



## Brevard County Public Schools

# Employee Leave of Absence Procedures

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2700 Judge Fran Jamieson Way  
Melbourne, FL 32940  
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## Important

This guidebook contains information about Leaves of Absence and is intended for use by employees of Brevard Public Schools. This information is not meant to replace the counsel of the Leave Specialist or final approval by Human Resources Services . If you have specific questions, please contact your Leave Specialist as identified in this manual.

The Employee Benefits team frequently updates this documentation to provide you with the most up-to-date information. Should there be a discrepancy between this booklet and the Leave of Absence page on the [Brevard County Schools Web site](#) the provisions of the Website prevail.

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# **LEAVE OF ABSENCE GUIDEBOOK**

## **Chapter 1. For Leaders: The Process of Reviewing a Leave**

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## For Leaders, Principals, Site Supervisors: The Process of Reviewing Leaves

When employees request a Leave of Absence (LOA), they should refer to the information available on our Web site: [Leave of Absence Information](#) . **NOTE: Support employees are not eligible for any leave in the first ninety (90) days of employment.**

As a leader, your involvement typically begins when the request form has been completed and the request is on your desk for review. You, of course, want to provide the best support to the end users of your department services or to the students in your school. However, there are times when a leave should be granted, and there are other times when a leave should not be granted. This section will address these considerations.

## Considerations for Reviewing Leaves

### All Leaves

Ensure that your employee or secretary has completed the Leave of Absence Request form and that all required supporting documentation is attached, as described below. The request must be signed by the requesting employee unless there is an extenuating circumstance. Please ensure that the employee has indicated how he/she would like any benefits handled during the leave of absence.

- Also note that the maximum time available to any employee for all leaves of absence is a cumulative two (2) years. Some employees are not allowed a 2-year leave. Refer to union agreements, if applicable.
- Employees may or may not be returned to their specific position they left depending on leave type and duration of leave
- An employee may not be employed or receive income from any other employer while on an approved leave from Brevard Public Schools.

### Timeframes

All non-emergency requests for any type of leave of absence must be submitted to the principal/supervisor **at least** 10 days prior to the commencement date of the leave when the employee knows about the need for the leave in advance and it is possible and practical to do so. More time may be necessary depending on the documentation that is submitted with the leave request. Please refer to the [timeline](#) for clarification.

For example, if an employee is scheduled for surgery, the need for the leave is foreseeable and the employee must provide at least 10 days advance notice. If the employee does not provide at least 10 days advance notice, and it was possible and practical to do so, the employer may delay the FMLA leave until 30 days after the date the employee provides the notice.

When the need for leave is unexpected, the employee must provide notice as soon as possible and practical, but no later than 10 workdays after the date of the emergency.

### Medical Leaves

A medical leave of absence is required when the employee cannot be actively at work for more than five consecutive workdays because of his/her personal illness or injury. This covers all absences greater than five consecutive workdays for any personal illness or injury, including Workers' Compensation absences. Requests for a medical LOA with proper documentation should be submitted to the administrator.

When a leave crosses the Fiscal Year (FY) it is necessary to complete two leave request forms. The first leave form uses the end date of June 30<sup>th</sup> or the last workday for non 12 month employees. The second leave beginning date for all employees except 12-month

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employees will be the date you would have been scheduled to return to work. The beginning date for 12-month employees will be July 1.

When requesting a second leave, there is no guarantee that a position will be available to you at the end of the second year. You may be offered a position outside of the classification which you left. Refer to union agreements, if applicable.

### **Personal Leave for FMLA reasons**

Employees requesting a medical LOA who are not eligible under FMLA may be eligible for a Personal LOA for FMLA reasons. A personal leave for FMLA reasons is a personal leave covered by FMLA provisions for employees who are not eligible for FMLA.

Requests for a personal LOA for non FMLA eligible employees for reasons covered under the FMLA should be approved if proper documentation is provided. Employees applying for a personal LOA must have at least 12 months of service.

It is required that the employee stipulate the reason he/she is requesting a leave of absence; "personal" is not acceptable as the reason.

A personal leave can be denied based on the business needs at the time requested, although requests for a personal LOA for reasons covered under the FMLA should be approved if proper documentation is provided. The following are *examples* of valid reasons for denying a personal leave request:

- The employee is going to work for someone else.
- The employee is leaving the state of Florida.
- You need the employee to complete the school year.
- They are requesting a second year or a partial year

Important! Please note that leaves are not approved until reviewed, processed, and signed by the district leaves department.

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## Chapter 2. Types of Leaves



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## Medical Leaves of Absence

### What is a Medical Leave of Absence?

A medical leave of absence is designated when an employee's personal illness or injury prevents him or her from being actively at work for **more than five consecutive workdays**. A medical leave of absence is either:

- FMLA leave
- Extended Illness
- Personal leave for FMLA reasons
- A leave of absence for an injury in the line of duty (Workers' Compensation).

The need for and duration of medical leaves of absence are determined by a licensed health care provider. The healthcare provider's statement must include medical facts, a begin date, and an end date pertaining to the medical condition.

