

LEAVE OF ABSENCE FREQUENTLY ASKED QUESTIONS

Risk Management & Employee Benefits (863) 519-3858 Option 4 or LeaveofAbsence.PCSB@polk-fl.net

If I need to be out for a medical condition, is there a Leave of Absence that is paid?

No. FMLA, Medical, and Parental leaves are unpaid leaves. You may use your sick leave and/or vacation time that you have accumulated. If you would like to use your sick or vacation time, please mark the correct option on the Leave of Absence Request form.

What is Family and Medical Leave Act (FMLA) Leave?

The Family and Medical Leave Act is a federal law that provides eligible employees job-protected leave.

How do I become eligible for FMLA leave?

You are eligible if you have:

- Completed at least one year of employment and,
- Worked at least 1,250 hours
- Have not exhausted 12-weeks of FMLA time

Under what reasons may I take FMLA leave?

If you meet the eligibility requirements, you may take FMLA Leave for any of the following reasons:

- The birth of a child and to bond with the newborn child within one year of birth,
- The placement with the employee of a child for adoption or foster care and to bond with the newly placed child within one year of placement,
- A serious health condition that makes the employee unable to perform the functions of his or her job, including incapacity due to pregnancy and for prenatal medical care,
- To care for the employee's spouse, son, daughter, or parent who has a serious health condition, including incapacity due to pregnancy and for prenatal medical care;
- Any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a military member on covered active duty or call to covered active duty status

What is meant by "serious health condition"?

"Serious health condition" is a condition that goes beyond the common cold, flu, allergy, or abrasion. A serious health condition means an illness, injury, impairment, or physical or mental condition that involves:

- Any period of incapacity or treatment in connection with or consequent to inpatient care (i.e., overnight stay in a hospital, hospice or residential medical care facility)
- Any period of incapacity requiring absence from work, school (for your child), or other regular daily activities, of more than three calendar days that also involves continuing treatment by (or under the supervision of) a health care provider; or
- Continuing treatment by (or under supervision of) a health care provider for a chronic or long-term health condition that is incurable or so serious that, if not treated, would likely result in a period incapacity of more than three calendar days; or for prenatal care.

Where do I turn in my completed form for FMLA, Medical, or Parental leave?

- Fax to Risk Management at (863) 519-3740
Polk Schools Courier, Route E, Attn: Risk Management
Mail: Polk County Public Schools, Attn: Risk Management, P.O. Box 391, Bartow, FL 33813

What is Medical Leave?

Employees may be eligible for up to one (1) year of unpaid Medical Leave for illness to themselves or members of their household.

What is Parental Leave?

Employees may be eligible up to one (1) year of unpaid Parental leave for the purpose of child rearing to commence at the birth of a child or the date of the adoption of a child.

Who do I contact for a Personal, Educational, Charter, Intern, or Military Leave?

Please contact the Employee Relations Department (863) 534-0781 ext.555.

What if I need a leave on an occasional basis?

A qualifying employee can take FMLA on an intermittent or reduced leave schedule as needed in some instances. Intermittent leave is one in which you take the allowable leave in blocks of days at a time or as dictated by the physician. Intermittent leaves are only available for employees that are eligible for FMLA.

Can I take Parental, Medical, or Personal leave intermittently (on occasion)?

No. The only leave that can be used for intermittent purposes is for employees that are eligible for FMLA.

What is a release note to "return to work"?

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Bus drivers and attendants have a specific release note that must be completed. This form is in the employee handbook, or you may contact the area manager to obtain the form.

All other employees need a letter, on the treating physician's letterhead, that states the employee's name, the date the employee can return to work, and any restrictions. Restrictions must be reviewed before the employee returns to work.

If you are out due to caring for a child, spouse, or parent(s) serious medical condition, we need a letter from you that states the date you will return.

What if I am unable to return to work?

If you are unable to return to work after exhausting FMLA, you may have the option to transition to a Medical, Personal, or Parental leave. If you do not provide appropriate documentation to transition to another leave, you may be disciplined, up to and including termination.

If you are unable to return by the anticipated return date provided by your doctor you may submit a letter from your doctor to extend your leave. If the letter is not received to extend your leave, then you may be disciplined, up to and including termination.

If one year of Medical or Parental leave expires and you have not returned to work, you may be disciplined, up to and including termination.

What responsibilities do I have as an employee?

Your responsibilities include:

- Notifying your work site Supervisor and Risk Management as soon as you know that such a leave will be needed (generally the day you learn of the need or the next workday). Foreseeable leave, you should provide at least a 30-day notice.
- Contact Risk Management to obtain the Leave of Absence form and submit the necessary documentation promptly.
- Submit a release note to Risk Management seven (7) days before your return.
- If you are unable to return to work, communicate with your Supervisor and Risk Management for Medical, Parental, and FMLA.

What happens to my insurance during leave?

Employee's on FMLA:

- The School Board pays the insurance premiums, which it paid for the employee before the FMLA leave, which only includes employee medical and life insurance

premiums. The cost of these benefits will be paid by the School Board while on an approved FMLA leave only. Other insurance premiums which are paid by the employee for dependents or for any optional plans not paid by the School Board must be paid by the employee..

Employee's on all other unpaid leaves:

- The School Board paid insurance premiums for employees' health and basic life insurance is the employees' responsibility when on an unpaid leave, other than FMLA. Dependent and optional insurance premiums must also be paid by the employee during an unpaid Leave of Absence to avoid termination of the benefits.

What happens if I do not pay my insurance while out on leave of absence?

If payment is not received, the insurance benefits will be canceled. You have the option within the first 31 days of your return to work to reinstate the insurance benefits. If you do not elect to reinstate the insurance within 31 days of your return your next available opportunity to enroll will be at Open Enrollment. Please keep in mind that some coverages (i.e., Disability and Optional Life) may require medical underwriting if a lapse in coverage.

What does "spouse" mean?

"Spouse" means your husband or wife as defined or recognized under the law for purposes of marriage.

What does "parent" mean?

"Parent" means your biological parent or individual who stands or stood *in loco parentis* to you when you were a child. The term does not include your parent "in-laws."

What does "son" and "daughter" mean?

"Son" or "daughter" means a biological, adopted, or foster child, stepchild, legal ward, or other child if you are standing *in loco parentis*.