



AVERILL PARK CENTRAL SCHOOL DISTRICT
EMPLOYEE LEAVE GUIDELINES
FOR EMPLOYEES

HUMAN RESOURCES OFFICE

September 2019



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EMPLOYEE LEAVE GUIDELINES

INTRODUCTION

To facilitate the efficient and timely management of employee benefits such as the various medical leaves discussed below, this is an overview of leaves and your responsibility to contact the Human Resources Office. There are many federal and state statutes the District is required to comply with including the Federal Family Medical Leave Act (FMLA) and the Americans with Disabilities Act (ADA). The District may also have to take into account certain provisions within the contracts that have been negotiated with the labor unions that represent various District employees.

Such compliance requires timely notification and, therefore, it is highly important that the HR Office is made aware if you are going out on a leave.

These Guidelines include a review of:

- **Workers' Compensation – Work-related Illness or Injury**
- **Non-work related Illness or Injury – i.e. Disability, Childrearing leaves**
- **Family Medical Leave Act – Entitlement – for employees and covered dependents**
- **Return to Work**
- **Jury Duty**

COMMUNICATIONS

It is important to communicate with your Supervisor and the HR Office should you need to take a medical leave.

CONTACT INFORMATION: (518) 674-7060

HR STAFF:

Linda Fitzpatrick –Human Resources Coordinator--fitzpatrickl@apcsd.org

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WORK PLACE INJURY (WORKERS COMPENSATION LEAVE)

As required by law, the Averill Park Central School District maintains Workers Compensation insurance on all employees. This coverage applies to all work-related injuries and illnesses.

In order for you to claim workers compensation benefits:

- Each injury or illness needs to be reported promptly to your Supervisor and Nurse who will notify the Human Resources Office.
 - ✓ An Accident /Investigation Report form must be completed for every work place injury or illness. (School Nurses are point persons in this process.)
 - ✓ This form should be completed by you.
 - ✓ It must be signed by you.
 - ✓ Administrators must review and sign the Accident/Investigation report form.
 - ✓ The completed form must be sent to Human Resources as soon as possible due to the fact that there are legal requirements for timely filing.
- ***If you are out for more than three (3) days please notify the Human Resources Office as the District must follow the Family Medical Leave Act (FMLA) requirements.***
- ***Employees out on workers compensation leaves may be subject to non-disciplinary termination, pursuant to the Civil Service Law, after a cumulative absence equal to one year.***
- ***If you have questions concerning your Workers Compensation claim, please contact Sue Radley.***

NON-WORK RELATED ILLNESS OR INJURY

If you have a non-work related illness or injury that may extend for more than three (3) days, please contact the Human Resources Office.

Common non-work related medical leaves:

Pregnancy – please contact the Human Resources office regarding your pregnancy. The HR staff will arrange to meet with you for a personal consultation on FMLA, paid benefit time usage, requesting a maternity leave and any other questions you may have.

Surgery (Elective or Emergency) – If you need to take leave time for a surgery:

- Please contact the Human Resources office when you are advised that you need an elective surgery.
 - The HR staff will arrange to meet with you for a personal consultation on FMLA, paid benefit time usage as outlined in your bargaining unit contract, and any other questions.
 - In the case of emergency medical issue or surgery that results in an leave of 3 or more days please contact the Human Resources office as soon as practicable to initiate the FMLA process.



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FAMILY MEDICAL LEAVE ACT ENTITLEMENT

Under the Family Medical Leave Act (FMLA), you may request up to twelve (12) weeks of unpaid leave for your own serious health condition, birth or adoption of a child, or the serious health condition of a spouse, child or parent.

PLEASE NOTE: The District runs the FMLA period concurrent with other approved medical leave; for example Workers Compensation; Child-rearing Leave, etc. not in addition to.

In the personal consultation discussed previously, the HR Office discusses FMLA if appropriate.

- There are notice requirements that the District must meet.
- There is accompanying paperwork that must be completed by medical providers.
- This paperwork is then reviewed and FMLA approved.
- This paperwork is usually the medical documentation that determines length of your leave.

The 12-week FMLA period may be used continuously or on an intermittent basis based upon the physician's diagnosis and instructions to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care of the employee's child after birth or placement for adoption or foster care;
- To care of the employee's spouse, son, daughter or parent who has a serious health condition;
- For a serious health condition that makes the employee unable to perform the employee's job;
- Military Family Leave Entitlements.

The District requires FMLA eligible employees to use accrued paid benefit time during FMLA. When all paid benefit time has been exhausted the employee will be eligible to request an Unpaid Leave of Absence for the remainder of the 12 week period. **Please note that when such leave is without pay, the respective employee may cease to continue accruing seniority during the period of such unpaid leave.**

If you need time off due to **any** of the reasons listed for FMLA please contact the Human Resources Office immediately.

EMPLOYEE RETURN TO WORK

Before you can return to work from a medical leave you **must** provide the HR Office with a medical note that appropriately clears you to return to work. **You will not be allowed to return without this documentation.**

JURY DUTY

If you are absent for jury duty, you must provide evidence of this. Appropriate documentation of jury service includes an "Attendance Verification Form" signed and certified by a court official. This is the document attached to the jury summons. If you forget to bring the jury summons to court, a court official will issue you a separate form for submission to your employer.

Please be advised that the jury summons document by itself is not a certification of jury service, as sometimes court is cancelled and you do not have to report. In cases where court is cancelled, you are expected to report to work.