A medical leave shall be covered under the Family Medical Leave Act (FMLA) if the employee meets the eligibility requirements. A FMLA certification signed by a licensed health care provider is required.

**An employee that is absent for more than five consecutive days utilizing sick time must submit a medical leave of absence request. An employee who is not at work and not on an approved leave of absence is considered absent without leave.**

### Medical Leave-Specific Guidelines

An employee is required to use his or her sick pay (if available) during a medical leave of absence. If the employee is a member of the Sick Bank, he or she must submit the request for sick bank pay no later than 10 workdays prior to the first day of sick bank pay for non-emergencies, and within 10 workdays after the first day of sick bank pay for emergencies. Failure to submit a request for sick bank pay within these timeframes will render the request invalid.

Once all sick pay and sick bank pay options are exhausted, an employee must use any available vacation pay to keep his or her pay whole for as long as possible.

An employee may transfer earned and credited sick leave to his/her spouse, sister, brother, parent, or child who is also employed by the District and on an approved leave of absence. Sick leave transfer between employees is provided for the purpose of extending paid sick leave time in the event of a personal illness or the illness of an immediate family member (as defined by the statute and verified by a Florida licensed medical practitioner). See Sick leave transfer procedures for further information.

If injured in the line of duty, an employee will be paid two-thirds of base salary by Workers' Compensation. The remaining one-third of regular pay can be paid from any sick pay balance, and once sick pay is exhausted, from any available vacation pay. Please contact Risk Management for all Workers' Compensation questions.

An employee may not be employed or receive income from any other employer while on an approved leave from Brevard Public Schools.

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## **Family and Medical Leave Act—FMLA**

### **FMLA Leave Entitlement**

The FMLA entitles eligible employees of covered employers to take unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave. Eligible employees are entitled to:

- Twelve workweeks of leave in a 12-month period for:
  - the birth of a child and to care for the newborn child within one year of birth.
  - the placement with the employee of a child for adoption or foster care and to care for the newly placed child within one year of placement.
  - to care for the employee’s spouse, child, or parent who has a serious health condition.
  - a serious health condition that makes the employee unable to perform the essential functions of his or her job.
  - any qualifying exigency arising out of the fact that the employee’s spouse, son, daughter, or parent is a covered military member on “covered active duty;” **or**
- Twenty-six workweeks of leave during a single 12-month period to care for a covered servicemember with a serious injury or illness if the eligible employee is the servicemember’s spouse, son, daughter, parent, or next of kin (military caregiver leave).

\*If both parents are employees of Brevard Public Schools and are eligible under FMLA, their combined, total leave is twelve weeks

**Under some circumstances, employees may take FMLA leave intermittently—which means taking the leave in blocks of time.**

### **Military Family Leave Entitlement—FMLA**

The military family leave provisions of the FMLA entitle eligible employees of covered employers to take FMLA leave for:

- Any “qualifying exigency” arising from the foreign deployment of the employee’s spouse, son, daughter, or parent with the Armed Forces, or
- To care for a covered servicemember with a serious injury or illness if the employee is the servicemember’s spouse, child, parent, or next of kin. - FMLA leave for this purpose is called “military caregiver leave.”

#### **Qualifying Exigency Leave**

An eligible employee may take qualifying exigency leave when the employee’s spouse, son, daughter, or parent who is a member of the Armed Forces (including the National Guard and Reserves) is on covered active duty or has been notified of an impending call or order to covered active duty.

### **Military Caregiver Leave Entitlement—FMLA**

Military caregiver leave allows an eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered servicemember with a serious injury or illness to take up to a total of 26 workweeks of unpaid leave during a “single 12-month period” to provide care for the servicemember.

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A covered servicemember is either:

- A Current Servicemember: A covered servicemember means a current member of the Armed Forces, including a member of the U. S. National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or
- A Veteran: A covered servicemember means a veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness, and who was discharged within the previous five years before the employee takes military caregiver leave to care for the veteran.

## **Military-Specific Guidelines**

Unless an emergency situation exists, a Leave Request must be submitted 60 days prior to the begin date of the leave. Military orders must be attached as soon as practical to be processed in a "paid" military leave status, and the leave must be approved prior to the begin date.

Upon completion of the tour of duty, you will be returned to employment without prejudice, provided application for re-employment is filed within six months following the date of discharge or release from active military duty and provided that the Board shall have reasonable time, not to exceed six months, to reassign you to the school system. The time period may be extended if you are hospitalized or convalescing from a service-connected illness or injury.

All documentation (military orders) will need to be provided to the work site Leave administrator who will then forward the information to the district Leave Specialist.

## **FMLA Eligibility Requirements**

At BPS, all medical leaves of absence are also FMLA leaves, for those employees who are eligible.

An eligible employee must meet all eligibility requirements:

- 12 months of service (does not have to be consecutive).
- 1250 actual hours worked (over the previous 12 months); preceding the date of the leave.
  - Exception to 1250 actual hours:
    - Instructional employees must have worked at least one full semester over the previous school year
- Must have FMLA hours (days) available to use.
- FMLA Certification must be signed by a licensed health care provider for all specified family and medical reasons covered under FMLA.

