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Human Resources Department

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Unpaid Family Medical Leave (FML) of Absence
 Human Resources ONLY determines eligibility and qualifications – governed by federal law.

REASON for FML	WHO QUALIFIES	EXCEPTIONS / NOTES
1. Birth or legal adoption of child. 2. Childcare during child's first year. 3. "State Action" foster care placement – up to 12 months after placement. 4. Care for employee's seriously ill spouse, child or parent. 5. Employee's serious health condition.	All Employee Groups who: 1. Work full-time, or is considered a full-time employee – see Note 4 below, 2. Have worked a minimum of 12 months, and 3. Have worked a minimum of 1,250 hours during the past 12 months from the request date, or since a previous FMLA leave. Only those hours actually worked count towards the 1,250 hours; other paid and unpaid leave is not counted – see Note 2 below.	An employee may elect to use <i>none or all</i> of his/her accrued paid leave balances, while on FML. Doctor's verification of serious health condition is required. This unpaid FML may not exceed 12 workweeks, or 60 workdays.

Note 1: If the employee is receiving insurance benefits from TUSD, the District will continue to pay its portion of the premium for employee-only OAP In Network coverage. If the employee has any benefits beyond employee-only OAP In Network coverage, he/she will be billed for any additional costs.

Note 2: Paid time off, such as sick and personal leave, does not count towards the 1,250 hours worked requirement.

Note 3: The start date for a Family Medical Leave may be applied retroactively.

Note 4: an employee, who works 6 hours per day, is considered a full-time employee in TUSD; however, most of these employees also work on a less than 12-month contract. That means a 6-hour per day, 9.5-month contracted employee only works 1,212 hours per year, which means that if he/she has any absences, then he/she would not be eligible for an FML

Note 5: A FML may not be used consecutively with any type short-term leave, except for Consensus and Blue-Collar employees.

Note 6: For Blue-Collar employees only, seniority continues to accrue during FML only.