WHAT IS FMLA?
The Family Medical Leave Act of 1993 (FMLA), which provides unpaid, job-protected leave to eligible employees, allowing up to 12 workweeks of leave for specified family and medical reasons during a 12-month period.

WHAT TYPES OF LEAVE QUALIFY FOR FAMILY MEDICAL LEAVE (FML)?

FREQUENTLY ASKED QUESTIONS

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Four types of leave available; designated as Continuous (consecutive absences) or Intermittent:

- Leave for the birth of an employee’s child, the placement of an adoptive or foster child in the employee’s home. Leave must be taken within 12 months of the birth or placement of the child;
- Leave to care for the employee’s spouse, child, or parent who has a serious health condition;
- Leave to care for a covered service member with a serious injury or illness, if the eligible employee is the service member’s spouse, child, parent, or next of kin (military service caregiver).

WHO IS ELIGIBLE?
To be eligible for FML, employees must have worked for Houston ISD for at least 12 months and have worked a minimum of 1,250 hours within the past 12 months prior to the start of the leave request. Leave may be taken to care for a spouse, child or parent with a serious health condition, or when the employee is unable to work because of a serious health condition.

WHAT IS A SERIOUS HEALTH CONDITION?
The most common serious health conditions that qualify for FML leave are:

- Conditions requiring an overnight stay in a hospital or other medical facility;
- Conditions that incapacitate an employee or family member (for example, unable to work or attend school) for more than three consecutive days that require ongoing medical treatment (either multiple appointments with a health care provider, or a single appointment and follow-up care such as prescription medication);
• Chronic conditions that cause occasional periods when an employee or family member is incapacitated and requires treatment by a health care provider at least twice a year; and
• Pregnancy, including prenatal medical appointments, incapacity due to morning sickness, and medically required bed rest.

HOW DO I REQUEST MY FML LEAVE?
Employees must inform Houston ISD Absence Management of a leave request at least 30 days before it is to begin, when the need is foreseeable and such notice is practicable. Examples of leave requiring a 30-day notice include an expected birth, a placement for adoption or foster care, or planned medical treatment for the employee or a family member’s serious health condition. If a 30-day notice is not practicable due to lack of knowledge when the leave will begin, a change in circumstances or a medical emergency, notice must be given to Houston ISD Absence Management as soon as practicable.

Principals or other campus-based administrators are not authorized to approve FML, only Houston ISD Absence Management. All eligible leaves will be designated as FML leave even if an FML leave is not specifically requested by the employee (he or she may be incapacitated). Federal and State laws require Houston ISD, as the employer, to grant FML leave for all eligible leaves of absence.

WILL I BE PAID DURING MY FML?
FML grants the right to unpaid leave. However, pursuant to Houston ISD Board Policy employees are required to substitute personal leave time (state sick, state, local and vacation) which is taken concurrently until the leave time is exhausted or the FML leave ends, whichever comes first.

HOW ARE MY INSURANCE PREMIUMS PAID WHILE I AM ON FML?
Houston ISD will continue to pay the employer portion of health, dental and life insurance premiums. Employees are responsible for their portion of insurance premiums, if any, while on leave.

If Houston ISD is unable to collect the employee’s portion of insurance premiums from his or her paycheck, the premiums will go into arrears. Upon his or her return from leave, Houston ISD will deduct the premium arrears for his or her paycheck.

The employee also has the option of submitting premium payments to minimize the benefit arrears while on leave. Failure to pay the employee’s share of insurance premiums by the date due communicated by Payroll may constitute voluntary cancellation of health benefits.

DOES FML OFFER JOB PROTECTION?
Houston ISD is required to reinstate employee in the same or an equivalent position with the same pay and benefits as the position the employee held before the approved leave.

DO I HAVE TO TAKE MY LEAVE ALL AT ONCE?
Employees can take FML leave as either a continuous, single block of time or intermittently, in multiple, smaller blocks of time if medically necessary. They can also take leave on a part-time or reduced work week basis if medically necessary.

If your intermittent leave is approved, the following guidelines apply:

• A week-long period of intermittent time begins every seven calendar days from the frequency effective date, or every 30 calendar days for a monthly frequency.
• Intermittent increments are counted in terms of the minimum and maximum time period that you may be absent. For example, if your frequency is approved for one day per week and your absence equals 15 minutes, this 15-minute interval would count as the one day per week. If your frequency is approved for one time per week and your absence equals 45 minutes, the 45-minute interval would count as the one time per week. Any absences in excess of this may be subject to recertification or denial.
• During leave, intermittent absences must be reported within 10 days of when the time was taken using one of the following options:
  o Enter leave time directly via the Web
https://absence.adp.com
- Report leave time through the call center at 1-877-780-4473

- If your need for leave changes and you need to be off work full time on a continuous basis, please contact us immediately.

- When planning foreseeable absences relating to this leave, you must consult with the District and make every reasonable effort to provide notification for an absence in advance, or as soon as practicable depending on your individual circumstances. You must also schedule your absence so that it does not unduly disrupt the District’s operations, subject to the approval of your healthcare provider. If you do not consult with the District to make a reasonable attempt to arrange the schedule of treatments so as to not unduly disrupt District operations, the District may initiate discussions with you and require that you attempt to make such arrangements, subject to the approval of your healthcare provider.

- If your need for absence is unforeseeable, you must follow the normal call-in procedures as noted in Board policy. If you fail to follow normal call-in procedures, except under extenuating circumstances, you may be subject to standard District disciplinary rules, and coverage for any applicable absences may be delayed or denied until you comply with District Policy.

- Leaves relating to your own, or a family member’s, serious health condition may require recertification. We will contact you if recertification is required for your leave.