Brevard Public Schools performs the 12-month calculation by using the rolling 12-month period measured backward from the first day of the leave.

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When an employee requests a leave of absence for a situation which is covered by the FMLA law, the district administrator must immediately notify the employee of his or her under the law by handing him or her the FMLA Information Packet available on the leave of absence website. This notification is a compliance requirement of FMLA. In addition, neither the employee nor the employer can waive, save, or trade off their rights under FMLA. The employee is responsible for the completed and returned FMLA certification.

### **Intermittent FMLA Leave**

Under some circumstances, employees may take FMLA leave on an intermittent or reduced schedule basis. This means taking a leave in blocks of time when there is a medical need for such leave for an employee's own serious health condition, to care for a spouse, parent, son, or daughter with a serious health condition, or to care for a covered servicemember with a serious injury or illness. A FMLA certification signed by a licensed healthcare provider is required for this FMLA leave request.

Only the amount of leave actually taken while on intermittent leave may be charged as FMLA leave. Employees may not be required to take more FMLA leave than necessary to address the circumstances that cause the need for leave. Brevard Public Schools may account for FMLA leave in the shortest period of time allowed by their payroll systems.

Employees needing intermittent leave for foreseeable medical treatment must work with their site administrator to schedule the leave so as not to unduly disrupt the district's operations. Approval by an administrator or supervisor is required. An intermittent leave would require a return-to-work statement signed by the attending health care provider. All job restrictions included in the return-to-work statement would be subject to the physical demands of the employee's job description.

### **FMLA as a Benefit**

Brevard Public Schools provides the following for up to twelve workweeks.

- Board-Paid Medical Contributions.
- Board-Paid one time Life Insurance Contributions.

FMLA leave runs concurrently with all paid time off options, which include:

- Workers Compensation.
- Sick Pay and Sick Bank Pay.
- Personal charged to sick, vacation and administrative pay.

### **Job Restoration**

Upon return from FMLA leave, an employee must be restored to the employee's original job or to an equivalent job with equivalent pay, benefits, and other terms and conditions of employment. This guarantee is not applicable past the twelve (12) weeks of protected FMLA time. See union contracts for specifics related to job restoration, if applicable.

For additional information, visit <https://www.dol.gov/agencies/whd/fmla/factsheets>

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## **Extended Illness**

In certain situations when an employee is on a continued leave and has exhausted all accumulated sick pay (and sick bank pay if available) but continues to be sick or disabled and unable to return to employment, he or she may be granted leave upon submitting a request for a leave of absence for a total maximum of two (2) calendar years. In this circumstance, Brevard Public Schools designates the employee to be on an extended illness defined as a medical leave. An extended illness leave will run consecutively with a medical or FMLA leave. All requests and extensions for this type of leave shall be defined by a healthcare provider's statement.

As a healthcare provider's statement designates an end date to the extended illness leave, any extension must be submitted prior to the designated end date prior to expiration of leave.

All leaves extending into a new school year must be completed as a second year's leave request. The second year of extended illness leave must be applied for by submitting a leave request no later than May 15<sup>th</sup>.

## **Personal Leave for FMLA reasons (Formerly Non-FMLA Leave)**

### **What is Personal Leave for FMLA reasons?**

Personal leave for FMLA reasons is a type of medical leave. An employee may not meet the 1,250 hours or other eligibility requirements to qualify for a FMLA leave. In this circumstance, Brevard Public Schools designates the employee to be on a personal leave for FMLA reasons. All requests for this type of leave are medical leaves and shall be defined by a healthcare provider's statement. Personal leave for FMLA reasons entitles eligible employees to take up to 12 weeks of leave in a 12-month period for specified medical reasons due to a serious health condition that makes the employee unable to perform the functions of his/her job. However, the employee must have 12 months of service to be considered for this benefit.

The amount of Personal leave (days) for FMLA reasons available to an eligible employee will begin to be counted on the first day of the approved leave, running concurrently with any/all paid-time-off options used.

### **Personal Leave for FMLA reasons Eligibility Requirements**

An eligible employee must meet all eligibility requirements:

- 12 months of service (does not have to be consecutive).
- Must have accrued hours (days) available to use.
- Must provide a signed health care provider's statement which includes a begin date, and end date pertaining to the medical condition.

### **Personal Leave for FMLA reasons as a Benefit**

Brevard Public Schools provides the following for 60 workdays:

- Board-Paid Medical Contributions.
- Board-Paid one time Life Insurance Contributions.

Personal Leave for FMLA reasons leaves run concurrently with all paid time off options, which include:

- Workers Compensation.
- Sick Pay and Sick Bank Pay.
- Personal charged to sick, vacation and administrative pay.

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## **Personal Leaves of Absence**

An employee may request a Personal Leave of Absence when he or she cannot be at work and is not eligible for any other type of leave. The employee must provide to the school coordinator in writing a specific reason for the request. A Personal Leave of Absence may also be requested to participate in jury duty, union activities, and public service.

