

Lewistown School District

PERSONNEL

5328

Family Medical Leave

In accordance with the provisions of the Family Medical Leave Act of 1993, a leave of absence of up to twelve (12) weeks during a twelve-(12)-month period may be granted to an eligible employee for the following reasons: 1) the birth of a child; 2) the placement of a child for adoption or foster care; 3) because of a serious health condition that makes the employee unable to perform the functions of the job; or 4) to care for the employee=s spouse, child, or parent with a serious health condition.

An employee is eligible to take FMLA leave if the employee has been employed for at least twelve (12) months, and has worked at least one thousand two hundred fifty (1,250) hours during the twelve (12) months immediately prior to the date when the leave is requested and if there have been at least fifty (50) District employees within seventy-five (75) miles for each working day during twenty (20) or more workweeks in the current or preceding calendar year.

Employees will be required to use appropriate paid leave while on FMLA Leave. Workers' Compensation absences will be designated FMLA Leave.

The Board has determined that the twelve-(12)-month period during which an employee may take FMLA leave is July 1 to June 30.

At the discretion of the Superintendent, medical certification may be required to determine FMLA initial or continued eligibility as well as fitness for duty.

NOTE: This provision applies to school districts with fifty (50) or more employees. Those districts with less than fifty (50) employees must comply with notice and record retention but are not obligated to provide the leave as a benefit of any employee=s employment.

Legal Reference: 29 CFR 825, 29 USC 2601, et seq. - Family and Medical Leave Act of 1993
2-18-601, et seq., MCA Leave Time
49-2-301, et seq., MCA Prohibited Discriminatory Practices

Policy History:

Adopted on: June 28, 2004

Revised on: March 12, 2012