

PERSONNEL

Family and Medical LeaveA. Generally

To the extent the Family and Medical Leave Act of 1993 provides leave opportunities to eligible employees, Lynchburg City Schools will comply with the Act by supplementing its existing sick leave (P5-38), vacation (P5-43), and personal leave (P5-40) provisions.

As specified in policy, family medical leave can be time away from employment with full pay or with pay minus standard deduction. Full pay will be received when the sick leave policy allows accrued sick leave to be applied to a circumstance and when accrued vacation or personal leave is applied as required by policy.

When accrued sick leave, vacation or personal leave is applied to a circumstance covered by the Family and Medical Leave Act the leave categories shall run concurrent with one another.

The extended leave provision contained in school board policy 5-38 section B-3 will be in effect as it exists only to the extent that an employee has not received 20 days of leave with standard deduction as part of family medical leave.

After an employee has used all of his/her sick leave, family medical leave will be without pay.

B. Definitions

1. **Benefits:** Those fringe provisions existing under Lynchburg City Schools policy. These include employer's share of health and dental insurance payment (not dependent coverage), Virginia Retirement Service payments including group life insurance, and accrual of leave time and seniority as provided for in policy.
2. **Child:** Any person who is under eighteen (18) years of age or any person eighteen (18) years of age or older who is incapable of self-care because of a mental or physical disability and who is related to the employee as a biological, adopted, or foster child; a step-child; a legal ward; or a child of an employee standing in place of a parent.
3. **Health Care Provider:** A physician authorized to practice in Virginia including doctors of medicine and osteopathy, podiatrists, dentists, clinical psychologists, optometrists and chiropractic treatment consisting of manual manipulation of the spine to correct a subluxation as demonstrated by X-ray to exist.
4. **Serious health condition** – an illness, injury, impairment, or physical or mental condition that involves – inpatient care in a hospital, hospice, or residential medical care facility or continuing treatment by a health care provider.

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Family and Medical Leave (continued)C. Procedures

1. An employee applies for family medical leave by completing a Request for Family Medical Leave Form (FML1) and submitting it to the department for personnel services. This request must be made at least 30 days prior to the date leave is to begin if such is practicable.
2. These additional forms are available in connection with family medical leave and should be submitted as directed on the Request for Family and Medical Leave Form:

Forms:

FML2: Leave for Physical Disability incident to Pregnancy and Childbirth.

FML3: Physician Certification Form for use in cases of illness of covered family member.

FML4: Physician Certification Form for use in cases of illness of employee.

FML5: Form used to notify employee of approval of leave requested and to inform employee as to how leave is applied. This form includes information on provision of health care and life insurance premiums.

Note: Birth or child placement verification is required as applicable.

D. Discretions

1. Lynchburg City Schools may designate absences as family medical leave when the reason for such absences is known to be a covered circumstance and when such absences total more than five days.
2. Lynchburg City Schools may require a second opinion from a health care provider. The second opinion will be from a school system selected health care provider. Should the first and second opinions differ, a third opinion shall be used as provided for in the Family and Medical Leave Act of 1993.
3. If an employee requests intermittent leave or a reduced work schedule to care for a seriously-ill family member or for the employee's own serious health condition, and the need for leave is foreseeable based on planned medical treatment, the employer may temporarily transfer the employee to an available alternative position with equivalent pay and benefits if the employee is qualified for the position and it better accommodates recurring periods of leave than the

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employee's regular job.

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