### **What is a Personal Leave of Absence?**

This type of leave may be taken for one of the following reasons:

- FMLA Reasons: An employee is not eligible for Family Medical Leave (FMLA) under the guidelines of the US. Department of Labor but may qualify under Brevard Public Schools Personal leave for FMLA reasons.
- Public Service.
- Jury Duty.
- Union Leave.
- Charter School Leave – a charter school leave may be approved if submitted on or before the end of April of any school year. Charter School leave requests submitted May 1 or later may not be approved.
- Other Personal Reasons—a specific reason must be provided for this type of request so the approval decision can be made. “Personal” is not a valid reason.

### **Personal Leave-Specific Guidelines**

At the District’s discretion and subject to administrator’s recommendation, a Personal leave of absence may be granted to employees for two (2) one-year periods of time for 12-month employees or two partial school years for school-based employees.

A teacher may request personal leave without pay for a specified period up to one year. The request must be made in writing and attached to a leave of absence request form. The leave must be recommended by the teacher’s immediate supervisor and approved by the Chief Human Resources Officer, or their designee before it is presented to the board for approval. An annual contract teacher’s reappointment may be affected by approval of a second year’s leave.

An employee must use his or her sick pay to care for others due to illness and to care for an immediate family member due to a serious health condition. Sick pay is not available for child adoption, child rearing and paternity.

An employee may use six “sick pay” days each year for personal reasons as “Personal Charged to Sick”. Such absences for personal reasons will be charged to his or her accrued sick pay.

Personal leaves not covered under the Family and Medical Leave Act of 1993 will not be subject to the FMLA job restoration provision.

Requests for personal leave must be accompanied by a written explanation and signed by the employee.

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## **Professional or Educational Study Leave**

An instructional employee can apply for this type of leave, and it may be granted, at the discretion of the Board and the administrator, for the following reasons:

### **Professional Study Leave- Paid Leave**

Professional Study Leave can be granted to teachers for the following reasons:

- Attend curriculum meetings.
- Observe instructional techniques.

### **Professional Study Leave-Specific Guidelines**

- Professional study leaves not to exceed 30 days calendar days and must be deemed to be of substantial benefit to the district and have an immediate application to the teaching program.
- A teacher shall not be granted a professional study leave for more than five days per year
- Teacher must be employed with the district as a teacher for one year and enrolled in a master's or higher-level program with an accredited institution.

## **Educational Study Leave – Unpaid Leave**

Teachers can apply for Education Study Leave for the following reasons:

- Exchange Teaching Program for teachers on Professional Service/Continuing Contract.
- Military Teaching Program such as teaching for Department of Defense schools.
- Full-time participation in the Peace Corps, Teacher Corps, or Job Corps.
- Masters and/or Doctorate advanced program of study. (Professional services and continuing contract teachers only)

### **Educational Study Leave-Specific Guidelines**

- As a condition of this type of leave, see *Educational Study Leave – Unpaid Leave* above items 1-3, the teacher shall include with the leave of absence request form a written statement of intention to return to the district for a minimum of two years. However, a master's and/or Doctorate advanced program of study, does not require the employee to provide intent to return to the district.
- Educational study leave may be granted to a teacher on Professional Service/Continuing Contract to attend an accredited institution. The course of study must be related to the teacher's professional responsibility as an instructor. This type of leave would begin only at the start of the school year and expire on June 30 of each year.
- Upon application, teacher must submit an official letter of acceptance into the program, course schedule for the semester(s) showing full course load and upon return from educational study leave, official transcripts reflecting a full course load must be provided.

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This type of leave may be renewed for no less than one school year per renewal and shall not be renewed more than twice. The renewal shall be limited to the year immediately following the first year that the leave began.

### **Bereavement Leave**

Up to three (3) days Bereavement Leave shall be granted to an employee at the time of the death of a family member. As a guide, bereavement may be granted, upon request, for the death of a spouse, son, daughter, mother, father, brother, sister, grandparent, father-in-law, mother-in-law, brother-in-law, sister-in-law, aunt, uncle, niece, nephew, grandchild, son-in-law, daughter-in-law, stepparents, stepchildren, or a person residing in the same household as the employee. The supervisor or administrator may ask for documentation of the family member's death.



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## **Chapter 3. How to Initiate a Leave of Absence**

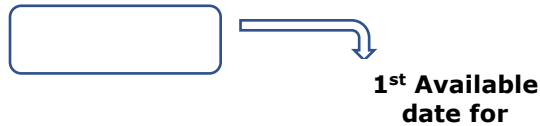
# LEAVE OF ABSENCE GUIDEBOOK

## Timeline for submitting a leave request

Employees are required to submit a leave request no later than 10 days prior to the start of their leave. However, requests may need to be submitted sooner than 10 days based on the employee’s adherence to the leave guidelines. To determine the amount of time needed to process a leave request, refer to the chart below. For any questions, please contact your leave coordinator or the leave department

### Timeline

Date employee notifies coordinator  
of need for leave = **NOTICE DATE**



Scenario #1: Employee submits LOA request with applicable supporting documents that are complete and sufficient. No further	Add 10 days to NOTICE Date <input style="width: 100px; height: 20px;" type="text"/>
Scenario #2: Employee submits LOA request with supporting document that is incomplete or missing information	Add 17 days to NOTICE Date <input style="width: 100px; height: 20px;" type="text"/>
Scenario # 3 Employee submits LOA request without applicable supporting document but subsequently submits complete and sufficient document within the required time	Add 25 days to NOTICE Date <input style="width: 100px; height: 20px;" type="text"/>
Scenario #4 Employee submits LOA request without applicable supporting documents and then subsequently submits incomplete / insufficient information	Add 32 days to NOTICE Date <input style="width: 100px; height: 20px;" type="text"/>

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## Use of Sick Pay

Here are Specific Guidelines for Use of Sick Pay during a Leave of Absence.

