

Letters

Since FMLA is a leave guaranteed by federal law, there is no requirement that you write a letter to the district concerning your maternity leave. However, out of a concern for students and as a professional courtesy, we have always asked teachers to write a letter. Please be aware that you are not REQUESTING maternity leave, you are INFORMING the district of your intent to take leave and to give an approximate time frame. Any leave beyond the 12 weeks FMLA, you will need to make a formal written request for approval from the Board. You can address either of these letters to the Superintendent. Normally, the immediate supervisor and/or building Principal is also copied on the letter.

Sample Letter

Dear Superintendent _____,

I am pleased to announce that my husband and I will be expecting our first child this spring. I plan to begin maternity leave on or about April 1st, unless my physician recommends otherwise. I plan to return at the end of my 12 week FMLA family leave and will continue with my current health coverage.

Sincerely,

Paternity Leave

Parental leave for fathers is allowed provided he is the primary caregiver. Otherwise, under the SGTA contract, fathers may take all of the 17 days of leave allotted in September (or the remaining amount), plus an additional 10 of his accumulated sick days.

Great Expectations

New York State Law allows a six week disability period during which time a new mother is allowed to take all the medical day absences she has accumulated. After the six week period has expired, she is then allowed to continue to be absent for an additional six weeks under federal FMLA (Family and Medical Leave Act) regulations. The law allows employers to determine whether the entire 12 week FMLA period will run concurrently with the six week disability period or begin afterwards. The SG district has determined it will run concurrently; therefore, the FMLA 12 week clock begins ticking the minute she walks out the door.

Holidays During Leave

Absences of one or more weeks when school is closed and employees are not expected to report to work does not count against FMLA leave. Although when a particular holiday falls during a week taken against FMLA, the entire week is counted as FMLA leave.

Salary and Health During FMLA

While you are utilizing medical days nothing changes including salary or health care deductions. The good news is that our district has recently passed a policy allowing (requiring actually) those on FMLA deplete all of their accumulated medical days. Therefore, it is possible that some individuals may be able to take the entire 12 week period off with no loss in pay.

For those with less accumulated days, the remainder of the 12 week period is covered under FMLA and will continue unpaid. However, insurance will still be in place at the current percentage, but since there is no paycheck available for deduction, the district will bill you for the percentage that is your responsibility.

Unpaid Leaves of Absence

After the FMLA period has expired, the teacher may wish to request an unpaid leave of absence. During that time period the individual will be responsible for 100% of the insurance premium which can be quite expensive. Also, please be aware that if you decide to take a Board approved leave of absence beyond FMLA that you are guaranteed a job upon your return at the same pay level, but you are NOT guaranteed a job at the same grade level or even the same building.

Article 14, Section E of our contract outlines the regulations regarding unpaid leaves beyond FMLA. The request must be submitted to the Superintendent not less than 120 days prior to the commencement of the leave. This first unpaid leave may be extended for additional time providing certain conditions are met. Requests for the extension must be made 90 days prior to the expiration of the first leave.

Employees must have been employed for at least 12 months and have worked 1,250 hours in the 12 months immediately preceding commencement of the leave.

FMLA leave weeks for a newly born or adopted child must be taken consecutively, unlike FMLA medical leaves which may be taken intermittently.