

FALLBROOK UNION HIGH SCHOOL DISTRICT
YOUR RIGHTS
Under the
FAMILY AND MEDICAL LEAVE ACT OF 1993 (FMLA),
CALIFORNIA FAMILY RIGHTS ACT OF 1993 (CFRA) AND
PREGNANCY DISABILITY LEAVE ACT (PDLA)

Under the Family and Medical Leave Act of 1993 (FMLA) and the California Family Rights Act of 1993 (CFRA), if you have more than 12 months of service with us and have worked at least 1,250 hours in the 12-month fiscal year (July 1 to June 30) period before the date you want to begin your leave, you may have a right to an unpaid family care or medical leave (FMLA/CFRA leave) of up to 12 workweeks in a 12-month fiscal year (July 1 to June 30) period.

Reasons for Taking Leave:

Unpaid leave must be granted for *any* of the following reasons:

- ◆ the birth, adoption, or foster care placement of your child;
- ◆ your own serious health condition; or
- ◆ the serious health condition of your child, parent or spouse.

At the District's or your option, certain kinds of *paid* leave may be substituted for unpaid leave.

Pregnancy Disability Leave:

Even if you are not eligible for FMLA/CFRA leave, if you are disabled by pregnancy, childbirth or related medical conditions, you are entitled to take a pregnancy leave of up to four (4) months, depending on your period(s) of disability. If you are CFRA-eligible, you have the right to take both a pregnancy disability leave and a CFRA leave for reason of the birth of your child.

Advance Notice and Medical Certification:

You may be required to provide advance leave notice and medical certification. Taking of leave may be denied if requirements are not met.

- ◆ If possible, you must provide at least 30 days advance notice for foreseeable events (such as the expected birth of a child or planned medical treatment for yourself or a family member). For events that are unforeseeable, we need you to notify us, at least verbally, as soon as you learn the need for the leave. Failure to comply with these notice rules is grounds for, and may result in, deferral of the requested leave until you comply with this notice policy.
- ◆ We may require certification from your health care provider before allowing you a leave for pregnancy or your own serious health condition or certification from the health care provider of your child, parent or spouse who has a serious health condition before allowing you a leave to take care of that family member. We may require second and third opinions (at our expense) and a fitness for duty report to return to work.
- ◆ When medically necessary, leave may be taken on an intermittent or reduced work schedule. If you are taking leave for the birth, adoption or foster care placement of a child, the basic minimum

duration of the leave is two weeks (with two exceptions) and you must conclude the leave within one year of the birth or placement for adoption or foster care.

Job Benefits and Protection:

For the duration of the FMLA and/or CFRA leave, the District must maintain your health coverage under any "group health plan." You must continue to pay any required employee contribution for such coverage.

Upon return from FMLA, CFRA, and/or pregnancy disability leave, you must be restored to the same or equivalent position at the end of the leave, subject to any defense allowed by law.

Use of FMLA, CFRA, and/or pregnancy disability leave cannot result in the loss of any employment benefit that accrued prior to the start of your leave. Taking FMLA, CFRA, and/or pregnancy disability leave may impact certain of your benefits and your seniority.

Unlawful Acts by Employers:

FMLA, CFRA, and PDLA make it unlawful for any employer to:

- ◆ interfere with, restrain, or deny the exercise of any right provided under the FMLA, CFRA or PDLA
- ◆ discharge or discriminate against any person for opposing any practice made unlawful by FMLA, CFRA and/or PDLA or for involvement in any proceeding under or relating to FMLA, CFRA and or PDLA.

Enforcement:

- ◆ The U. S. Department of Labor is authorized to investigate and resolve complaints of violations of FMLA.
- ◆ The California Department of Fair Employment and Housing is authorized to investigate and resolve complaints of violations of CFRA and PDLA.

FMLA, CFRA, and PDLA do not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provide greater family or medical leave rights.

For Additional Information:

Regarding your eligibility for a leave and/or the impact of the leave on your seniority and benefits, please contact the Human Resources Office.

Regarding your rights and the District's obligations, contact the nearest office of the Wage and Hour Division, listed in most telephone directories under U.S. Government, Department of Labor, or the Department of Fair Employment and Housing, listed in most telephone directories under State Government.