**Medical Leave-** An employee is *required* to use his or her sick pay when absent due to an employee's own personal illness or injury. This type of leave would be considered a *medical leave of absence* and may be covered under FMLA.

**Personal Leave for FMLA reasons-** An employee is *required* to use his or her sick pay to care for others due to illness. This type of leave would be considered a *personal leave for FMLA reasons absence* and may be covered under FMLA.

**Personal Leave for Non-FMLA reasons –** An employee may not use sick time to cover personal leave for Non-FMLA reasons. Absences for these reasons will be charged to his or her accrued vacation pay.

**Personal Charged to Sick-** An employee may use 6 days each year for personal reasons. Such absences for personal reasons will be charged to his or her accrued sick pay. This type of leave would be considered a *personal leave of absence*.

Please see below *Florida Statute FS 1012.61 for the use of Sick Pay.*  
[http://www.flsenate.gov/Statutes/index.cfm?App\\_mode=Display\\_Statute&Search\\_String=&URL=1000-1099/1012/Sections/1012.61.html](http://www.flsenate.gov/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=1000-1099/1012/Sections/1012.61.html)

### FS 1012.61 Sick leave.

ELIGIBILITY - Any member of the instructional staff or any other employee of a district school system employed on a full-time basis in the public schools of the state who is unable to perform his or her duty in the school on account of personal sickness, accident disability, or extended personal illness, or because of illness or death of father, mother, brother, sister, husband, wife, child, other close relative, or member of his or her own household, and consequently has to be absent from his or her work shall be granted leave of absence for sickness by the district school superintendent or by someone designated in writing by the district school superintendent to do so.

Extent of Leave- A district school board may establish policies and prescribe standards to permit an employee to be absent 6 days each school year for personal reasons. However, such absences for personal reasons must be charged only to accrued sick leave and leave for personal reasons are non-cumulative.

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## How to Initiate a Leave of Absence

### Site Administrator / Secretary / Coordinator

The site administrator's responsibility is to provide the documents and information for a leave and assist the employee throughout the leave process.

It is really important for an employee to understand the impact that their leave will have on the site and their team.

Discuss with the employee the factors to determine what type of leave is required. Absences from work greater than five consecutive workdays due to the employee's own illness or injury require a medical leave.

A signed leave of absence request form with supervisor recommendation is required for all new leave requests, changes to current leaves, or extensions of current leaves.

### Providing Information and Documents

1. Go to [Leave of absence information site](#) and download the following:
  - Leave of Absence Information and Application Packet
  - Applicable FMLA form
2. Determine if the employee meets **FMLA leave entitlement** criteria. See <https://www.dol.gov/agencies/whd/fact-sheets/28-fmla>, or the section in this guidebook [FMLA Leave Entitlement](#).
3. Determine if the employee meets **FMLA eligibility** requirements. See <https://www.dol.gov/agencies/whd/fact-sheets/28-fmla>, or the section in this guidebook [FMLA Eligibility Requirements](#).
  - Review hours worked report with the employee to assist with FMLA eligibility
4. Review the timeline for submitting leave requests with the employee
5. Review the Leave of Absence checklist to ensure the employee are aware of the process and who to contact with any questions.
6. Review Paid Time Off options. Key points follow:
  - All accrued time including sick and vacation pay must be used for all medical leaves, if available.
  - All paid time off will run concurrently with FMLA
  - If the employee is a sick bank member, the employee should review the Sick Bank guidelines and Application Packet.

### Submitting leave paperwork

1. Ensure the leave of absence request form is filled out completely and accurately
  - a. Ensure that the appropriate leave type is selected as well as the begin and end date has been entered as provided by the health care provider.
  - b. Ensure the form has the employee's signature and the required supervisor's recommendation and signature

## **LEAVE OF ABSENCE GUIDEBOOK**

- c. Ensure employee completes acknowledgement section for Unpaid Leaves to determine benefits continuation. Any change to benefits continuation will require a signed Benefit Change Form to be sent to the Office of Employee Benefits. See "Benefit Continuation while on an Unpaid Leave."
  - d. Corrections, changes or extensions of an original leave that has been submitted will require a new form with updated information.
  - e. Corrections to a leave of absence form prior to being submitted should be crossed out and re-written with an initial of the coordinator or employee. Forms with white out will not be accepted.
2. Ensure that a leave request form for a medical leave or FMLA leave is accompanied by the appropriate certification by a licensed health care provider.
    - a. If applicable, the Certification of Health Care Provider Form must be complete with all sections filled out.
      - Section II, Part A and Part B must be completed. Part B must contain the dates certified by the physician
      - Time off work that states "unknown" or "indefinite" is not acceptable
      - The form must be signed and dated
  3. Receive completed documents from the employee and review for completeness and accuracy
  4. Provide employee with a copy of signed leave of absence request form
  5. Send the documents to the appropriate recipients
    - a. Sick Bank – Send the original Sick Bank application along with copies of the approved leave request form to the payroll office
    - b. Leave request form and supporting documents – Fax the Leave Request form and supporting documents to the Leave office at 321-877-0953. Send all originals via courier.
    - c. Send a copy of the leave of absence request form (no medical paperwork or information) to your work site's payroll specialist at the district office

