

You do not have to share a medical diagnosis but must provide enough information to your employer so they can determine whether the leave qualifies for FMLA protection. You must also inform your employer if FMLA leave was previously taken or approved for the same reason when requesting additional leave.

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Spouses employed by the Smithtown Central School District are jointly entitled to a combined total of 12 workweeks of family leave for the birth or placement of a child for adoption or foster care, and to care for a parent (but not a grandparent) who has a serious health condition.

Leave for birth or placement for adoption or foster care must conclude within 12 months of the birth or placement.

Under some circumstances, employees may take FMLA leave intermittently, which means taking leave in blocks of time, or by reducing their normal weekly or daily work schedule.

- x If FMLA leave is for birth or placement for adoption or foster care, use of intermittent leave is subject to the employer's approval.
- x FMLA leave may be taken intermittently whenever medically necessary to care for a seriously ill family member, or because the employee is seriously ill and unable to work.

Employees may choose to use accrued paid leave (vacation leave or personal leave) if the LOA is for a family member or the employee after sick time is used. Use of accrued paid sick leave will be limited to illness of the employee only. In no case can use of paid leave be credited as FMLA leave after the leave has ended.

"Serious health condition" means an illness, injury, impairment, or physical or mental condition that involves:

- x any period of incapacity or treatment connected with inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical facility;
- x any period of incapacity requiring absence of more than three calendar days of work,

- x Christian Science practitioners affiliated with the First Church of Christ, Scientist in Boston, Massachusetts.

MAINTENANCE OF HEALTH BENEFITS

The Smithtown Central School District will maintain group health insurance coverage for an employee on FMLA leave whenever such insurance was provided before the leave was taken and on the same terms as if the employee had continued to work. Arrangements will be made for employees to pay their share of health insurance premiums while on leave if applicable.

The district will recover premiums it paid to maintain health coverage for an employee who fails to return to work from FMLA leave.

JOB RESTORATION

Upon return from FMLA leave, an employee will be restored to his or her original job, or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions.

In addition, an employee's use of FMLA leave will not result in the loss of any employment benefit that the employee earned or was entitled to before using FMLA leave.

NOTICE AND CERTIFICATION

Employees seeking to use FMLA leave will be required to provide:

- x 30-day advance notice of the need to take FMLA leave when the need is foreseeable;
- x medical certifications supporting the need for leave due to a serious health condition affecting the employee or an immediate family member;
- x when requested, second or third medical opinions and periodic recertifications (at the District's expense); and periodic reports during FMLA leave regarding the employee's status and intent to return to work.

When leave is needed to care for an immediate family member or the employee's own illness, and is for planned medical treatment, the employee must try to schedule treatment so as not to unduly disrupt the District's operation.

The District will inform covered employees of their rights and responsibilities under FMLA, including giving specific information when an employee gives notice of FMLA leave on what is required of the employee and what might happen in certain circumstances, such as if the employee fails to return to work after FMLA leave. Each request for intermittent leave will be determined on an individual basis.

OTHER PROVISIONS

Special rules apply to employees of local