

CODE: GBO

FAMILY SICK LEAVE

This policy governs employee leave under 26 M.R.S.A. § 636, “An Act to Care for Families,” referred to in this policy as the “Family Sick Act.” Leave under this policy is referred to as “Family Sick Leave.”

The Kittery School Committee recognizes that under Maine’s “Family Sick Leave,” if an employer provides paid leave under the terms of a collective bargaining agreement or employment policy, the employer must allow an employee to use the paid leave for the care of an immediate family member who is ill.

In law and for the purpose of this policy, the following definitions apply:

- A. “Employer” means a public or private employer with 25 or more employees.
- B. “Immediate family member” means an employee’s child, spouse or parent.
- C. “Paid leave” means time away from work by an employee for which the employee receives compensation. Paid leave is limited to sick time, vacation time, compensatory time, and leave that is provided as an aggregate amount for use at the discretion of the employee for any of these purposes. Paid leave does not include paid short-term or long-term disability, catastrophic leave, or similar types of benefits.

Employees may take up to 40 hours of earned paid leave as Family Sick Leave per a 12-month period or the amount provided by an applicable collective bargaining agreement, whichever is greater.

The 12-month period shall be the same for all employees and shall be consistent with the 12-month period identified for the Kittery School Department’s administration of the Family and Medical Leave Act (FMLA).

An employee is not entitled to use paid leave until that leave has been earned.

Notice/verification of illness for Family Sick Leave shall be the same as that required for the employee’s own illness. The employee must specify that leave is being taken pursuant to the Family Care Act.

Application for Family Medical Leave Requirements

For purposes of applying family medical leave requirements (i.e., FMLA), the school unit shall treat leave under the Family Care Act in the same manner as the employer treats leave for an employee illness. Therefore, Family Sick leave and FMLA leave shall run concurrently.

Legal Reference:	M.R.S.A. § 636
Cross Reference:	GBN - Family and Medical Leave
Adopted:	January 15, 2008
Revised:	February 7, 2012
Reviewed by PC:	October 23, 2012