

Family Care Leave

Know Your Rights!

What is Family Care Leave?

Family Care Leave is a provision in the union contract that allows up to 12 weeks (or 60 workdays) of unpaid, job-protected, benefits-paid leave in a 12-month period:

- ✓ For your own serious health condition
- ✓ To care for a family member with a serious health condition
- ✓ For the birth, adoption, or foster care placement of a child

The union contract provision on Family Care Leave reflects two laws: the California Family Rights Act (CFRA) and the federal Family Medical Leave Act (FMLA).

What about paid sick leave?

You may wish to exhaust your sick leave balance and 100 days of half-pay sick leave before taking unpaid Family Care Leave/CFRA/FMLA, or you may use Family Care Leave in conjunction with other leaves, including paid sick leave.

Can I take Family Care Leave/CFRA/FMLA intermittently?

Yes. Examples: a half-time schedule to care of an ill parent; a four-day schedule to take a child to medical treatment; recurrent time off to help a spouse undergoing cancer treatments.

Special FMLA Provisions for Military Families

Up to 12 weeks of leave in a 12-month period for "any qualifying exigency" arising because your spouse, son daughter or parent is on active military duty, or has been notified of an impending call to active duty.

Up to 26 weeks of leave in a 12-month period if you are the spouse, child, parent or next of kin to a service member who is ill or was injured in the line of duty and are caring for that family member.

DEFINITIONS

"Serious Health Condition"

In general, an injury or illness that involves medical treatment and incapacitates you or a family member for more than three consecutive days. Also includes pregnancy. Does not include colds, flus, ear infections or other minor health conditions.

"Family Member"

In general, a child, parent, spouse or domestic partner

What are my eligibility requirements for Family Care Leave/CFRA/FMLA?

- ✓ Have worked for SDUSD for at least 12 months
- ✓ Have worked full-time for at least one continuous year *or* 1250 hours during the 12 months before the start of your leave

What should I do if I'm considering using Family Care Leave/CFRA/FMLA?

In order to make the best use of all leaves available to you, including Family Care Leave/CFRA/FMLA, browse Article 10 (Leave Policies) of the union contract and talk through your situation with the Association Representative at your site. Taking a medical leave can be complicated, so it's wise to plan ahead.

Sources: Collective Negotiations Contract, July 1, 2014 – June 30, 2017 (Section 10.19)

SAN DIEGO EDUCATION ASSOCIATION

www.sdea.net

(619) 283-4411

