



Book	Policies and Regulations
Section	4000 Series - Personnel
Title	Personal Leaves
Code	4152.6-4252.6
Status	Active
Adopted	December 20, 2018

Greenwich Public Schools  
Greenwich, CT  
Personnel — Certified and Non-Certified

### Family and Medical Leave Act

The Greenwich Board of Education will provide leave to eligible employees consistent with the Family and Medical Leave Act of 1993 (FMLA) as amended and the Family Medical Leave Act as part of the National Defense Authorization Acts of 2008 and for Fiscal Year 2010 (which expanded certain leave to military families and veterans for specific circumstances) and 2013 Final Rules. Eligible employees (employment for at least one-year and at least 1,250 hours actually worked in the twelve-month period immediately preceding the commencement of the leave) are entitled to up to 12 work weeks of unpaid family and medical leave in any 12-month period. The Board of Education will continue to pay the district's share of the employee's health benefits during the leave. In addition, the Board of Education will restore the employee to the same or an equivalent position with equivalent benefits, pay and other conditions of employment after the termination of the leave in accordance with Board policy and collective bargaining agreements.

Paraprofessionals are also eligible to benefits equal to those under the federal FMLA if such paraprofessional was employed for at least one year and for at least 950 hours over the previous twelve-month period preceding the commencement of the leave. A paraprofessional is defined as a school employee who performs duties that are instructional in nature or delivers either direct or indirect services to students and/or parents and serves in a position for which a teacher has ultimate responsibility for the design and implementation of educational programs and services.

Eligible employees are entitled to take unpaid leave for a covered family member's service in the Armed Forces, for any one or for a combination of the following reasons:

- A "qualifying exigency" as defined by Department of Labor regulations arising out of a covered family member's covered active duty or Federal call to covered active duty (including as a member of the National Guard or Reserves) in the Armed Forces including deployment to a foreign country or to international waters;
- To care for a covered family member who has incurred a serious injury or illness in the line of duty while on covered active duty in the Armed Forces (includes National Guard and Reserves) provided that such duty or illness may render the family member medically unfit to perform duties of the member's office, grade, rank or rating: and/or
- To care for a covered family member who is a veteran who is undergoing medical treatment, recuperation or therapy for a service related illness or injury that was incurred or aggravated while on active duty and manifested itself before or after the member became a veteran, within five years after a veteran leaves service.

- To care for a parent of a military member called to active duty provided the military member is the spouse, (including same-sex marriages), parent or child of the employee.

When leave is due to a “qualifying exigency” of a service member, an eligible employee may take up to 12 work weeks of leave during any 12-month period. When such leave is to care for an injured or ill service member, an eligible employee may take up to 26 work weeks of leave during a single 12-month period to care for the service member. Leave to care for an injured or ill service member, when combined with other FMLA-qualifying leave, may not exceed 26 weeks in a single 12-month period. Employees will not be deprived of any employment benefits accrued before taking FMLA leave.

The Greenwich Public Schools will maintain health insurance benefits at the same basis as is provided to other similarly situated employees. Conversely, employees on FMLA leave are not entitled to accrue any seniority or benefits during the leave unless determined otherwise due to a collective bargaining agreement. When an employee returns from FMLA leave, benefits will be resumed in the same manner as provided prior to taking the leave, subject to any changes in benefit levels that may have occurred during the FMLA leave period and which affect the entire workforce. Leave available for eligible employees under FMLA is not intended to supplement leave otherwise provided to such employees. The District may require the eligible employee substitute any accrued vacation or sick leave for any part of the twelve-week period that may be taken for the serious health condition of a spouse, child or parent, or for the employee’s own serious health condition.

In complying with the FMLA, the Greenwich Board of Education will adhere to the requirements of the Americans with Disabilities Act as well as other applicable federal and state laws.

The Greenwich Board of Education, in compliance with state statute, shall provide to its employees who are a party to a civil union with the same family and medical leave benefits under the federal Family Medical Leave Act (FMLA) as are provided to employees who are party to a marriage. The term “marriage” includes a same-sex marriage which all states must now recognize, or common law marriages that either was entered into in Connecticut or another state that recognizes such marriages or if entered into out of Connecticut is valid in the place where entered into and could have been entered into in at least one state. In addition, the Board shall allow its employees leave time under this policy to serve as organ or bone marrow donors.

The Greenwich Board of Education, in compliance with FMLA’s regulations, will post and keep posted on its premises, in conspicuous places where employees are employed, a notice explaining the provisions of the FMLA and providing information concerning the procedures for filing complaints of violations of the Act. Electronic posting may be utilized.

(cf. 4118.14 - Disabilities)

(cf. 4151.2 - Family Illness)

(cf. 4152.3 - Maternity; Adoptive; Child Care)

FMLA does not affect any federal or state law prohibiting discrimination, or supersede any state or local law or collective bargaining agreement which provides greater family or medical leave rights.

Legal Reference: P.L. 103-3 and 29 CFR Part 825 - The Family and Medical Leave Act of 1993, as amended by H.R. 4986, the National Defense Authorization Act for Fiscal Year 2008, Section 585. 29 U.S.C. §2601 et seq. and the National Defense Authorization act for Fiscal Year 2010, Public Law 111-84, section 565, Title V

Final Rule - published in Federal Register, Vol. 60, Nov. 4, Friday, January 6, 1995, as amended on February 3, 1995, March 30, 1995, and on November 17, 2008. Rules and Regulations (29 CFR Part 825).

Final Rule – published in Federal Register, Vol. 78, Wed. February 6, 2013

Final Rule – published in Federal Register, Vol. 80, No. 37 Wednesday, February 25, 2015  
Connecticut General Statutes

46b-3800 Applicability of statutes to civil unions and parties to a civil union.

PA 07-245 An Act Concerning Family and Medical Leave for Municipal Employees.

PA 07-245 An Act Concerning Family and Medical Leave for Municipal Employees

PA 12-43 An Act Concerning Family and Medical Leave Benefits for Certain Municipal Employees

*United States v. Windsor*, U.S. 133 S. Ct. 2675 (2013)  
*Obergefell v. Hodges*, No. 14-556, 135 S. Ct. 2584 (2015)

**Policy adopted by the Greenwich Board of Education: 12/20/2018**

[4152.600-4252.6 - Personal Leaves \(FMLA\) Rev122018 wA.pdf \(92 KB\)](#)



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Code	4150-4250
Status	Active
Adopted	December 20, 2018

Greenwich Public Schools  
Greenwich, CT  
Personnel — Certified and Non-Certified

Employed personnel of the Greenwich Public Schools may need to be absent for several reasons:

1. Those beyond their control, such as personal sickness or injury, jury duty, military service or emergencies;
2. Those governed by compassion or conviction, such as family illness, bereavement, and other personal reasons;
3. Those stemming from occupational status such as attendance at meetings, conventions, in-service courses and seminars, and other patterns of additional study;
4. Those provided by scheduled vacations.

The Board of Education recognizes that absences for such reasons are justifiable and will provide for employee absences as authorized by law and negotiated agreements with bargaining units.

Legal Reference: Connecticut General Statutes

14 Days designated as legal holidays.

10156 Sick leave.

10156b Tenure and sick leave rights of teacher on regionalization of school and dissolution of regional school district.

10156c Military leave.

10156d Reemployment after military leave.

**Policy adopted by the Greenwich Board of Education: 12/20/2018**

[4150.000-4250.000 - Leaves Rev122018 wA.pdf \(72 KB\)](#)

