

[E-mail to staff member regarding FMLA leave]

Dear _____:

You have been absent for five or more consecutive work days. As a result, I am writing to determine whether the reason for your leave is one covered by the Family and Medical Leave Act ("FMLA"). FMLA leave is available for the following reasons:

1. Your own serious health condition makes you unable to perform the functions of your job. A "serious health condition" is an illness, injury, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a health care provider;
2. You are needed to provide physical and/or psychological care for a spouse, child, or parent with a "serious health condition." Again, a "serious health condition" is an illness, injury, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a health care provider;
3. Birth and/or care of a newborn child, within one year of the child's birth;
4. Placement of a child for adoption or foster care, within 12 months of the child's placement;
5. Qualified exigency leave: Qualifying exigencies are situations arising from the military deployment of an employee's spouse, son, daughter, or parent to a foreign country; and
6. Military caregiver leave: Eligible family members of both current service members and certain veterans are entitled to military caregiver leave.

Attached to this e-mail is a United States Department of Labor fact sheet regarding each of these qualifying reasons for taking FMLA leave. The fact sheet provides greater detail on the qualifying reasons for leave, and is also available here:

<http://www.dol.gov/whd/regs/compliance/whdfs28f.pdf>. Board policy 3430.01 (for professional staff) and 4430.01 (for classified staff) also describe in detail the qualifying reasons; both are posted online at <http://neola.com/clevelandhgts-oh/>. In addition, I am available, of course, to review all of this with you over the phone or in person, if you need additional explanation.

After reviewing this material, please do the following:

1. If your absence is for one of the reasons outlined in 1-6 above:
 - a. Reply to this e-mail, and indicate that your leave is for an FMLA-qualifying reason; and
 - b. Provide me with an estimate of the duration of your absence, or the date you expect to return to work.

2. If your leave is *not* for one of the reasons outlined in 1-6 above:

- a. Reply to this e-mail, and indicate you do not believe your absence is for an FMLA-qualifying reason; and
- b. Provide me with an estimate of the duration of your absence, or the date you expect to return to work.

You have a legal obligation to provide sufficient information concerning the reason for your absence to allow the District to determine whether it counts as FMLA leave. False responses to this e-mail could result in disciplinary action.

Furthermore, if an anticipated leave exceeds the amount of sick leave in your sick leave bank, the FMLA leave for which you are eligible, and any other contractual leave, you must make a timely request for an unpaid medical leave of absence, if applicable.

Please respond to this request within three work days. Again, I am available if you would like to review this or otherwise have questions or concerns.

Sincerely,

Paul A. Lombardo

Director of Human Resources