

**FAMILY AND MEDICAL LEAVE
RESPONSE FORM**

Montabella Community Schools is covered by the Federal Family and Medical Leave Act (“FMLA”). The FMLA applies to employees who have been employed by the school for at least one year and who have worked 1,250 or more hours during the preceding 12 months. The FMLA provides for up to 12 weeks of leave during a 12-month period. The 12-month period at the school is 12 months measured by looking back 12 months from the date of the current occurrence being considered for FMLA coverage.

The FMLA covers absences or tardiness due to an employee’s own serious health condition and absences or tardiness because an employee is needed to care for his/her spouse, child or parent who has a serious health condition. The FMLA also covers leaves for the birth of an employee’s son or daughter, adoption of a child or placement of a foster child under 18 years of age, and to care for the new child: any period of leave to care for a new child must be taken continuously, within 12 months after the child’s arrival.

A serious health condition may include a condition which involves admission as an inpatient at a health care facility, or a condition for which the patient received continuing treatment by a health care provider and which causes a period of incapacity of more than 3 days, or a condition which is chronic. Serious health conditions also include certain permanent or long-term conditions, absences to receive treatments or diagnosis relating to a potential serious health condition, incapacity due to pregnancy, and prenatal care.

A 30-day advance notice of foreseeable leave (or if less as much notice as practicable) is required. To comply with the FMLA requirements, employees seeking leave due to a serious health condition must have the treating health care provider complete a “Certification of Health Care Provider” form. If an employee does not provide the required certification and other information needed by the school to determine eligibility, the employee will not be eligible for FMLA leave documentation. The “Certification of Health Care Provider” form which must be completed by the health care provider and returned within 15 days, or as soon as practicable using the employee’s diligent, good-faith efforts. Failure to timely return the form to the Central Office will result in loss of FMLA leave rights for the occurrence.

Health care participation continues during an FMLA leave, provided that the employee pays his/her normal employee contribution, if applicable, which is due at Montabella Central Office by the 10th of each month; failure to make the required employee contribution will result in loss of employer paid coverage. If an employee does not return at the end of a leave, other than due to continuation of an FMLA covered serious health condition or other circumstances beyond the employee’s control, the employee may be required to reimburse the school for the cost of health care coverage during the leave. An employee on FMLA leave may elect to use available vacation time as part of the leave. The school also has the option to require use of vacation time, if applicable, to cover a period of FMLA leave, and will require use of vacation time for this absence if it qualifies as FMLA leave. An employee who qualifies for FMLA leave will be reinstated to the same or a substantially equivalent position at the end of the leave. Medical certification of fitness to return to work may be required.

You have notified us of an event that may qualify for FMLA leave. This form is to give you all of the above information about the FMLA, and to advise you that your absence is being tentatively and provisionally treated as FMLA leave. If you return the attached “Employer Response” and “Health Care Provider Certification Form” properly and timely, this absence will be charged against your FMLA leave if an FMLA covered situation is established, and subject to any needed second or third opinion.