

Administrative Procedures for Family and Medical Leaves

(Attachment for Policy No. 335)

Purpose

The Board of Education of the School District of Philadelphia (District) is committed to supporting its employees in balancing their health, work, and family responsibilities. The Family and Medical Leave Act (FMLA) policy provides eligible employees with job-protected leave for specified family and medical reasons. This policy ensures compliance with federal law and reflects the District's commitment to a supportive work environment for its employees.

Definitions

Family Member: includes an employee's spouse, children, and parents. In some cases, it may also include grandparents, siblings, or adult children with disabilities.

Serious Health Condition: This is an illness, injury, impairment, or physical or mental condition that involves either inpatient care or continuing treatment by a health care provider.

Eligible Employee: An employee who has worked for the District for at least 12 months and has worked at least 1,250 hours in the preceding 12 months prior to the leave beginning.

12-Month Period: The District uses a rolling 12-month period measured backwards from the date that the leave begins.

Licensed healthcare professional: An individual who has met state licensing requirements and is authorized to provide healthcare services.

Covered Service Member: A current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or a covered veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.

Procedures

The Superintendent designates the Office of Talent as responsible for implementing and maintaining the requirements of this policy and its procedures.

Eligible employees shall be provided up to twelve (12) workweeks of unpaid leave in a twelve-month period for the employee's own serious health condition; for the birth, adoption, foster placement or first-year care of a child; to care for a seriously ill spouse, child or parent; or

to address specific qualifying exigencies pertaining to a member of the Armed Forces alerted for foreign deployment or during foreign deployment.

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 servicemember.

Family & Medical Leave Act of 1993 (FMLA)

If the employee or an employee's family member has a serious health condition that requires them to take time off work, the FMLA can provide the employee with 12 weeks of job-protected leave in a 12-month period (if eligible). The FMLA protects your employment whether you are taking time off intermittently or consecutively and runs concurrently with your paid or unpaid leave. Any use of personal illness or illness in the family leave exceeding 3 consecutive days requires an SEH-3 card.

The federal eligibility requirements you must satisfy for FMLA protection are:

- You must have completed 12 months of employment with the School District of Philadelphia as of the FMLA beginning date.
- You must have worked for the School District of Philadelphia for a total of 1,250 hours during the 12 months preceding the beginning of the FMLA leave.

The federally mandated qualified leave reasons that must apply for FMLA protection are:

- The employee's serious health condition
- Care of the employee's spouse, parent, or child (under the age of 18) with a serious health condition
- The birth and care of the employee's child
- The placement of a child with the employee for adoption or foster care
- Qualifying military exigencies
- Military caregiver leave (up to 26 weeks of job-protected leave)

FMLA Application Process

- Submit a completed FMLA cover page for a determination of eligibility. The FMLA cover page may be accessed on the [District's website](#).
- The Office of Talent will send an FMLA Eligibility letter, which indicates whether the employee did or did not meet the FMLA federal eligibility requirements, to the employee's preferred email or address stated on the cover page.
 - If eligible, the employee will also receive the FMLA medical certification for their licensed physician or other licensed healthcare professional to complete.
 - If ineligible, the letter will indicate the denial reason.
- If eligible, the employee must submit the completed medical certification via email to fmla@philasd.org, by fax to 215-400-4661, or by mailing or dropping off the completed

paperwork to The Office Of Leaves Administration, Suite 134, 440 N Broad Street, Philadelphia, PA 19130.

The School District's leave administrators will review the FMLA medical certification to determine eligibility.

- Within five business days, the leave administrator will send the employee an FMLA Designation Letter which indicates whether the employee did or did not meet the FMLA federal eligibility requirements. This letter will be sent to the employee's preferred email or address stated on the FMLA cover page.

A copy of the FMLA Designation Letter will also be sent to the employee's school/office administrator.

Complaint Process

Employees who wish to submit a complaint as a result of an FMLA proceeding may contact the Office of Employee and Labor Relations through the [District's website](#).