

APPENDIX K

RAINIER SCHOOL DISTRICT POLICY

CODE: GCBDA/GDBDA

ADOPTED: 04/19/06

REVIEWED: November 21, 2007

Family Medical Leave

The district will comply with all provisions of the Family and Medical Leave Act (FMLA) of 1993, the Oregon Family Leave Act (OFLA) of 1995, other applicable provisions of Board policies and collective bargaining agreements regarding family medical leave.

In order for an employee to be eligible for the benefits under federal law, he/she must have been employed by the district for the previous 12 months and have worked at least 1250 hours during the past 12-month period.

In order to be eligible under state law, an employee must work an average of 25 hours per week and have been employed at least 180 days prior to the first day of the family medical leave of absence. For parental leave purposes, however, an employee becomes eligible upon completing at least 180 days immediately preceding the date on which the parental leave begins. There is no minimum average number of hours worked per week when determining employee eligibility for parental leave.

Federal and state leave entitlements generally run concurrently. The district will use the fiscal year (July 1 through June 30) to calculate leave entitlement.

The superintendent will develop administrative regulations as necessary for the implementation of the provisions of both federal and state law.

END OF POLICY

Legal Reference(s):

ORS 332.507
OEA 342.545
ORS 659A.150 – 659A.186
OAR 839-009-0200 to –0320

Americans with Disabilities Act of 1990, 42 U.S.C. Sections 12101-12213; 29 CFR Part 1630 (2000); 28 CFR Part 35 (2000).
Family and Medical Leave Act of 1993, 29 U.S.C. Sections 2601-2654; 29 CFR Part 825 (2000).