

GUIDELINES FOR TAKING LEAVE OF ABSENCE

Here are the guidelines to follow when preparing for your leave of absence.

Leaves of Absence have two components that do not always follow the same timeline:

1. Types of leaves of absence
2. Types of compensation

Here is a breakdown on how each component works:

1. TYPES OF LEAVES OF ABSENCE

It is critical that you give Human Resources 30 days notice prior to the start of your leave. *The only time this would not apply is in emergency situations.* By not giving 30 days notice, you jeopardize your chances of having the leave approved in a timely fashion.

All leaves of absence begin with completing one of two FMLA forms:

[Certification of Health Care Provider for Employee's Serious Health Care](#)

OR

[Certification of Health Care Provider for Family Member's Serious Health Care](#)

Both of these forms can be found on the District's website under ***District Services>Human Resources>HR Forms*** or by clicking the titles above, you will be redirected to the form itself.

Please instruct the doctor's office completing the paperwork they must include the following three things: *diagnosis, treatment plan and duration of the time required for the leave.* If the paperwork does not reflect these 3 items, you will be required to return the form to the doctor for completion.

Please keep in mind when taking a leave to care for someone else, it has to be for an immediate family member: spouse, child or parent. The only other circumstance that you may be able to take a leave to care for someone that is not your immediate family member is if you have power of attorney. In these circumstances, a leave of absence may be granted for their care.

FMLA - Family Medical Leave Act - This is the law that protects your job while you are on a leave of absence. It affords an employee 12 weeks of job-protected leave. It does NOT provide any type of compensation. In order to qualify for FMLA you must be an employee for at least 12 months and have accumulated 1,250 hours worked over the last rolling 12 months. This covers any leaves you take for your own serious health condition or to care for another.

NJFLA - New Jersey Family Leave Act - This is New Jersey's version of the same job protection. However, this can only be taken once every 24 months and it does not cover your own serious health conditions, only the health conditions of an immediate family member. You must also be an employee for at least 12 months and have accumulated 1000 hours. It also covers 12 weeks of job protection.

In most circumstances, FMLA and NJFLA run concurrently if you are caring for another person. Should your leave go beyond the 12 weeks, your time would be considered a "district leave" and would be at the discretion of the Director of Human Resources and the Superintendent. These types of leaves are not guaranteed and will need to be regularly revisited.

If you are on a leave for your own medical condition, you must have a doctor's letter of medical clearance to return to work with no restrictions. The FMLA forms that are submitted at the start of the leave do not fulfill this requirement. It must be received by the office of Human Resources one week prior to your actual return.

2. TYPES OF COMPENSATION

No matter what your leave looks like based on FMLA, NJFLA or district leave, this is completely separate from how you will be compensated. None of these categories have any monetary entitlements.

There are three ways to continue to receiving compensation:

1. **Use of Paid Time Off (PTO)**- Should you have any sick, personal or vacation time in your bank, you are entitled to use this during your leave. You can choose to place them at the beginning or the end of your leave. They must be used consecutively. You may also choose to use some, all or none of your PTO.
2. **New Jersey Family Leave Insurance (FLI)** - ***this is not to be confused with FMLA*** - FMLA is the law that protects your job while FLI is a program through the State of New Jersey which will pay you a percentage of your salary while you are out of work to *care for another family member only*. This does not cover you during leaves taken for your own health care. You must file for this directly with the State. It is not processed by the school district. You would also need to take an unpaid leave of absence in order to qualify for FLI.
3. **AFLAC or other types of disability coverage** - If you have policies like AFLAC, they may cover leaves of absence. You would need to contact your broker to find out the details and coverage.

A few things to consider while deciding to take a leave of absence:

Benefits - if your leave is going to be for an extended period of time and you are not using PTO, your benefits coverage would continue as long as you are paying your portion of costs (Employee Benefits Contribution or EBC). This period is approximately 3 months. Once you know the time you will be out of work and how you will be using your PTO, please reach out to our Benefits Analyst, Megan Halka, at ext. 1023 to discuss.

Payroll - It is prudent to reach out to Judy Millar, Payroll Analyst at ext 1024 and find out how you will be paid while on leave and any deductions that may need to be addressed.

Salary Steps - Keep in mind if you are a certified staff member and on a leave, it may affect your step progression. Per your collective bargaining agreement, you must work or use a PTO day for 93 days during the school year in order to move up to the next step. You can reach out to Jane Rainear at ext. 1025 if you have any questions.

TIMELINE FOR TAKING A LEAVE

- ❖ You have determined that you will be out of work for 10 business days or more.
- ❖ Have your doctor (or the doctor of your immediate family member) complete one of the FMLA forms - making sure the 3 points (medical diagnosis, treatment plan & date range) are documented in the FMLA form.
- ❖ Return the form to Christi McGowan in Human Resources and letter (addressed to Dr. Gruccio) but sent to Ms. McGowan stating the reason for the leave, the duration of the leave and how you will be using your PTO. If you are not using PTO, you need to indicate the leave will be unpaid. Please send these documents via scanned, email copies. Your request for a leave of absence cannot be processed or placed on the Board agenda until both of these documents have been submitted.
- ❖ Reach out to Benefits, Payroll and Employment Specialists to make sure you are aware of all aspects of your leave so there are no surprises later on.
- ❖ You will receive an email with your Notice of Eligibility stating whether or not you qualify for your leave. This is not an approval, simply a notice that you are eligible.
- ❖ Your leave will be placed on the next appropriate Board agenda for approval.
- ❖ Once approved, you will receive a second email containing your Designation Notice which will state if your leave was approved or denied.
- ❖ Medical leaves must have a letter of medical clearance one week prior to returning.
- ❖ Once you are physically back to work, you would send Christi McGowan an email stating you have returned.