

**Hampton School District Policy**

**Section:** G  
**Code:** GCCBC  
**Title:** Family and Medical Leave Act  
**Category:** R (Recommended)  
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**FAMILY AND MEDICAL LEAVE ACT**

Consistent with the federal Family and Medical Leave Act of 1993, the Hampton School District recognizes that eligible employees have access to unpaid family and medical leave during any twelve month (12) month period. The intent of this policy is to summarize the Act as it applies to eligible employees of the School District. Employees should consult regulations that implement the Act for more specific definitions and criteria for use. It is not the intent of this Policy to provide additional or different provisions than those specified in the Act and its implementing regulations.

To be eligible for family or medical leave, an employee must have been employed for at least twelve (12) months, have worked at least 1,250 hours during the prior twelve months and be employed at a work-site where at least 50 employees are employed by the District within a 75-mile radius of that work-site.

Family leave shall be provided when a son or daughter is born to the employee or when one is placed with the employee for adoption or foster care. Medical leave shall be provided for the serious health condition of the employee, or in order for the employee to take care of a spouse, child or parent who has a serious health condition rendering him/her unable to perform the functions of his/her job.

An employee may elect, or the District may require, an employee to use accrued paid vacation, personal, or family leave for the purposes of family leave. An employee may elect, or the District may require, an employee to use accrued vacation, person or medical/sick leave for purposes of medical leave.

The employee shall notify the District of his/her request for leave, if foreseeable, at least thirty (30) days prior to when the leave is to begin. If such leave is not foreseeable, then the employee shall give such notice as is practical. The District may require a certification from a health care provider if medical leave is requested.

When an employee returns following a leave, he/she must be returned must be returned to the same or equivalent position of employment. The Superintendent, or his/her designee, may reassign a teacher consistent with the teacher's agreement, to a different grade level, building, or other assignment, consistent with the employee's certification.

The District shall post a notice prepared or approved by the Secretary of Labor stating the pertinent provisions of the Family and Medical Leave Act, including information concerning the enforcement of the Act.

The user of this policy is also directed to the applicable provisions of any Collective Bargaining Agreements in the District.

**Legal References:**

*Title 29-B. 2601, et. seq.*

**DATE:**  
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**Reviewed:** Sept. 2010  
**Revised:** November 8, 2005  
**Cancellation:**