



Madison Public Schools

Family Medical Leave Act

What is the Family Medical Leave Act?

The Family Medical Leave Act (FMLA) provides unpaid, job-protected leave for eligible employees during a specified period for family and medically qualifying events. Federal law provides up to twelve (12) weeks of unpaid job protection within a twelve (12) month period. Madison Public Schools defines the twelve (12) month period as beginning on the first day of an employee's leave.

What is Job Protection?

Job protection means that your employer cannot make a negative employment decision against you (e.g. pay, benefits, hiring, promotion, disciplinary actions regarding FMLA leave absences) while you exercise your rights under FMLA, unless the decision would have happened anyway (e.g. layoff, disciplinary action for violation of policy).

Who is Eligible for FMLA?

To qualify for rights under the Family Medical Leave Act, an employee must have been employed for a minimum of twelve (12) months and worked 1,250 hours with the Madison Public Schools prior to the qualifying event.

What is a Qualifying Event?

- A. Birth and care of an employee's newborn
- B. Placement of an adopted child or foster care child with an employee
- C. Employee's own serious health condition
- D. Care for an employee's covered relation's serious health condition
- E. Care for an employee's covered relation with a serious illness or injury from active duty military service
- F. A qualifying exigency from a covered relation being called up or on active duty in the Armed Forces.

What is a Serious Health Condition?

A serious health condition is an illness, injury or impairment of a physical or mental condition that:

- Requires inpatient care at a hospital, hospice or residential medical care facility
- Results in incapacity while under treatment of a health care provider

What is Incapacity?

(Also known as a continuing treatment)

Incapacity is defined as an employee being unable to perform the essential duties of his/her job:

- A. For three (3) or more calendar days
- B. Due to pregnancy, prenatal care or pregnancy complications
- C. Due to a chronic serious health condition (e.g. diabetes)
- D. Due to permanent or long-term conditions for which treatment may not be effective (e.g. terminal stages of cancer)
- E. Due to multiple treatments by a health care provider for restorative surgery after an accident or injury
- F. Due to multiple treatments that would result in incapacity for three (3) or more calendar days (e.g. physical therapy)

What if I have a serious health condition but it does not cause me to be out of work for a continuous period of time?

Your FMLA leave can be taken intermittently or irregularly.

Who is a Covered Relation?

Child: Biological, adopted, step and foster
Parent: Biological, adopted, step, foster and in-law
Spouse: Legal. The State of Connecticut does not recognize common-law marriages; however, common-law marriages established in another state could be recognized if a legal document exists from that state. Same-sex domestic partnerships may be eligible under the same criteria.

Other situations may apply. Contact the Department of Human Resources if you have any questions.

What does it mean to “Care for”?

“Care for” means an employee is needed to provide physical and psychological care, such as nutritional, medical, hygienic, safety or transportation.

Can I continue to receive a paycheck while out on Family Medical Leave?

You must use any accrued paid time (e.g. sick, vacation, personal time) during your FMLA leave. Paid time off and unpaid FMLA leave run concurrently. You will continue to receive pay based upon the amount of your available accrued leave.

Please check the specific provisions of your union contract, if applicable.

Do I provide any documentation during FMLA?

For a serious health condition, Madison Public Schools will require a medical certificate from your health care provider. A medical certification typically includes your name, duration of medical incapacity and your inability to perform your essential job duties (if this is a serious health condition).

A Fitness to Return to Work certification from your physician will be required prior to returning to work if you use FMLA for your own serious health conditions.

How do I request FMLA?

Please notify your supervisor or the Human Resources Department at least thirty (30) days prior to the qualifying event (e.g. planned surgery or adoption), or as soon as possible in the case of a serious medical condition. Employees are required to request FMLA leave in writing. A request form is available on the Madison Public Schools website or you may contact the Human Resources Department.

What happens to my medical and dental benefits?

Your medical and dental benefits will continue. If you receive a paycheck as a result of the use of accrued leave, your health insurance premiums will continue to be deducted. If you are not longer eligible to receive paid time off, you will be responsible to provide payment for medical and dental insurance cost-shares.

What if I experience more than one FMLA qualifying event?

All qualifying events are applied collectively toward FMLA entitlements within the FMLA period. For example, on January 1st you experience an accident and cannot work for eight weeks (8), you are still eligible for four (4) more weeks of Federal FMLA entitlements through the end of December.

When I no longer need FMLA, will I return to my same job?

Yes, or an equivalent one if the original job is no longer available. For Union employees, the bargaining unit contract prevails.

The Madison Public Schools considers all applicable federal laws, Board of Education policies and union contract provisions in making any leave related decisions.

This summary is intended to offer guidance only on the Family Medical Leave Act and does not serve as a legal document.

Please feel free to contact the Human Resources Department with any questions or concerns you may have regarding FMLA.