

## Frequently Asked Questions: FMLA (Family Medical Leave Act) and LOA (Leave of Absence)

What is FMLA?

- FMLA stands for Family Medical Leave Act of 1993. This is a United States Labor Law requiring covered employers to provide employees with job-protected **unpaid** leave for qualified medical and family reasons. FMLA allows eligible employees to take up to 12 work weeks of unpaid leave during any 12-month period to care for a new child, care for a seriously ill family member, or recover from their own serious illness. Not all employees qualify for FMLA. To be eligible for FMLA leave, an employee must have worked for the district for at least 12 months and have worked at least 1,250 hours over the 12 months prior to needing a leave. **Though it is unpaid, this does not mean an employee cannot use their accruals.** Practice is for employees to use their accruals for their leave so they are paid.

What happens if I don't qualify for FMLA but I need to take a medical leave?

- The Leave of Absence Representatives are best equipped to assist you in answering your questions regarding the various leaves that may be available if you do not qualify for FMLA.

How do I apply for FMLA or another type of LOA?

- **The first step is you must request a leave by making a request in our workflow at [https://onbase.olatheschools.com/forms/medical\\_leave.html](https://onbase.olatheschools.com/forms/medical_leave.html).** Once you complete your request online, you will receive paperwork for your doctor. All documentation and questions should be sent to [leave@olatheschools.org](mailto:leave@olatheschools.org) electronically or faxed to 913-780-8008. If the medical condition is for yourself, your doctor should complete the paperwork and list specifically why you cannot work and the length of time you are unable to work. If you are caring for a family member, their doctor should list their medical condition and why they need someone else to care for them. **The best thing you can do is to get your documentation completed in a timely manner. The standard deadline to return your paperwork is 15 days.**

How do I get a substitute?

- Michelle Shelly Longstreth and Terrie Hamilton can be contacted for a sub.

What do I do if I want to come back from leave early, or I need to be gone longer?

- If you are out on an FMLA leave or a LOA for your own medical condition, we kindly request that you provide a doctor's return to work note, with or without restrictions, at least **five business days** before your return to work. If your date changes, you will need to provide an updated note either advising that you may return earlier or you need more time.

Is FMLA/LOA time unlimited?

- No. There are time limits for FMLA and LOA. Your Leave of Absence Representative is the best person to explain the time limits of the leave types available.

Do I have to tell my supervisor or my principal why I need a leave of absence?

- It is your choice on what and how much you share. The Leave of Absence Representatives keep all conversations and medical documentation confidential.

What do I do if I have follow up doctor's appointments or physical therapy after my leave?

- If you require intermittent leave, discuss your needs in detail with your LOA Rep.

Is FMLA Paid?

- By law, FMLA does not guarantee pay. You will need to use any sick, vacation, or personal time.

What do I do if my doctor says I can't perform all my job duties?

- If your doctor advises that you can return to work, but you cannot perform all duties (for example, a lifting restriction), provide this information immediately to your LOA Rep. They will need to communicate this information to your supervisor and/or principal to confirm the restrictions are acceptable before you return to work.