WHEN CAN I USE MY FML LEAVE AGAIN ONCE IT IS EXHAUSTED?

FML is granted to the employee within the boundaries of 12 workweeks within a 12 month period.

Houston ISD utilizes a rolling backward calculation method to determine the available leave time, unless otherwise indicated by state law. A "rolling" 12-month period is measured backwards from the first day leave time is used. (Example: Ms. Rogers is a teacher and she is due to give birth September 5th, she requests FML and is granted 12 workweeks. She returns December 5th, however, she request another FML in February. Since it has not been 12 months from the first date of her September leave, she would not be eligible since she exhausted her 12 workweeks from the first FML).

WHAT ABOUT THE SUMMER MONTHS IF I AM A NINE- OR 10-MONTH EMPLOYEE?

The period during the summer when a school employee would not be required to report for duty is not counted against the employee’s FML entitlement. A nine- or 10-month employee who is on FML leave at the end of the school year must be provided any benefits over the summer vacation that nine- or 10-month employees would normally receive if they had been working at the end of the school year.

DOES FML COVER MILITARY LEAVE?

Military Leave is not covered under the umbrella of FML; employees may request a military leave pursuant to Houston ISD Board Policies for specified reasons related to certain military deployments. However, an employee may take up to 26 weeks of FML leave in a single 12-month period to care for a covered service member with a serious injury or illness.

HOW WILL I KNOW IF I'M ELIGIBLE FOR FML LEAVE?

When the employee requests an FML leave via the Absence Management self-service tool, or by contacting the Houston ISD Absence Management Service Center, they will know immediately if they are eligible for FML. The Absence Management tool confirms if the employee has worked 12 months and within the prior 12 months, has worked 1250 hours.

HOW WILL I KNOW IF I'M APPROVED FOR FML LEAVE?

Once the required documentation is received and reviewed by Houston ISD Absence Management, the employee will receive communication via US Postal Service, confirming an approval or denial of FML request.

WILL I BE REQUIRED TO PROVIDE OTHER INFORMATION FOR MY LEAVE TO BE APPROVED?
Requesting an FML requires the employee to submit a Leave of Absence Application form. The employee will complete it in its entirety and if the leave request is for the employee’s or a family member’s serious health condition, submit the Certification for Healthcare Provider to their healthcare provider for completion.

If an employee submits the request to Houston ISD Absence Management without the necessary documentation, the employee is given a 7 day period to submit the completed documents. If the documents are not provided timely, the request for FML leave will be denied.

**WHAT DO I HAVE TO DO WHEN I AM READY TO COME BACK TO WORK?**

In all cases, employees must contact their supervisor and Human Resources before returning to work. They must, with the exception of Care for Family Member, provide Houston ISD Absence Management with a copy of their Fitness for Duty release five working days before returning. The Fitness for Duty release should include any necessary work restrictions or modifications.

**WHERE DO I GO FOR MORE INFORMATION?**


**WHAT IF I AM NOT ELIGIBLE FOR FML LEAVE?**

If an FML request is denied, the next process would be to contact your HR Business Partner for options other than FML.

**WHEN IS AN EMPLOYEE’S FML REQUEST APPROVED?**

When Houston ISD Absence Management receives the completed FML documentation, a review is completed and decision is made within 5 business days. You will be informed of the decision via US Postal Service.

**I WAS INJURED ON THE JOB AND WILL BE OUT FOR MORE THAN THREE DAYS. WHAT FORMS SHOULD I COMPLETE?**

On the job injury begins with completing the Workers’ Compensation forms and submitting them according to the District policy. If placed on Workers’ Comp., the FML will run concurrently.

**WHO SHOULD I CONTACT IF I HAVE QUESTIONS ABOUT TRS OR OTHER RETIREMENT SERVICES WHILE ON LEAVE?**

Contact the Retirement Storefront at 713-695-5561. They will be able to answer your question or direct you to the correct Department or Vendor.

**DO I CONTINUE TO ACCRUE TIME WHILE I AM ON LEAVE?**

HISD advances leave time to all employees at the beginning of the school year; at such time the employee may use their leave accordingly. An employee accrues/earns leave per payday. The employee is entitled to use their leave in conjunction with the family medical leave. However, if the leave time is exhausted and the employee has not returned to duty, the FML is then an unpaid leave and the employee accrues arrears for leave exhaustion to be settled upon return to duty.

**WHAT IF I AM ELIGIBLE FOR FML LEAVE?**

If a leave request is approved, the employee will be provided a review of the completed FML documentation, a decision is made within 5 business days. You will be informed of the decision via US Postal Service.

**EMPLOYEE ASSISTANCE PROGRAM**

We would like to take this opportunity to let you know about the District Employee Assistance Program - a special program available to you and your household members to help you balance your health, work and family needs. The Employee Assistance Program can help you with many different kinds of support including child care, elder care, counseling for family or personal issues, and assistance finding local support services. All services are free, confidential, accessible 24 hours/day, 365 days/year. Should you require
services beyond the scope of the program, the Employee Assistance staff coordinates referrals to appropriate resources as needed. Please dial the Employee Assistance toll-free number listed above for assistance and visit www.guidanceresources.com to learn more about the available services.

IMPORTANT: YOUR EMPLOYER HAS ADVISED THAT IF YOU FAIL TO RETURN TO WORK FROM AN APPROVED LEAVE OF ABSENCE AND HAVE NOT MADE OTHER ARRANGEMENTS WITH THEM, YOUR EMPLOYMENT MAY BE TERMINATED AS OF YOUR LAST DATE OF APPROVED LEAVE OR LAST DAY WORKED, IF APPLICABLE. PLEASE CONTACT YOUR EMPLOYER FOR FURTHER INFORMATION REGARDING YOUR RETURN TO WORK STATUS.