

Administrative Directive Title: Procedures for Family and Medical Leave	AD Number: 5.305.1	Adopted: July 2013 Former Descriptor: PER1
Policy References: Board Policy 5.305 - Family and Medical Leave	Revised: 2/14; 6/14; 8/15; 8/16; 9/18; 10/20; 1/24; 11/24	

1 This administrative directive provides general guidance to employees in relation to requests for leave or
 2 absences. Changes in Board policy, federal law, state law, or rules or policies will take precedence over
 3 information provided in this directive. The Human Resources Department is responsible for the
 4 administration of this directive. The contact person for the Human Resources Department for this
 5 directive is:

6 Kathleen Hunsicker
 7 Benefits Coordinator
 8 2552 South Church Street
 9 Murfreesboro, TN 37127
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13 **Family and Medical Leave**

14 Family and medical leave will be provided to eligible employees pursuant to the Family and Medical
 15 Leave Act of 1993 (FMLA) and Board Policy 5.305. If an employee’s need for FMLA leave is
 16 foreseeable, they must provide the Human Resources Department with at least thirty (30) days’ prior
 17 written notice. If this is not possible, the employee must at least provide notice as soon as practicable.
 18 Failure to provide notice may be grounds for delaying FMLA-protected leave, depending on the nature
 19 of the leave and specific circumstances.

20 Additionally, if the employee is planning a medical treatment or a series of treatments or the employee
 21 is taking military caregiver leave, the employee must consult with the Human Resources Department
 22 regarding the dates of this treatment to work out a schedule that best suits the needs of the employee or
 23 the covered military member, if applicable, and Murfreesboro City Schools.

24 FMLA leave is unpaid. The employee may substitute any accrued and unused vacation, sick or personal
 25 leave for FMLA leave. Any employee who goes on maternity/paternity leave shall be allowed to use all
 26 or a portion of the employee’s accumulated sick or annual leave for maternity/paternity leave purposes.
 27 In order to be eligible to use sick leave, a written request of the employee accompanied by a statement
 28 from the employee’s physician verifying pregnancy shall be submitted. Upon verification by a written
 29 statement from an adoption agency or other entity handling an adoption, an employee may also be
 30 allowed to use accumulated leave for adoption of a child. If both adoptive parents are employees
 31 employed by the district, however, only one (1) parent is entitled to use such accumulated leave. In no
 32 case can the substitution of paid leave time for unpaid leave time result in the employee’s receipt of more

33 than one hundred percent (100%) of the employee's salary. During approved FMLA leave,
34 Murfreesboro City Schools will maintain the employee's health benefits.

35 If an employee takes FMLA leave because of their own chronic health condition, the employee must
36 contact the Human Resources Department every thirty (30) days of FMLA leave regarding the status of
37 the condition and their intention to return to work. In addition, the employee must give notice as soon as
38 practicable if the dates of leave change, are extended, or initially were unknown. The employee is
39 responsible for providing appropriate medical certification. Failure to provide requested medical
40 certification in a timely manner may result in denial of FMLA-covered leave until it is provided. The
41 employee will be required to provide medical certification that they are fit to resume work. If the
42 employee is unable to return to work following the exhaustion of their FMLA leave, the employee will
43 be referred to the Human Resources Department to discuss potential accommodations under the
44 Americans with Disabilities Act.

45 The Human Resources Department will make FMLA forms available to those employees who indicate
46 a need for FMLA. FMLA leave must be requested using FMLA request forms.

47 **Additional Parental Leave under State Law**

48 In addition to FMLA leave, Tennessee grants unpaid leave to employees for a period not to exceed four
49 (4) months for the adoption, pregnancy, childbirth, and nursing of a newborn infant. Leave shall run
50 concurrently with leave provided under FMLA. If all applicable paid leave has been exhausted, the
51 remainder of the four (4) month parental leave may be taken in an unpaid leave status. During the
52 additional fourth month of unpaid parental leave (after exhaustion of FMLA leave), the employee must
53 pay any health care contributions to retain health plan coverage.

54 Tennessee law also provides paid parental leave for eligible employees for a period of six (6) work weeks
55 following a birth, stillbirth, or adoption of a newly placed minor child. An eligible employee taking leave
56 under this law will not be required to utilize any other type of accrued leave during this period.
57 Employees must provide notice to the Human Resources Department at least thirty (30) days prior to the
58 intended use of the leave on a specific form provided by the Human Resources Department for paid
59 parental leave. If the employee learns about the need for leave less than thirty (30) days in advance, the
60 employee shall give notice as soon as reasonably possible in order to be eligible for the paid leave. This
61 paid leave does not need to be taken consecutively; however, the paid leave shall be used within twelve
62 (12) months of the qualifying event and leave taken intermittently must be used pursuant to a schedule
63 provided to the employee's supervisor and the Human Resources Department. Intermittent leave may
64 only be taken on a partial or full day basis. Paid parental leave will run concurrently with FMLA and
65 Tennessee parental leave.