

# POLICY

## BOARD OF EDUCATION ROSELAND

TEACHING STAFF MEMBERS

3432/Page 1 of 2

Family Leave

### 3432 FAMILY LEAVE (SICK LEAVE)

The Roseland Board of Education directs its administrative staff to adhere to the federal and state statutes and regulations regarding family medical leave and family leave. Further, the Board directs that the Superintendent prepare appropriate forms for the implementation of the federal Family Medical Leave Act and the New Jersey Family Leave Act.

In the implementation of this policy on family medical leave and family leave, the district administration will comply with the following guidelines of the Roseland Board of Education:

1. Employees applying for leave due to their own serious health condition are required to apply all accumulated paid sick days toward the leave. In other words, employees shall be required to utilize accrued paid leave concurrently with any leave taken for the employee's own serious health condition.
2. The twelve month fixed time period during which an employee make take up to 12 weeks leave under the Family Medical Leave Act and the twenty-four months period under the New Jersey Family Leave Act shall be the "rolling period" measured backward from the date an employee uses any leave.
3. The return of an employee prior to the expiration of the family leave shall be permitted if the return does not unduly disrupt the instructional program or require the Board to incur the cost of continuing the employment of a substitute.
4. If the employee fails to return to work after the leave expires, the Roseland Board of Education may recover the cost of health premiums paid unless the reason for not returning is due to the continuation of the serious health condition or another reason beyond the control of the employee.
5. Employees must provide 30 days notice of the birth or adoption and 15 days notice for serious health conditions except in emergencies. Such notices are to be made in writing to the Superintendent of the Roseland School District.
6. The Board shall require the certification of the health care provider verifying the purpose of the requested family leave. Certification of a serious health condition shall contain the date on which the condition commenced, its probable duration, and relevant medical information known to the provider. Certification of a birth or adoption shall contain the projected date of birth or placement. Failure to supply the required certification may result in delay or denial of the requested leave. In the



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3432/Page 2 of 2

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event the Board doubts the validity of the certification, the employee shall obtain at his/her expense the opinion of a second health care provider approved by the Board. If the Board. If the certification and opinion disagree, the employee shall, at Board expense, obtain an opinion from a third health care provider approved by the employee and the Board. The opinion of the third health care provider shall be final and binding.

7. An employee on family leave shall not work full time for another employer, unless he or she was employed full time prior to the commencement of family leave. An employee on family leave may work part time up to half of the hours regularly worked for the Board prior to the leave or part time in any employment outside of the district that commenced prior to the leave. Employee must provide this proof of prior employment before the commencement of this leave.
8. Intermittent and/or reduced leave – An employee who requests intermittent leave or reduced leave shall make a reasonable effort to schedule such leave so as not to unduly disrupt the instructional program. Intermittent leave is non-consecutive leave taken in intervals of a minimum of one week. An employee is entitled to take intermittent leave when medically necessary for the serious medical condition of a family member, but intermittent leave for the birth or adoption of a child may or may not be approved by the Board.

N.J.S.A. 34:11B-1 et seq.  
N.J.A.C. 13:14-1.1 et seq.  
29 U.S.C. 2601 et seq.  
29 C.F.R. 825.100 et seq.

Adopted: March 22, 2001

Revised and first reading: January 28, 2010

Second reading: March 2, 2010

Adopted: March 2, 2010

