

### **Family and Medical Leave**

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 July 1 and ending June 30 of the next year.

#### **Use of Other Leaves**

Other available and applicable paid vacation, personal, family, sick or other paid leave will be substituted for family and medical leave necessitated by birth, adoption/foster care placement, a family member's serious health condition, an employee's own serious health condition, qualifying exigency, or to care for covered service member in accordance with law. Any substitution required by this policy will count against the employee's family and medical leave entitlement. The District will pay family leave or sick leave only under circumstances permitted by the applicable leave plan.

#### **Medical and Qualifying Exigency Certification**

The District may request medical certification for an employee's or his/her 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 District 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 Superintendent may waive notice requirements.

#### **Return to Work**

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

### **Implementing Procedures**

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

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### Complementary Documents

- DDA, Sick Leave Regulations
- DDAA-BR, Family and Medical Leave Act Regulations
- DDAA-E, Family and Medical Leave Act Law
- DDAA-E2, Notice of Eligibility and Rights/Responsibilities Under FMLA
- DDAA-E3, Designation Notice
- DFC, Transfer and Reassignment

End of Bismarck Public School District Policy DDAA

Adopted: 7/1/2015