

MAINE SCHOOL ADMINISTRATIVE DISTRICT #53
Burnham – Detroit – Pittsfield

Employee Leave

Employee leave will be defined under the following categories: Sabbatical Leave-Sick/Personal Leave-Temporary Leave (including, but not limited to: bereavement, legal, unpaid short-term, full paid short-term, and other).

Staff may be entitled to leave benefits in accordance with the Collective Bargaining Agreement between the M.S.A.D. #53 Education Association and the M.S.A.D. #53 Board of Directors. Request procedure and conditions are detailed in the current document. The Board, at its discretion, may approve employee leave or extend employee leave in exceptional circumstances on a case-by-case basis. Such leave, if approved will be unpaid. If Leave is approved the continuation of benefits will be determined on a case-by-case basis. Failure to return to work upon the expiration of leave may result in immediate termination unless an extension is granted.

The M.S.A.D. #53 school district shall comply with all applicable provisions of the federal Family and Medical Leave Act of 1993 (FMLA), the Maine Family Medical Leave Law, and any other Board policies and Collective Bargaining Agreements regarding family and medical leave. The Federal 12-month Eligibility period used to determine employee eligibility for leave shall be a rolling 12-month period measured forward from the date an employee uses an FMLA leave. When leave is taken that qualifies both as family medical leave and as permitted leave under any employment contract, collective bargaining agreement or policy, the employee shall use family medical leave and the other type of leave concurrently, provided that the employee meets all of the eligibility requirements for each type of leave. Types of leave that shall run concurrently with family medical leave include, but are not necessarily limited to: sick leave, unpaid leave disability leave, absence for work-related injuries, and any other applicable types of leave.

Before returning to work, employees taking family and medical leave (FMLA) for their own serious health condition shall submit a certificate from a health care provider indicating that they are able to return to work and perform the essential functions of the position.

The Superintendent is responsible for implementing administrative procedures to comply with this policy.

Legal Reference: 26 USC § 2601 et seq.
 29 CFR Part 825
 26 MRSA § 843 et seq.

Policy Reference: 7.0 Negotiations

Adopted: October 10, 1995
Amended: April 13, 1998
Amended: December 6, 2004
Amended: March 3, 2008