combined total of 12 weeks beginning August 1 and ending July 31 of the next year.

Medical & Qualifying Exigency Certification

The building principal may request medical certification for an employee’s or their spouse’s, parent’s, child’s, or, when applicable, next of kin’s serious health condition and shall do so in accordance with federal law and district regulations. The building principal may also request qualifying exigency certification when an employee requests such leave.

Notice of Leave

An employee shall provide notice in accordance with regulations. If deemed necessary, the building principal may waive notice requirements.¹

Return to Work

An employee returning from family and medical leave shall be given a position equivalent to their position before the leave, subject to the district’s reassignment policies, negotiated agreement, and practices.² Instructional employees may be required to wait to return to work until the next academic term in certain situations as provided by law.³

Implementing Procedures

The Superintendent shall develop procedures to implement this policy consistent with the federal Family and Medical Leave Act.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- DDA, Sick Leave
- DDAA-BR, Family and Medical Leave Act Regulations
- DDAA-E1, Family and Medical Leave Act Law
- DDAA-E2, FMLA Poster and Forms
- DFC, Transfer and Reassignment

End of McClusky School District #19 Policy DDAA Adopted: November 10, 2020

[04/20]

¹ 29 C.F.R. 825.304. Districts may waive the notice requirements.

² 29 C.F.R. 825.214 and 825.604. See definition of equivalent position in FMLA exhibit.

³ 29 C.F.R. 825.602. See regulations for guidelines.