Reminder: The leave request form should only be sent to the district leave office when accompanied by the supporting documents. Leave requests will not be reviewed or processed without supporting documentation.

# **LEAVE OF ABSENCE GUIDEBOOK**

## **Employee**

Employees should notify the site coordinator as soon as possible they have a need for a leave of absence and determine what type of leave is required

1. Go to [Leave of absence information site](#) and download the following:
  - Leave of Absence Information and Application Packet
  - Applicable FMLA form
2. Determine if you meet **FMLA leave entitlement** criteria. See <https://www.dol.gov/agencies/whd/fact-sheets/28-fmla>, or the section in this guidebook [FMLA Leave Entitlement](#).
3. Determine if you meet **FMLA eligibility** requirements. See <https://www.dol.gov/agencies/whd/fact-sheets/28-fmla>, or the section in this guidebook [FMLA Eligibility Requirements](#).
  - Review hours worked report with the site coordinator to assist with FMLA eligibility
4. Review the timeline for submitting leave requests with the site coordinator
5. Review the Leave of Absence checklist to ensure you are aware of the process and who to contact with any questions.
6. Review Paid Time Off options. Key points follow:
  - All accrued time including sick and vacation pay must be used for all medical leaves, if available.
  - All paid time off will run concurrently with FMLA
  - If the employee is a sick bank member, the employee should review the Sick Bank guidelines and Application Packet.

## **Submitting leave paperwork**

1. Ensure the leave of absence request form is filled out completely and accurately
  - a. Select the appropriate leave type and enter the begin and end date as provided by the health care provider
  - b. Sign the form and ensure that the required supervisor's recommendation and signature are complete
  - c. Complete acknowledgement section for Unpaid Leaves to determine benefits continuation. Any change to benefits continuation will require a signed Benefit Change Form to be sent to the Office of Employee Benefits. See "Benefit Continuation while on an Unpaid Leave."

## LEAVE OF ABSENCE GUIDEBOOK

- d. Corrections, changes or extensions to an original leave that has been submitted will require a new form with updated information.
  - e. Corrections to a leave of absence form prior to being submitted should be crossed out and re-written with an initial of the coordinator or employee. Forms with white out will not be accepted.
2. A leave request form for a medical leave or FMLA leave must be accompanied by the appropriate certification by a licensed health care provider.
- a. For FMLA Eligible employees, an applicable Certification of Health Care Provider must accompany your leave request
    - The Certification of Health Care Provider Form must be complete. **All sections of the form must be completed including Part A and Part B and the form must be signed.**
    - **Important! Part B: Amount of Leave Needed: The amount of leave needed must be specified in this section. "Unknown or Indefinite" is not acceptable.**
  - b. For non-FMLA eligible employees who are requesting a medical leave, your leave request must be accompanied by a physician's note with dates of absence.
3. If applicable, complete the Sick Bank application
4. Upon completion of your leave of absence request form, submit the form along with the appropriate supporting documents to the site coordinator who will provide a copy for your records and submit the documents to the district office for approval.
5. The Leave Department may contact you for any additional requirements as needed.
6. It is the employee's responsibility to ensure that the district office has the most current contact information for the employee including a phone number and email address.

**Reminder: Leave requests submitted without complete and sufficient information may delay the processing and approval for your leave request.**

# **LEAVE OF ABSENCE GUIDEBOOK**

## **Chapter 4. While a Leave is in Progress**



# LEAVE OF ABSENCE GUIDEBOOK

## Benefits Continuation While on Leave of Absence

### Leave of Absence “Unpaid Status”

When an employee’s leave of absence begins or moves into an “**unpaid**” status, the employee can decide to cancel or change health benefits within 30 days of the first day of their unpaid leave of absence as a qualifying event under IRS code, Section 125. All changes and/or cancellation of the employee’s health benefits coverage due to a qualifying event must be requested on a Benefit Change Form and submitted to the office of Employee Benefits within 30 days of the qualifying event.

In addition, the first day back to work and paid status from an “**unpaid**” leave of absence will be considered another qualifying event under Section 125, and employees will have 30 days to change health benefits again or apply to restart any health benefits they dropped or cancelled. However, the employee may be required to provide “**Evidence of Insurability**” and may be subject to “pre-existing conditions” as defined under the Health Insurance Portability and Accountability Act of 1996 (HIPAA), if the employee allows a lapse in health benefits of 63 days or more.

