

4.8 FAMILY MEDICAL LEAVE POLICY

Although Scholars Academy is not an employer covered by the Family Medical Leave Act of 1993, 29 U.S.C. § (“FMLA”), Scholars Academy has voluntarily adopted its leave provisions, as provided below.

Scholars Academy allows eligible employees to take 12 work weeks of unpaid, job protected leave for their own serious medical condition or that of an immediate family member. In addition, eligible employees may take the same job protected leave for the birth of a child, the placement of a child with the employee through adoption or foster care, or support/care necessary due to domestic violence. The school will maintain employer-paid health benefits while the employee is on family medical leave. The school will provide the returning employee with the same position that he or she was in before leaving, or an equivalent position with the same benefits, pay, or other terms and conditions of employment. For specific eligibility requirements and entitlements, employees should refer to the FMLA.

Employees are requested to apply for leave as early as possible in order to plan for a substitute teacher(s). This request must be in writing. The school will respond in writing that the requested leave has been approved. Earned paid sick/personal leave will run concurrently with an employee’s use of FMLA.

Summer break when a school employee would not have been required to report for duty is not counted against the family medical leave entitlement.

Limitations of Taking Leave Near the End of an Academic Term

More than Five Weeks Before the End of the Term:

To minimize instructional disruption, Scholars Academy may require an instructional employee who begins leave more than five weeks before the end of an academic term to remain out on leave until the end of the term if:

- (a) The leave will last three weeks; and
- (b) The employee will return to work during the three week period before the end of the term.

Within the Last Five Weeks of the Term:

To minimize instructional disruption, Scholars Academy may request that an instructional employee who begins leave during the five week period before the end of a term to remain out on leave until the end of the term if:

- (a) The leave will last more than two weeks;
- (b) The employee would return to work during the two period before the end of the term; and
- (c) The leave is not for the employee’s own serious health condition

Within the Last Three Weeks of the Term:

Scholars Academy may require an instructional employee who begins leave during the three week period before the end of a term to remain out of leave until the end of the term if:

- (a) The leave will last more than five working days; and
- (b) The leave is not for the employee’s own serious health condition.

Adopted: January 23, 2017