

July 2011

TO: All Employees

FROM: Cynthia Byrd, Assistant Superintendent, Human Resources

SUBJECT: NOTICE OF ENTITLEMENT TO FAMILY CARE MEDICAL LEAVE

Under the federal Family and Medical Leave Act and the California Family Rights Act, you are entitled to take up to 12 weeks of **unpaid leave** in a 12-month period for certain qualifying reasons. Family care and medical leave shall not exceed 12 work weeks during any 12-month period. (29 U.S.C. 2612: Code of Regulations, Title 2, section 7297.3) A "12-month period" is a school year, commencing on July 1 and ending on June 30 of each year. Under District policy, any paid sick leave or other paid or unpaid leave that you have available will run concurrently with the unpaid statutory leave. Therefore, the leave will be paid to the extent you have paid leave available. **For example, if you have five days of sick leave, and your leave is the result of your own serious health condition, the first five days of the leave will be paid as sick leave. Sick Leave may not be used to care for a newborn or newly adopted child; such child-care leave is unpaid unless you have vacation time available.**

The District will maintain your group health benefit coverage under the District's plan at the same level as prior to your leave. Please note that if you do not return to work, following the current leave, you may be required to reimburse the District for health insurance premiums paid on your behalf during your Family Care Medical Leave.

The District may require you to furnish medical certification of a serious health condition. You will be notified in writing of this requirement and be given at least 15 days in which to furnish medical certification to the District. Additionally, you may be required to present a fitness for duty certification from your physician prior to returning to work. We may also require you to furnish periodic reports of your status and intent to return to work.

If the circumstances of your leave change and you are able to return to work earlier than the date you have already indicated, please notify the District at least two work days in advance of your planned return to work date.

Upon your return from leave, you will be reinstated to the same or an equivalent position, in accordance with the collective bargaining agreement and state and federal law.

It is recommended that if you have any questions, please do not hesitate to contact my office at extension 6318.