

# BRANDYWINE HEIGHTS AREA SCHOOL DISTRICT

SECTION: ADMINISTRATIVE  
EMPLOYEES

TITLE: FAMILY AND MEDICAL  
LEAVES

ADOPTED: June 28, 2004

REVISED: May 3, 2010

435. FAMILY AND MEDICAL LEAVES	
<p>1. Authority 29 U.S.C. Sec. 2601 et seq 29 CFR Part 825</p>	<p>The Board shall provide eligible administrative employees with unpaid leaves of absence in accordance with the Family And Medical Leave Act, hereinafter referred to as FMLA.</p> <p>Employee requests for FMLA leave shall be processed in accordance with the Law, Board policy and administrative regulations.</p>
<p>2. Delegation of Responsibility</p> <p>29 U.S.C. Sec. 2619</p>	<p>The Superintendent shall develop and disseminate administrative regulations to implement FMLA leaves for eligible employees.</p> <p>The district shall post, in conspicuous places in the district customarily used for notices to employees and applicants, a notice regarding the provisions of the FMLA and the procedure for filing a complaint.</p> <p>Employee requests for leave, both FMLA and non-FMLA, shall be submitted in writing on a district form to the Superintendent.</p>
<p>3. Guidelines 29 U.S.C. Sec.2611,2612</p> <p>29 U.S.C. <b>Sec. 2611</b>, 2612</p> <p>29 U.S.C. Sec.825.200</p>	<p>Employees' eligibility for FMLA leaves shall be based on the criteria established by law.</p> <p>Eligible employees shall be provided up to twelve (12) workweeks of unpaid leave in a twelve-month period, for the employee's own serious health condition; for the birth, adoption, foster placement or first-year care of a child; to care for a seriously ill spouse, child or parent; or to address specific qualifying exigencies pertaining to a member of the Armed Forces alerted for foreign deployment or during foreign deployment.</p> <p>Eligible employees shall be provided up to twenty-six (26) workweeks of unpaid leave in a single twelve –month period to care for an ill or injured covered service member.</p>

435. FAMILY AND MEDICAL LEAVES - Pg. 2

29 CFR. Sec. 825.200	The district shall utilize a rolling twelve-month period measured backwards from the date leave is used to determine if an employee has exhausted his/her FMLA leave in any twelve-month period.
29 U.S.C. Sec. 2612	When an employee requests an FMLA leave and qualifies for and is entitled to any accrued paid sick, vacation, personal or family leave, the employee may utilize such paid leave during the FMLA leave.  References:  Family And Medical Leave Act – 29 U.S.C. Sec. 2601 et seq.  Family And Medical Leave, Title 29, Code of Federal Regulations – 29 CFR Part 825  Board Policy – 000,813