FAMILY, and MEDICAL, LEAVE

I. State Paid Family and Medical Leave

Paid family and medical leave are benefits administered by the Washington State Employment Security Department (the "ESD"). Employees interested in applying for these benefits must follow the process described in Chapter 192-610 WAC. Employees who have questions regarding the application process may contact the Employment Security Department or visit its website at paidleave.wa.gov. The district will post notices made available by the Employment Security Department that provide pertinent information regarding paid family and medical leave benefits and will comply with applicable provisions of the Pad Family and Medical Leave Act (PFMLA).

II. Federal Family and Medical Leave

The district will grant employees leave in accordance with the Family and Medical Leave Act (FMLA).

FMLA provides eligible employees who qualify the right to take up to twelve weeks of unpaid, job-protected leave in a twelve-month period for certain family and medical reasons. It also gives eligible employees who qualify the right to take up to twenty-six weeks of unpaid, job-protected leave in a twelve-month period to care for a covered servicemember with a serious injury or illness.

The District measures the twelve-month period for FMLA leave using the forward method. The twelve-month period begins on the first day an employee takes FMLA leave. Each eligible employee is entitled to up to twelve (12) workweeks of FMLA leave during this twelve-month period.

[*Use of Paid Leave*
When available to an employee, paid leave will run concurrently with the use of FMLA leave. Employees receiving benefits under PFMLA, a disability leave plan, or workers' compensation concurrently with FMLA leave will not be required to use paid leave while receiving those benefits.]

III. Pregnancy-Related Disability Leave

A.

An employee with a pregnancy-related disability may take leave during the period of disability. The district may require documentation to verify the need for and length of leave related to the pregnancy-related disability.

An employee who is entitled to take leave because of a pregnancy-related disability may use accumulated sick leave during their period of disability. If an employee exhausts their sick leave before they can return to work, the employee may be granted unpaid leave for the remainder of their period of disability. During any period of unpaid leave, the employee will be required to pay their portion of the premium related to their health benefits.

Upon return from pregnancy-related disability leave, an employee will be allowed to return to the same job or similar job of at least the same pay, unless there is a business necessity (like a reduction in force) that justifies otherwise.

Cross Reference: 5021- Conflicts between policy and Bargaining Agreements

Legal References:

- Title 50A RCW Family and Medical Leave
- Chapter 192-500 WAC Definitions
- Chapter 192-510 WAC Assessing and collecting premiums
- Chapter 192-540 WAC Employer responsibilities
- Chapter 192-550 WAC Penalties and audits
- Chapter 192-600 WAC Employee notice to employer
- Chapter 192-610 WAC Initial application for benefits
- Chapter 192-620 WAC Weekly benefits
- Chapter 192-630 WAC Claim determinations
- Chapter 192-700 WAC Employment restoration

29 USC Sec 2601 Family and Medical Leave Act of 1993
WAC 162-30-020 Pregnancy, childbirth, and pregnancy related conditions

29 CFR 825 Family and Medical Leave Act 1993

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