

**Northville Public Schools
Northville Education Association
Maternity Leave Policy and Procedure**

Provisions of the Family and Medical Leave Act (**FMLA**) are described in Article VIII - Leave Section M of the Northville Education Association Master Agreement. Please note that in order to qualify for FMLA time, a teacher must have taught full time in the 12 months preceding the FMLA request. Under the Act, a teacher who was full time the preceding year of the request is considered to have met the 1250 hour requirement. If however, a teacher was part time the preceding year, they would not qualify for FMLA time as they did not meet the 1250 hour requirement. Only one FMLA leave can be authorized in a 12-month period. If both individuals are employed by Northville Public Schools, it is an aggregate 12 weeks.

A teacher who does not qualify for the FMLA leave may take up to 6 weeks off after the birth of a child. Sick days may be used for the maternity leave. If sick days are not available, time off is unpaid.

The following is a summary of steps that should be taken by a teacher when a pregnancy leave and/or a family medical leave(FMLA) is contemplated.

1. At least thirty (30) days prior to the anticipated due date of a child, a letter from the doctor accompanied by a note from the teacher should be sent to the personnel office at Northville Public Schools.(See Form A). This note serves as notification to the district of the approximate date that the teacher will not be available to teach. A copy of the notice should also be sent to Karen Stuard (Elementary, SEP and ECIP) or Carla Tibble (Middle School, High School and Main Street. The thirty (30) day notice also applies to male teachers who intend to take FMLA time for the birth or adoption of a child.
2. The teacher should refer to their pay check stub for the number of available days. If there is reason to believe the figure is incorrect, please contact Jan Olson at extension 52202. The teacher should determine how much of the leave for which she is eligible to use sick leave will be paid and unpaid. In addition, the teacher should determine a tentative timeline for when they want to begin the maternity leave and return to school.
3. Notify your building principal of your pregnancy and expected due date.
4. The district will send you a letter acknowledging your notice and telling you to contact Karen Stuard (Elementary, SEP and ECIP) or Carla Tibble (Middle and High School) if needed. The quickest way to reach both of them is via e-mail at StuardKa@northville.k12.mi.us or TibbleCa@northville.k12.mi.us.
5. If you have specific concerns or questions, please discuss them with your building representatives.

6. The district will write a leave agreement and Julie Taylor the district's representative will send you a draft copy prior to the leave.
7. A meeting will be scheduled with Karen Stuard and/or Carla Tibble to review the draft **if needed**.
- 8. Notify Human Resources immediately upon the baby's birth,(248) 344-8459.**
9. Once the baby is born, the leave agreement will be finalized and mailed to the employee for a signature. The signed agreement will be returned to HR. A fully signed agreement will be sent to the employee. If any adjustments are needed due to an early arrival of the baby, the whole document will need to be adjusted. The final draft is sent via e-mail to the employee and to the NEA office.
10. For the purposes of writing the draft agreement the District Julie Taylor will need to know how many sick days and business days the employee is planning to use and the date the employee is planning to return to work.
11. Contact the membership chairperson(Vicki Zidell-Zidellvi@northville.k12.mi.us) if you are going to be out for more than a month to receive a reduction in Union dues during your leave.

Common Questions and Answers concerning FMLA requests:

Do all teachers qualify for the Family and Medical Leave?

No. In order to qualify for FMLA time, a teacher must have taught full time in the 12 months preceding the FMLA request. Under the Act, a teacher who was full time the preceding year of the request is considered to have met the 1250 hour requirement. If however, a teacher was part time the preceding year, they would not qualify for FMLA time as they did not meet the 1250 hour requirement. Only one FMLA leave can be authorized in a 12-month period. If both individuals are employed by Northville Public Schools, it is an aggregate 12 weeks.

What type of leave arrangements can a pregnant teacher make if she does not qualify for a FMLA ? **

A teacher who does not qualify for FMLA time will be able to use accumulated sick leave subject to the terms of the Master Agreement prior to delivery as ordered by the physician or for the period of recuperation (6 weeks or 8 weeks for C-Section) even if the employee does not qualify for FMLA time.)

**** Note:** *If you do not qualify for FMLA, it is strongly recommended that you contact Lois McGonnell in the Business Office (52223) to discuss the effect on your benefits if you take time off.*

Is it possible to convert business days to sick days?

Yes, full time teachers receive up to two business days a year. Days that are not used as business days can be converted to sick days. Business days that are not used by the end of the school year will be automatically converted to sick days.

If I'm eligible for FMLA, must I take all 12 weeks immediately after the child is born?

No. The Act requires that entitlement to the time expires at the end of one (1) year following the date of birth or an adopted/foster child begins residing in the home.

What happens if a teacher does not have enough days to cover her time off from recuperation after childbirth?

If sick days are exhausted, the time off will be unpaid.

When a teacher is granted an FMLA leave, can the employee's sick day usage extend past the traditional recuperation period of six (6) or eight (8) weeks?

Yes, if the physician determines the employee is still disabled and they have days in their bank, they may continue to use their sick days.

