

## STAFF PERSONNEL

### Series 400

#### POLICY TITLE LICENSED EMPLOYEE FAMILY AND MEDICAL LEAVE No. 409.3

Unpaid family and medical leave will be granted up to 12 weeks per year to assist employees in balancing family and work life. For purposes of this policy, year is defined as 12 month period measured forward from the first day leave is used. Requests for family and medical leave will be made to the Executive Director of Human Resources.

The school district requires employees to substitute applicable accrued paid leave for unpaid FMLA leave, such that substituting paid leave for unpaid FMLA leave means that the two types of leave run concurrently. Employees eligible for family and medical leave must comply with the family and medical leave administrative rules prior to starting family and medical leave. In order to be eligible to take leave under this policy and the FMLA, an employee must have worked for the school district for at least 12 months as of the date the FMLA leave is to start and must have worked at least 1,250 hours during the 12 months prior to the start of leave. Throughout this policy and the corresponding regulations and exhibits, any terms which are not separately defined shall have the same meanings ascribed to them by the FMLA.

It is the responsibility of the Executive Director of Human Resources to develop administrative rules to implement this policy.

The requirements stated in the Master Contract between employees in the collective bargaining unit and the board will be followed.

Links: <https://www.dol.gov/whd/regs/compliance/posters/fmlaen.pdf>  
[WH-380-E Certification of Health Care Provider for Employee's Serious Health Condition \(PDF\)](#)  
[WH-380-F Certification of Health Care Provider for Family Member's Serious Health Condition \(PDF\)](#)  
[WH-381 Notice of Eligibility and Rights & Responsibilities \(PDF\)](#)  
[WH-382 Designation Notice \(PDF\)](#)  
[WH-384 Certification of Qualifying Exigency For Military Family Leave \(PDF\)](#)  
[WH-385 Certification for Serious Injury or Illness of Covered Servicemember -- for Military Family Leave \(PDF\)](#)

Legal Reference: *Whitney v. Rural Ind. School. District*, 232 Iowa 61, 4 N.W.2d 394 (1942).  
29 U.S.C. §§ 2601 *et seq.* (2012)  
29 C.F.R. Pt. 825 (2012).  
Iowa Code §§ 20; 85.33, .34, .38(3); 216; 279.40 (2013).  
1980 Op. Att'y Gen. 605.  
1972 Op. Att'y Gen. 177, 353. 1952 Op. Att'y Gen. 91.

Cross Reference: 409.2 Licensed Employee Personal Illness Leave  
409.8 Licensed Employee Unpaid Leave  
414.3 Classified Employee Family and Medical Leave

Date Approved: June 26, 2017