

**Monroe 2-Orleans BOCES Policy**  
**Series 5000 – Personnel**  
**Policy #5330 – FAMILY AND MEDICAL LEAVE ACT**

The Board, in accordance with the Family and Medical Leave Act of 1993 (as amended) (FMLA), gives "eligible" employees of the BOCES the right to take unpaid leave for a period of up to twelve (12) or twenty-six (26) workweeks in a twelve-month period as determined by the BOCES.

The BOCES uses a twelve month look forward period as its method for calculating the leave year period for the commencement of the FMLA leave period. In certain cases, FMLA leave may be taken on an intermittent basis rather than all at once, or the employee may work a part-time schedule.

Employees are "eligible" if they have been employed by the BOCES for at least twelve (12) months and for at least 1,250 hours of service during the previous twelve-month period. Full-time teachers are deemed to meet the 1,250-hour test after one year of service. However, a break in employment within seven years should not interrupt the twelve (12) month requirement and should be counted toward fulfilling this prerequisite. The law covers both full-time and part-time employees.

Qualified employees may be granted leave for one (1) or more of the following reasons:

- a) The birth of a child and care for the infant;
- b) Adoption of a child and care for the infant;
- c) The placement with the employee of a child in foster care;
- d) To care for a spouse, child or parent who has a "serious health condition" as defined by the FMLA;
- e) A "serious health condition" of the employee;
- f) Military Caregiver; or
- g) Qualified Exigency Leave/call to Active Duty.

Administration will develop regulations related to this policy.

Adopted: 7/13/1999  
Revised: 3/17/2010  
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