

## **LEAVE FOR FAMILY AND MEDICAL REASONS**

The Board recognizes and supports the concept that employees have need for leave to deal with certain family and medical issues. These needs are addressed in collective bargaining agreements and compensation plans. In addition, the Board expresses its commitment through this policy to honor the intent of state and federal law.

### **A. AUTHORIZATION**

These programs are mandated by the Federal Family and Medical Leave Act of 1993, 26 USC § 2601 and 29 CFR Part 825; and by the Maine Family and Medical Leave Act 26 MRSA § 843 –

### **B. FAMILY AND MEDICAL LEAVE (Federal and State)**

Employees are entitled to unpaid family and medical leave under the federal Family and Medical Leave Act of 1993 or the Maine Family Medical Leave Act, whichever is applicable, when they meet all of the eligibility requirements of those laws. The Board recognizes that employees may be eligible under state and federal law for up to 12 weeks of federal family and medical leave in a 12 month period; and by the State Family Care Act 26 MRSA § 636. twelve month period or up to ten consecutive weeks of state family and medical leave in a two year period.

### **C. FAMILY CARE LEAVE**

Family Care Leave is authorized by 26 M.R.S.A § 636, “An Act to Care for Families” also known as the Family Care Act. The Family Care Act does not provide an additional entitlement to leave, but it does authorize the use of paid leave, which has been earned, for the purpose of caring for an ill family member (spouse, child or parent of the employee). Employees may take up to forty (40) hours of paid leave as Family Care Leave in a twelve month period.

### **D. COORDINATION WITH OTHER LEAVE**

Family and Medical Leave, and Family Care Leave will run concurrent with any other leave for which the employee may be eligible.

### **E. TWELVE MONTH PERIOD**

For positions for which there exists a collective bargaining agreement, the twelve month period shall be the contract year in the collective bargaining agreement. If no collective bargaining agreement exists, the twelve month period shall be the contract year specified in the applicable compensation plan promulgated by the Board.

### **F. RESPONSIBILITY**

The superintendent/designee will ensure that the leave programs addressed in this policy are administered and operated in compliance with state and federal regulations; and that procedures for determining eligibility are consistently and uniformly applied. If anything in any collective bargaining agreement or policy or compensation plan promulgated by the Board is in conflict with Federal or State law, the law shall take precedence.

*Legal Reference:* 26 USC § 2601 et seq.  
29 CFR Part 825  
26 MRSA § 843 et seq.

*Cross Reference:* GBN-R1 - Family and Medical Leave Act: Administrative Procedure  
GBN-R2: Maine Family Medical Leave: Administrative Procedure

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