

**FAMILY MEDICAL LEAVE AND SICK LEAVE**

Bonneville Joint School District No. 93 recognizes that employees may need time off from work due to illness or injury and provides qualifying employees with paid leave from work for reasons related to their own health or that of eligible family members. The District shall grant eligible employees family medical leave pursuant to the Family and Medical Leave Act (FMLA).

**Guide Lines**

1. Family Medical Leave of up to twelve (12) weeks during a twelve-(12)-month period may be granted to an eligible employee for the following reasons:
  - a. The birth of a child;
  - b. The placement of a child for adoption or foster care;
  - c. Because of a serious health condition that makes the employee unable to perform the functions of their job; or
  - d. Because of a serious health condition of an eligible family member.
2. An employee is eligible to take Family Medical Leave if the employee has:
  - a. Been employed for at least twelve (12) months, and
  - b. Has worked at least one thousand two hundred fifty (1,250) hours during the twelve (12) months immediately prior to the date when the leave is requested.
3. Family Medical Leave of up to 26 weeks during a twelve (12) month period may be granted to an eligible employee to care for a covered service member with a serious injury or illness if the employee is the spouse, son, daughter, parent or next of kin of the service member.
4. In cases where married couples are both employed by the District, the amount of family and medical leave allowed for the birth and care of a newborn child or the placement of a child for adoption or foster care is a *combined* total of twelve (12) weeks.
5. Employees shall be required to use appropriate paid leave while on Family Medical Leave.
6. The twelve (12) month period during which an employee may take Family Medical Leave is based on the District fiscal year, July through June.

**Initial Sick Leave Allocation**

At the beginning of employment, qualifying employees shall be allocated one (1) paid sick leave day for each month of service they work a majority portion of the month, as projected for the employment year.

**Qualifying Reasons for Use of Sick Leave:**

1. An illness, injury, or serious health condition that makes the employee unable to perform the essential functions of his or her job;
2. To care for the employee's spouse, child, or parent who has an illness, injury, or serious health condition;
3. The birth of a child and to care for the newborn child within one year of birth up to 12 weeks as stipulated in the Family Medical Leave Act; or
4. The placement with the employee of a child for adoption and to care for the newly adopted child within one year of placement up to 12 weeks as stipulated in the Family Medical Leave Act.

**Accumulation of Unused Sick Leave**

1. Unused sick leave shall accumulate from year to year, without limitation, so long as the individual remains continually in the service of the District as an eligible employee.
2. Sick leave shall not accumulate for employees on leave status, except those on leave under the Family and Medical Leave Act (FMLA).

**Medical Verification of Illness, Injury, or Serious Health Condition**

The District may require proof of illness or injury and clearance to return to work from a licensed health care professional at any time following use of Sick Leave or Leave Without Pay for medical reasons.

**Unused Sick Leave**

1. The Board shall not provide compensation for any unused sick leave.
2. Termination of employment shall end sick leave rights, except when the individual is employed by another Idaho school district during the current or subsequent school year following termination.

- 3. Nothing in this policy shall create any right to accrued sick leave for any former employee of the District.

**Long-Term Disability**

When an employee has reached the elimination period for long-term disability benefits [one hundred eighty (180) days from the date of injury or illness], he/she shall apply for long-term disability (LTD) benefits provided through the District and the Public Employee Retirement System of Idaho (PERSI).

**Discipline for Abuse**

Abuse of sick leave shall be grounds for discipline up to and including termination.

**DEFINITIONS**

**Qualifying Employee:** is any employee permanently scheduled to work 20 hours or more per week.

**Family Medical Leave Act (FMLA):** The School District will comply with all provisions of the Family Medical Leave Act (FMLA).

**Eligible Family Members:** means the employee’s spouse, child or parent.

**Next of Kin:** a person in the nearest degree of relationship of another individual.

**Service Member:** a member of the United States Armed Forces.

**Sick Leave:** a leave of absence with pay

Adopted:	05-19-2009	Reviewed:	04-11-2012	Revised:	03-13-2013
					10-11-2017
					01-09-2019

Cross Reference: Bereavement Leave #5402  
 Personal Leave #5404  
 Jury Duty #5412  
 Leave Without Pay #5425  
 Military Leave #5427  
 Full-Time Classified Sick Leave Bank #5429  
 Substitutes for Instructional Staff #5700

Legal Reference: Idaho Code. § 33-1216 Sick and other leave  
 29 CFR 825, 29 USC 2601, et seq. Family Medical Leave Act