



**SECTION: EMPLOYEES**

**POLICY: 335**

**TITLE: FAMILY AND MEDICAL  
LEAVE ACT**

**ORIGINAL:** April 13, 1998

**CURRENT REVISION:** April 4, 2022

**LAST REVIEWED BY THE  
COMMITTEE:**

**I. PURPOSE**

The Wissahickon School District (the “District”) affords its eligible employees leave (“FMLA leave”) in accordance with the Family and Medical Leave Act of 1993 (the “FMLA”), as set forth in this policy.

**II. DEFINITIONS**

To the extent that this Policy employs terms that are defined in the FMLA or in the regulations interpreting it, those definitions are incorporated into this Policy.

**III. POLICY**

- A. Employee requests for FMLA leave shall be processed in accordance with law, Board policy and administrative regulations, and any applicable collective bargaining agreement or contract. Employees' eligibility for FMLA leave shall be based on the criteria established by law.
- B. Eligible employees shall be provided up to twelve (12) workweeks of unpaid leave in a twelve-month period for the following reasons:
  - a. Birth of a child, or placement of a child with the employee for adoption or foster care. Leave for this purpose must end within one year after the birth or placement.
  - b. To care for an employee’s spouse, child (under the age of 18 or incapable of self-care due to a mental or physical disability present at the time leave is taken), or parent with a serious health condition.
  - c. A serious health condition that makes the employee unable to perform the employee’s job.
  - d. To address specific qualifying exigencies pertaining to a member of the Armed Forces alerted for foreign deployment or during foreign deployment.
- C. Eligible employees shall be provided up to twenty-six (26) workweeks of unpaid leave in a single twelve-month period to care for an ill or injured covered service member
- D. An employee’s entitlement to FMLA leave is determined in a rolling 12-month period measured backward from the date of leave used to determine if an employee has exhausted their FMLA leave in any twelve-month period. .
  - a.
- E. Substitution of paid leave for FMLA leave
  - a. When an employee requests an FMLA leave, qualifies for, and is entitled to any accrued paid sick, vacation, personal or family leave, the employee may utilize such paid leave concurrent with the FMLA leave.

- b. The District will designate an employee's use of paid leave as FMLA leave based on information from the employee. In no event will the District designate paid leave as FMLA leave after the leave has ended.
- F. Compliance with the FMLA
- a. This policy is intended to comply with the requirements of the FMLA. To the extent that it fails to do so, the provisions of the FMLA shall prevail.

**IV. DELEGATION OF AUTHORITY**

- A. The Superintendent shall develop and disseminate administrative guidelines to implement FMLA leave for eligible employees.
- B. The district shall post, in conspicuous places in the district customarily used for notices to employees and applicants, a notice regarding the provisions of the FMLA and the procedure for filing a complaint.
- C. Employee requests for leave, both FMLA and non-FMLA shall be submitted in writing on a district form to the Human Resources Director.

**V. REFERENCES**

29 U.S.C. 2601 et seq  
29 CFR Part 825  
29 U.S.C. 2619  
29 U.S.C. 2611  
29 U.S.C. 2612  
29 CFR 825.200