

**NEW – MUST BE CUSTOMIZED PRIOR TO ADOPTION**

**FAMILY AND MEDICAL LEAVE ACT EXPANSION  
(Families First Coronavirus Response Act)**

The Board complies with the Families First Coronavirus Response Act (FFCRA) to assist employees affected by the COVID-19 outbreak with job-protected leave, the Board provides FFCRA-expanded Family and Medical Leave Act (FMLA) to eligible employees. This policy is in effect from April 1, 2020 until December 31, 2020. Leaves taken for these qualifying reasons are included in and not in addition to the total FMLA entitlement of up to 12 weeks in the District defined 12-month period. The District's existing FMLA leave policy applies to all other eligible leave for reasons outside this policy.

The first two weeks of FFCRA-expanded FMLA leave are unpaid, although the employee can choose to use other forms of paid leave, including FFCRA Emergency Paid Sick Leave, during that time period. The remaining 10 weeks of FFCRA-expanded FMLA leave are paid as provided in FFCRA. The Board continues to pay the District's share of the employee's health benefits during the leave.

An employee who takes expanded Family and Medical Leave will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. An employee has no greater right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during the FFCRA-expanded FMLA leave period.

OR

~~With the exception of certain key employees, an employee who takes FFCRA-expanded FMLA leave will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. An employee has no greater right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during the FFCRA-expanded FMLA leave period.~~

~~The District exempts key employees if returning them to the same or similar position will cause substantial and grievous economic injury to the District's operations. Key employees will be given written notice of his/her status as a key employee at the time FFCRA-expanded FMLA leave is requested.~~

In complying with the FFCRA and FMLA, the District adheres to the requirements of applicable State and Federal law.

Additional information is contained in the regulation, which follows this policy.

[Adoption date:]

LEGAL REFS.: Families First Coronavirus Response Act of 2020; 29 USC 2601 et seq.;  
29 CFR Part 825  
Genetic Information Nondiscrimination Act of 2008; 42 USC 2000ff et seq.  
ORC 124.38 (for city districts only)  
3319.13; 3319.141

CROSS REFS.: GBR, Family Medical Leave Act  
GBRAA, Emergency Paid Sick Leave

CONTRACT REFS.: Teachers' Negotiated Agreement  
Support Staff Negotiated Agreement