

Family and Medical Leave Policy (C-15)

The St. Francis School District (“the District”) shall provide family and/or medical leave by to its employees. Eligible employees will be allowed up to twelve (12) workweeks of unpaid leave per year as a result of a birth or placement of a child for adoption or foster care or when a serious health condition is experienced by the employee or the employee's parent, child or spouse. The District administers this policy on a calendar year basis.

These leaves (Federal and Wisconsin) shall run concurrently with each other and with any other leave which is available to the employee under the policies of the District as well as under Federal and Wisconsin law. All Family and Medical Leave will be unpaid unless the employee has accrued paid leave available for substitution as discussed below. The taking of leave under this Policy will not be used against an employee in any employment decision, including in the determination of raises or discipline.

ELIGIBILITY FOR LEAVE

It is the policy of the District to provide employees with Wisconsin family or medical leave if they have worked for the District for at least fifty-two (52) consecutive weeks and have been paid by the District for at least 1,000 hours of work in the twelve (12) month period immediately preceding the time leave begins. Employees will be eligible for, or also eligible for, Federal family and medical leave if they have worked for the District for at least twelve (12) months and have worked 1,250 hours for the District in the twelve (12) month period immediately preceding the time leave begins. The leave taken under this Policy will count toward the leave to which an employee may be entitled under Federal and/or Wisconsin law.

AMOUNT OF LEAVE AVAILABLE

Employees are generally entitled to unpaid leave during a twelve (12)-month period for any one or combination of the following reasons, i.e., time off under A, B and/or C:

A. Birth or Placement for Adoption or Foster Care of a Son or Daughter.

Unpaid leave, of up to twelve (12) weeks under Federal law and six (6) weeks under Wisconsin law, to be taken by an eligible employee on the birth or placement for adoption or foster care of a child with the employee. Leave must be taken all at once unless the District agrees otherwise or as required by law. Any accrued paid leave for which the employee is eligible at the time leave begins may be substituted or may be required to be substituted for this otherwise unpaid time. The paid time used will not be available later. Extensions of family leave will not be permitted, except as required by law or pursuant to a contractual obligation of the District.

B. Serious Health Condition of Employee.

Unpaid leave of up to twelve (12) weeks under Federal law and two (2) weeks under Wisconsin law may be taken by an employee in the event he/she experiences a "serious health condition." A serious health condition will generally occur when the employee receives inpatient care at a hospital, hospice or nursing home or receives outpatient care which requires a schedule of continuing treatment by a health care provider and renders the employee incapable of performing the functions of his/her position. Medical leave may be taken all at once or in smaller increments as medically necessary. If leave is taken in smaller increments, the employee may be temporarily transferred to another job.

An employee must provide the District, within fifteen (15) days of requesting leave, with a Health Care Provider Certification which is completed by the employee's treating health care provider. Health Care Provider Certification forms are available from the Human Resources Department. Failure to provide a properly completed form may result in a delay or denial of the leave. Any accrued paid leave for which the employee is eligible at the time the leave begins may be substituted or may be required to be substituted, for all or a portion of the otherwise unpaid leave period. If the leave is required due to a work-related injury, workers' compensation leave will be run concurrently with the leave an employee is entitled to under the law, to the extent permitted by law. Any paid leave used will not be available later. Extensions of medical leave will not be allowed, except as required by law or pursuant to a contractual obligation of the District.

C. Serious Health Condition of a Son or Daughter, Parent or Spouse.

Unpaid leave of up to twelve (12) weeks under Federal law and two (2) weeks under Wisconsin law may be taken by an employee to care for a son, daughter, spouse or parent with a "serious health condition." If leave is requested for such an individual, the employee must provide the District, within fifteen (15) calendar days of the request for leave, with a Health Care Provider Certification prepared by the treating health care provider of the individual which sets forth the facts surrounding the health condition of the individual and that the employee is needed to care for the person. Health Care Provider Certification forms are available from the Human Resources Department. Failure to provide a properly completed form may result in a delay or denial of the leave. The medical leave may be taken all at once or in smaller increments as medically necessary. If leave is taken in increments smaller than the maximum period of leave permitted under the law, the employee may be temporarily transferred to another job at the District. Any accrued paid leave for which the employee is eligible at the time leave begins may be substituted or may be required to be substituted for all or a portion of the otherwise unpaid time. This paid time will not be available later. Extensions of medical leave will not be allowed, except as required by law or pursuant to a contractual obligation of the District.

Note: Teachers may be required to take continuous leave in certain circumstances even though desiring to take leave on an intermittent basis. Please see the Human Resources Department for additional information.

NOTIFYING THE DISTRICT OF YOUR NEED FOR FAMILY OR MEDICAL LEAVE

In the event an employee would like foreseeable family or medical leave, the District must be notified, in writing, at least fifteen (15) calendar days before the date on which leave is to begin. In the event of an emergency, notice must be provided no later than two (2) working days after the commencement of leave. The Family and Medical Leave Request form is available from the Human Resources Department.

HEALTH INSURANCE

The employee may continue to receive health insurance coverage while on a family or medical leave. If the employee has pay substituted for otherwise unpaid leave, the employee's share of premiums (if any is required for similarly situated active employees) will be paid through the District's normal payroll deduction method. If the leave is unpaid, the employee must pay for the employee portion of the premium (if any is required for similarly situated active employees) for coverage during the period of leave. All premiums for coverage are due no later than the first day of the month to which coverage relates. Certain other employment benefits may also be continued during the family and/or medical leave. An employee must notify the District of his or her intent not to continue health insurance coverage while on leave.

Otherwise, it is assumed that the employee chooses to continue such coverage. If an employee fails to return to work or fails to remain at work for a period provided at law, the District may recover its portion of the premium paid for health plan coverage during the leave.

ADDITIONAL CERTIFICATIONS

The District may request that an employee provide additional health care provider certifications from a health care provider chosen, and paid for, by the District. The District may request that an employee recertify as to the continuation of the serious health condition at various points in time.

RETURN TO EMPLOYMENT AT END OF LEAVE

At the end of an employee's family or medical leave, he/she will be returned to the position held by the employee at the commencement of leave or, if the position is filled, to equivalent employment with the District. If an employee wants to return to work before his/her leave is to end, and work is available, the employee must notify the District at least two (2) days prior to the desired return date. If the reason for leave was due to the serious health condition of the employee, the District may require that a medical release be provided to the District before the employee returns to work. If a medical release is required and not received, the employee's return to work will be delayed until it is received. For teachers returning from leave, leave may be required to be extended through the completion of the term in some circumstances.

FAILURE TO MEET POLICY REQUIREMENTS

If you fail to meet the requirements of this Policy for family or medical leave, your request for leave may be denied or delayed until the requirements are met.

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If you have any questions regarding the operation or interpretation of this Policy, please contact the District Administrator or the Human Resources Department.

Legal Ref: Family and Medical Leave Act of 1993

Wisconsin Statutes Section 103.10 (Family and medical leave)

Adopted: November 20, 2006