Is the teacher on FMLA covered by health insurance?

Yes, a teacher on FMLA leave will be totally covered by the same health insurance program that the teacher carried when not on leave.

What position will the teacher return to at the end of the FMLA?

The teacher will return to the same position he/she had when he/she left.

What should a teacher do if he/she wants to stay out longer than the twelve weeks allowed under the FMLA?

Any time spent beyond the 12 weeks allowed under the FMLA will be unpaid. It is important to notify the district as soon as possible to request a personal leave.

How are holidays and vacations periods counted during FMLA leave?

Holiday or vacation breaks of more than 5 days and summer recess are not counted as FMLA time.

How are leave days counted for teachers who teach less than full time?

It is important to check with Jan Olson at extension 52202 whether the days you have earned for sick leave were earned in full or partial day increments. This information will help determine the leave agreement.

What happens if the baby comes sooner than expected?

If the baby comes sooner than anticipated in the leave agreement arrangement, it will be necessary to rework the leave agreement with the 12 week FMLA starting on the date the baby was born. If this happens, please notify Julie Taylor (52204) immediately.

How is seniority ranking affected by time spent on FMLA leave?

Seniority is not lost during a FMLA leave. Seniority will be lost if a teacher chooses to take a year long leave.

If a teacher is probationary(non-tenured) will he/she be eligible for a FMLA leave?

Yes, a probationary teacher is eligible for a FMLA leave if the teacher has completed at least one year of full time employment.

Will the probationary period be extended if a teacher takes an extended childcare leave after a FMLA leave?

Yes, the district has the ability to extend the probationary period of non-tenured teachers at their discretion. The period can extend as long as the period of time the teacher spent off on leave.

What happens if the date to return to work after a FMLA leave is right before the semester change, at the end of the school year or during a testing period?

It is important to anticipate possible conflicts of this nature when the leave is initially planned. Please be aware that there are restrictions in the FMLA (§825.602) regarding public school employees and when they may return. However, the language is permissive and allows the district flexibility in addressing conflicts. Please contact the Office of Human Resources if you have questions regarding the date of return.

What happens if the baby is delivered during the summer?

The period of time that a teacher can use his/her sick days starts when the baby is born and usually lasts for six or eight weeks. Therefore, if a teacher in the K-12 program delivers her baby during the summer, and the six or eight week period of recuperation has expired before school begins, paid leave time cannot be taken after school resumes unless there is a continuing disability. (Example 1: I deliver June 30. The six or eight week period would run out approximately the first or third week in August. I would not be able to use any sick leave after school resumes. Example 2: I deliver on August 1st and school resumes September 1st. I would have approximately 10 or 20 days of sick leave that could be taken after beginning September 1st if I still had sick days available.) If a teacher in the SEP program is working during the same, the examples do not apply and they could use their sick days. Please note the summer recess period does not count as FMLA time for the K-12 program or SEP staff not working during the summer. If you have any questions regarding this, please contact the Office of Human Resources (52204).

Are teachers who adopt babies eligible to take FMLA leave?

Yes, teachers who qualify for FMLA, may use their business days and sick leave for purposes of complying with adoption/foster requirements (pre-meetings, travel to pick up the child, etc) associated with the adoption/foster process. The adopting mother or father may also take available sick time to bond with or care for the child during the first six weeks after the child is actually residing in the home. Either parent would still have the remaining six weeks of FMLA time that could be taken as unpaid child care leave.

Can men use the provision of the FMLA for the birth or adoption of a child?

Yes, the father can access time under the FMLA provisions. If the time is taken to care for the spouse during the recuperation period or a sick child, they may use family illness time. If the absence occurs after the recuperation period, time taken would be considered child care leave and would be unpaid.

How is our paycheck calculated?

Take the salary divided by 190 days to figure the daily amount. Divide the salary by 21 or 26 pays to get the paycheck amount. Compute the amount paid to date with the number of pays received. Subtract the number of unpaid days to find the balance of the contract. Divide the remaining balance by the number of pays left in the year and that becomes the new biweekly.

Date

Ms. Julie Taylor
Human Resources
Northville Public Schools
501 W. Main Street
Northville, MI 48167

Dear Ms. Taylor:

This letter is to inform you of my request for leave as a result of pregnancy. Attached is a copy of the note from my attending physician, which indicates an estimated confinement date of

_____.

Sincerely,

Name :
School:

Cc: Building principal
Ann Cook (via e-mail to Karen Stuard or Carla Tibble)

Date

Ms. Julie Taylor
Human Resources
Northville Public Schools
501 W. Main Street
Northville, MI 48167

Dear Ms Taylor:

This letter is to inform you of my request for leave for the purpose of adopting a child. Attached is a copy of the letter sent from the President of _____, which verifies my status in the adoption process. Because the adoption process varies based on the potential availability of a child, I am presently unable to provide the date from which my requested leave would begin.

Sincerely,

Name :
School:

Cc: Building principal
Ann Cook (via e-mail to Karen Stuard or Carla Tibble)