

FAMILY MEDICAL LEAVE ACT

[US Department of Labor FMLA Frequently Asked Questions](#)

The [Family and Medical Leave Act of 1993 \(FMLA\)](#) entitles eligible employees of covered employers to take unpaid, job-protected leave for specified family and medical reasons. The FMLA is intended "to balance the demands of the workplace with the needs of families." FMLA sets national standards for employers when providing leave for such purposes.

FMLA allows eligible employees to take up to 12 workweeks of unpaid leave during any 12-month period to attend to the serious health condition of the employee, parent, spouse, or child, or for pregnancy or care of a newborn child, or for adoption or foster care of a child.

Determine if you are an eligible employee for FMLA

- You must have worked for Wayland Union Schools (paid by Wayland Union Schools) for at least 12 months
- You must have had at least 1,250 work hours during the 12 month period immediately preceding the leave

Wayland Union employees may be entitled to an FMLA leave of absence. Note that an FMLA leave of absence runs at the same time as other paid or unpaid leaves of absence. An FMLA leave of absence is not an extension of an employee's paid time off (you do not receive additional PTO days added to your bank for FMLA).

In order to request an FMLA leave of absence, the employee will request the leave by completing the [FMLA Request Form](#). Once HR receives the employee request for FMLA leave, it will send the employee, via email: 1) Department of Labor Notice of Eligibility and Rights & Responsibilities (WH-381). This is for the employee's record and is not approval of the leave. 2) Certification of Health Care Provider for Employee's Serious Health Condition ([WH-380-E](#)) OR Certification of Health Care Provider for Family Member's Serious Health Condition ([WH-380-F](#)). The medical certification form must be returned to Wayland Union Schools by the date listed on the form. This form can be faxed to (269) 503-8877 or emailed to: hr@waylandunion.org.

After the receipt of the completed Certification of Health Care for Provider, HR will send the employee via email an FMLA approval or denial letter/email along with the Department of Labor FMLA Designation Form (WH-382).

Information related specifically to a new child FMLA leave

- Birth of a child (you are allowed up to 6 weeks for regular delivery or 8 weeks for C-section delivery).
- Care for the newborn child/child bonding within one year of birth (Wayland does not allow for intermittent leave during this circumstance). Please note that you are allowed to have a maximum of 12 workweeks under FMLA during a 12 month period. Therefore, if you utilize 8 weeks for the birth of the child, you have 4 weeks remaining for newborn care/child bonding (these are 2 different FMLAs).