### Monthly Premium Billing

Once the employee exhausts all paid options (sick pay, sick bank pay, and/or vacation pay) and goes into an “**unpaid**” status when there is no paycheck from which to deduct premiums, Brevard Public Schools (BPS) will start sending monthly invoices for the premiums that are due. To view a sample of a monthly invoice and billing notification letter please see “John Sample and Billing Notification Letter”. If the employee’s leave of absence is covered under the Family and Medical Leave Act (FMLA), or if the employee is eligible for sixty days Board-paid premiums (Personal leave for FMLA reasons), the employee will only be responsible for paying the employee portion of the benefits premiums, which is what is normally deducted from each paycheck.

When the employee’s leave request is not eligible for FMLA or Personal leave for FMLA reasons entitlements or if the employee has exhausted all FMLA or Personal leave for FMLA reasons entitlements, the employee will be responsible for the entire cost of health benefits premiums, to include the amount normally contributed by the Board. *Employees cannot change their benefits simply because they now have to pay the “Board” portion. This is an important concept to understand when making the decision within 30 days of the first day of the employee’s **unpaid** leave (described above) regarding the continuation of benefits.*

### Cancellation Due to Non-Payment

Brevard Public Schools will cancel an employee’s health benefits for non-payment if the employee does not make his or her payments in accordance with the invoice amounts and due dates that are sent to them from the office of Employee Benefits. The employee’s health benefits coverage will be terminated back to the last date through which the employee had paid premiums due in full. The employee will be held responsible for reimbursing the District for any pharmacy claims that were paid by the District on their behalf during any period when benefits are no longer in effect.

# LEAVE OF ABSENCE GUIDEBOOK

## **Leave of Absence “Paid Status”**

When an employee’s leave of absence begins in a **paid status** (for example, sick pay, sick bank pay, administrative pay, and vacation pay), benefits premium deductions continued from these paychecks and the employee’s health benefits continue as if the employee is actively at work. Note: Employee’s whose entire leave of absence is **paid** will have no qualifying event for health benefits change when they begin a leave, nor when they return from a leave of absence.

## **Employee Rights While on Leave of Absence**

### **Leave of Absence Qualifying Events**

As discussed previously, an employee can maintain health benefits during an approved leave of absence as long as payroll deductions continue while the employee is in a **paid status**, or if full monthly premium payments are remitted to the Office of Employee Benefits by the date due while the employee is in an **unpaid** status. If an employee selects to change or cancel existing health benefits, the employee has the option to make these benefits changes within 30 days of the first day of an **unpaid** leave of absence. An employee may make changes to their health benefits while on an approved leave of absence due to a **Qualifying Event** which is defined as a **change in family status** due to

- Marriage or Divorce.
- Birth or Adoption of a child.
- Death of a spouse or child.
- Change in dependent(s) status.
- The loss or gain of benefits for yourself or your eligible dependents.
- The first day of an **unpaid** leave.
- The first day of your return from an **unpaid** leave.
- Brevard Public Schools retirement.

All changes to an employee’s health benefits due to a qualifying event must be requested on an **Employee Benefit Change Form**, with proper documentation attached, and submitted to the Office of Employee Benefits within 30 days of the change.

### **Health Benefit Enrollment Provisions while on an Unpaid Leave of Absence**

If an employee elects to cancel or change health benefits while on an **unpaid** leave of absence or benefits have been terminated for **non-payment**, the employee may re-enroll by completing an **Employee Benefit Change Form** within 30 days upon his/her return to work subject to normal health benefit enrollment provisions as described below.

**Short-Term or Long-Term Disability** - If the employee has cancelled Short-Term or Long-Term Disability, the employee will have to go through the Evidence of Insurability (EOI) process with the applicable carrier. If the employee is on a short-term disability claim and has paid disability coverage premiums for six months, he or she will be eligible for a waiver of premium, and coverage can be reinstated upon return without going through the EOI process. If the employee is on a personal leave and has paid disability coverage premiums for 13 weeks, the coverage can be reinstated upon return to work without going through the EOI process.

## **LEAVE OF ABSENCE GUIDEBOOK**

**Life Insurance** - If the employee's Life insurance is cancelled during a leave of absence, it will be reinstated after the employee returns to work at one times base salary. The employee may take additional coverage at an increment of one times base salary during each Open Enrollment until the employee has reached the additional maximum coverage amount of four times base salary.

**Dependent Life** - If the employee's Dependent Life coverage is cancelled, the employee must go through the EOI process for each dependent he or she wishes to cover, or the employee may reinstate the coverage during the next Open Enrollment period which may require another EOI review.

**Important Note:** If Dependent Life, Short-Term Disability, or Long-Term Disability is cancelled due to non-payment of premiums, the employee will have to wait until Open Enrollment to reinstate the Dependent Life and will be able to request EOI for the disability coverages. Any time an employee selects to go through the EOI process, the carrier can deny reinstatement, and the employee will have to wait until the next Open Enrollment period to go through another EOI review.

**Reinstatement:** Any other coverage can be reinstated upon the employee's return to work from an **unpaid** leave by completing the **Employee Benefit Change Form** within 30 days upon return to work, subject to normal health benefits enrollment provisions.

