

Family Medical Leave (FAQs)

What is the Family Medical Leave Act (FMLA)?

- The FMLA entitles eligible employees of covered employers to take unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave. Eligible employees are entitled to:
- 12 work weeks of leave in a 12-month period for:
 - the birth of a child and to care for the newborn child within one year of birth;
 - the placement with the employee of a child for adoption or foster care and to care for the newly placed child within one year of placement;
 - to care for the employee's spouse, child, or parent who has a serious health condition;
 - any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a covered military member on "covered active duty;" or
- 26 work weeks of leave during a single 12-month period to care for a covered service member with a serious injury or illness if the eligible employee is the service member's spouse, son, daughter, parent, or next of kin (military caregiver leave).

Who is eligible for FMLA?

- To be eligible for FMLA leave, an employee must work for a covered employer and:
 - have worked for that employer for at least 12 months; and
 - have worked at least 1,250 hours during the 12 months prior to the start of the FMLA leave; and,
- work at a location where at least 50 employees are employed at the location or within 75 miles of the location.

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Can I take leave for my sick family member?

Family members under FMLA include the employee's spouse, son or daughter, and parents, excluding "in laws" of the employee. Children that are 18 years or older are excluded unless they are "incapable of self-care" due to some physical or mental disability that limits one or more of the "major life activities."

What is the maximum leave time allowed under an FMLA leave?

- Employees have 12 weeks of job protected leave.
- TN maternity, prenatal and childbirth are given 4 additional weeks to care for their new addition.
- Family military leave may have as much as 26 weeks.

Is FMLA paid or unpaid leave?

The FMLA leave itself is unpaid. However, Sumner County Schools allows employees to utilize sick

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Does Sumner Schools have a paternity leave policy?

- 16 weeks can be taken for birth and bonding purposes.
- Spouses who are employees of Sumner County Schools, are eligible for FMLA leave. Both employees are limited to a combined total of 16 weeks of leave when taking leave for the birth of a child.

Do weekend, breaks (Fall/Winter/Spring), and summer vacation count in the 12 FMLA weeks?

- No. Only work weeks count toward the FMLA 12-week period. A “workweek” must consist of three or more working days.
- FMLA can be used across school years. For example: If your FMLA leave begins in May, and you use six weeks until school closes for the summer, you may resume your FMLA leave to start the new school year for the remaining six weeks.