

Administrative Regulation

Classified Employees, Family Care Leave ForFAMILY CARE LEAVE

All eligible employees are entitled to a family care leave for a total of up to 12 work weeks (60 work days) in any school year as set forth in state (California Family Rights Act) and federal (Family and Medical Leave Act) statutes for the following reasons: for the care of the employee's son/daughter (birth/adoption/foster care); for the care of the employee's spouse, son/daughter, or parent who has a serious health condition; for a serious health condition that makes the employee unable to perform the job duties.

A. Definitions (applicable to this provision)

1. Eligible employee: Must have worked for the district for one full year, including at least 1250 hours, which includes paid leave and/or family care leave, during the previous school year. Six-hour per day employees having one (1) or more years of six-hour per day service meet the 1250 hour requirement.
2. Spouse: Legal husband or wife of the employee.
3. Son or Daughter: Biological, adopted, foster, step-child, legal ward, or a child of a person standing in loco parentis, who is under 18 years of age, or 18 years of age/older and incapable of self care because of mental/physical disability.
4. Parent: Biological parent of an employee or an individual who acted in loco parentis to the employee when the employee was under 18 years of age.
5. Serious Health Condition: An illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical care facility; or continuing treatment by a health care provider.

B. Procedure

The leave requested shall be submitted to the district not less than 30 calendar days prior to the commencement of the leave, when possible. Medical verification for serious health-related leaves shall state:

1. The date on which the serious health condition began.
2. The probable duration of the condition.
3. The appropriate medical facts regarding the condition, including the need for the leave.

C. Benefits Continuation

The district will maintain all current medical, dental, vision, and life insurance benefits. If the employee fails to return to work, the district may recover its share of the insurance premiums paid during the period of unpaid leave unless the failure to return is caused by a serious health condition of the employee or other circumstances beyond the employee's control.

D. Assignment Upon Return

Employee shall be entitled to return to the same location and position as before the family care leave in accord with Section 9.1.3 of the negotiated classified employee agreements.

E. Special Provisions

1. Concurrent Use Of Paid Leave: When an employee is on a family care leave due to the serious health condition of the employee's spouse, son, daughter, or parent, he/she shall be paid full salary for the period of time equal to the balance of his/her family illness leave, accumulated sick leave and vacation. When an employee is on a family car leave due to the birth/adoption/foster care of the employee's son/daughter, he/she shall be paid full salary for that period of time equal to the balance of his/her family illness, personal necessity, and vacation leaves.
2. Pregnancy/Disability Leave: At the conclusion of pregnancy/ disability leave, an employee may elect to take family care leave.

3. Both Parents Taking Family Care Leave: When spouses are both employed by the district, the family care leave is limited to an aggregate of 12 work weeks if such leave is taken for the birth/adoption/foster care of a son/daughter.
4. Unpaid Leaves: Unpaid leaves taken in accord with Family and Medical Leave shall supersede provisions of Section 9.15.13 of the negotiated classified employee agreements.
5. PERS Service Credit: If and when legislation and PERS Regulations permit, employees may purchase PERS retirement service credit for the period of unpaid Family and Medical Leave.