

FMLA (Family and Medical Leave Act)

Eligibility

In general, to be eligible for an FMLA leave, an employee must have worked for MCS for at least 12 months and have worked at least 1,250 hours in the 12 months preceding the leave.

In accordance with federal law, upon notification from the employee, MCS shall provide up to 12 work weeks of unpaid leave within a rolling 12-month period measuring backward from the period of requested leave to all eligible employees for the following reasons:

- the birth of a child and to care for the child within one (1) year of the child's birth;
- the placement of a child with the employee by way of adoption or foster care and to care for the child within one (1) year of the child's arrival;
- the employee is needed to care for an immediate family member with a serious health condition;
- the employee's own serious health condition which prevents the employee from performing any of the essential functions of the employee's position; or
- any qualifying exigency (as defined in applicable federal regulations) arising out of the fact that the employee's spouse, son (of any age), daughter (of any age), or parent, defined as a covered military member, is on active duty (or has been notified of an impending call or order to active duty).

Rights and Responsibilities for Taking FMLA Leave

In order to determine whether an employee's absence qualifies for FMLA leave, the employee must return a completed Certification of Health Care Provider to the Human Resources Office. The employee may request this form by calling the Human Resources Office at (765) 747-5221.

Use of Benefit Days

An employee may, but is not required to, use accrued benefit days prior to requesting FMLA.

Benefits of FMLA

FMLA does *not* cover an employee's pay. Once an employee has exhausted accrued benefit days, the employee will not receive pay for time-off. During an approved FMLA leave, the employee's coverage under MCS's benefits continue, but the employee must pay the employee's share of the health, dental and voluntary life insurance premiums. Without FMLA, the employee would be responsible for the entire insurance premium, including the Board's share, during any unpaid leave of absence.

Return to Work

At the end of the leave, the employee must submit a return to work notice signed by a health care provider stating that the employee is able to resume work and perform the essential functions of the employee's job. The notice must contain the following information:

- the employee is released to return to work;
- restrictions, if any;
- basis for the restrictions, if any;
- expected date the restrictions, if any, are to be lifted; and
- health care provider's signature.

If you have any questions regarding FMLA, please contact the Human Resources Office at (765) 747-5221.