



Family Medical Leave Act Frequently Asked Questions

What is the Family Medical Leave Act?

The Family and Medical Leave Act of 1993 – or FMLA – is a federal law that entitles eligible employees to take 12 weeks of unpaid, job-protected leave for specific family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave.

When can employees use this type of leave?

This leave is granted for the following purposes:

- Birth of a baby
- Care of a child after birth or adoption
- Care of a seriously ill family member (spouse, child, parent, foster parent)
- Serious personal illness
- Military caregiver

How many weeks is an employee entitled to FMLA?

Employees are entitled to up to 12 weeks of unpaid leave during any 12 month period. Leon County Schools uses a rolling calendar which means the 12 month period is measured backward from the date an employee uses FMLA leave.

How long must an employee work for Leon County Schools in order to apply for FMLA?

An employee must be employed with Leon County Schools for 12 months and have worked the amount of hours in the previous 12 months specified in the appropriate collective bargaining agreement before he/she is eligible for FMLA. The 12 months do not have to be consecutive, but do have to be within the last 7 years. Exempt employees must be employed for 12 months and have worked 1250 hours in the previous 12 months before he/she is eligible for FMLA.

How often can an employee apply for FMLA?

An employee can apply for FMLA every 12 months using the rolling calendar. A rolling calendar is measured backward from the date an employee uses FMLA leave.

How can an employee apply for FMLA?

An employee or their representative must contact the Benefits Department for an FMLA application. The application must be completed by the employee and their physician and returned to the Benefits department for review and approval. The form is also located on the Time and Attendance page of the District website.

How far in advance should an employee apply for FMLA?

Employees are required to provide LCSB 30 days advance notice when the need for leave is foreseeable. If the need is unforeseeable, the employee must give notice as soon as practicable, generally within the same or next business day.

Can an employee use FMLA leave intermittently?

Yes. An employee may use FMLA leave intermittently instead of 12 continuous weeks.

Is the employee required to notify their supervisor of their need for FMLA leave?

Yes. An employee must notify his/her supervisor of the need for FMLA leave, how long he/she expects to be out, and an expected return to work date.

Can an employee use their sick leave during the 12 week period?

Yes. An employee may use their sick leave instead of unpaid leave if they wish, but only for the amount of time the physician states they are unable to work.

Do the insurance benefits continue while an employee is on FMLA?

Yes. LCSB must maintain the employee's insurance benefits during his/her leave. LCSB will continue to pay its contribution towards the health insurance premium provided the employee pays his/her contribution amount. After 12 weeks, the entire premium, including the board's portion, is the employee's responsibility.

What happens if the employee does not pay their portion of their insurance benefits?

Failure to pay for insurance benefits will result in cancellation. If the insurance benefits are cancelled, the employee will have 30 calendar days from the date they return to work to schedule an enrollment appointment and re-enroll. The enrollment appointment calendar is located on the Benefits page of the District website. If the employee does not enroll within 30 calendar days from their return to work, he/she will have to wait until the next open enrollment period. Arrangements for payment of insurance benefits while on a leave of absence must be made with the Benefits Department.