# LEAVE OF ABSENCE GUIDEBOOK

Office of Employee Benefits 2700 Judge Fran Jamieson Way  
Melbourne, FL 32940-6699

## *Benefits Invoice*

**On-Leave Contact:**  
**Maria Perez**  
**(321) 633.1000 ext 248**

**Today's Date:** 08-Apr-14

**Bill To: Sample, John 21345 Main  
Street Melbourne, FL  
32904**

<i>Emp ID</i>	<i>Invoice ID</i>	<i>Invoice Date</i>	<i>Date Required</i>
020-01-1016	000003552	3/1/2011	

<i>Product ID</i>	<i>Product Description:</i>	<i>Quantity</i>	<i>Unit Price</i>	<i>Extended Price</i>
MEEC	Cigna EPO Medical EE+ Children	1	\$210.00	\$210.00
<b>Total:</b>				<b>\$210.00</b>

**Invoice Notes:**

**Payment By: Sample, John 21  
345 Main Street  
Melbourne, FL 32904**

**Apply Payment:**  
000003552

**PLEASE remit your payment to the above address and make your check or money order payable to Brevard Public Schools. Thank you!**

# LEAVE OF ABSENCE GUIDEBOOK

## School Board of Brevard County

2700 Judge Fran Jamieson Way • Melbourne, FL 32940-6699 Brian T. Binggeli, Ed.D., Superintendent

April 8, 2014

John Sample 345 Main Street  
Melbourne, FL 32904



RE: Billing and Notification Qualifying Event Benefits Change

Dear Leave of Absence (LOA) Benefits Plan Participant:

We understand that you currently are on an approved Leave of Absence from Brevard Public Schools, and you wish to continue the employee benefits you have selected. Once you no longer receive a paycheck from which your benefits premiums may be deducted, **Brevard County School Board, Office of Employee Benefits** will mail a monthly benefit premium invoice reflecting your payment due for the benefits in which you and/or your eligible dependents are currently enrolled.

All payments are due by the date indicated on the invoice. If benefits premiums invoices are not paid in full within your grace period, all of your benefits will be terminated for non-payment. Please note that under provisions of the Health Insurance Portability and Accountability Act of 1996 (HIPAA), if you allow benefits to lapse for non-payment for 63 days or longer, you will be subject to certain pre-existing conditions and/or evidence of insurability requirements upon reenrollment.

You may change your employee benefits while on an approved LOA due to a **qualifying event**, which is defined as a change in family status due to

Marriage or divorce.

Birth or adoption of a child.

Death of a spouse or child.

Change in dependent(s) status.

The loss or gain of benefits for yourself or your eligible dependents.

On the first day of your return from an Unpaid leave.

Brevard Public Schools retirement

In addition, **the start of your first day of unpaid LOA (2/20/14) is a qualifying event.** Employees have the option of changing their benefits starting the first day of an unpaid portion of their LOA.

**Last day of board paid benefits – 5/9/14. Employees on a FMLA LOA are entitled to 60 days of board paid contributions towards their medical and basic life insurance premiums.**

Please contact your leave administrator for the first date of unpaid leave. **All changes to employee benefits due to a qualifying event must be requested on a Benefit Change Form, with proper documentation attached, and submitted to the Office of Employee Benefits within 30 days of the change.**

For more information about your benefits while on leave, go to

[http://www.edline.net/pages/Brevard\\_County\\_Schools/Departments/Departments\\_K-Z/HumanResources/Leave\\_of\\_Absence](http://www.edline.net/pages/Brevard_County_Schools/Departments/Departments_K-Z/HumanResources/Leave_of_Absence)

or talk to the Leave

Administrator at your worksite. Please remit all payments and direct all inquiries to:

Brevard County School Board Office of Employee Benefits 2700 Judge Fran Jamieson Way Melbourne, Florida 32940-6699

If you have additional questions, please call Maria Perez at 633-1000, ext. 248. Sincerely,

Director, Employee Benefits & Special Programs

# LEAVE OF ABSENCE GUIDEBOOK

## Leave Duration Changes—Leave Extensions

### Medical

If an employee is out on a Medical Leave of Absence and will not be able to return to work when originally planned, he or she must extend the leave by submitting an updated medical note from a licensed health care provider, which includes the revised date of return to work on or before the end date of the current leave. The leave specialist will then change the original Leave of Absence form and process the revised expected return-to-work date as a leave extension in accordance with the leave of absence guidelines. The leave specialist will notify Human Resources, the LOA Accounts Receivable Specialist, Payroll, and the appropriate Benefits Specialist of the medical leave extension.

**Important Note:** An employee who is extending a Leave of Absence can only make a change to health benefits coverage's due to a **qualifying event** which is defined as a **change in family status**.

Important note: It is the responsibility of the employee to notify the site coordinator or the leave department prior to the end date of the current leave if the employee will not be returning the day after the leave expires. Failure to return immediately upon the expiration of the current leave or provide an extension on or before the end date is considered absence without leave and the employee could be subject to disciplinary action up to and including termination.

### Personal

An extension of a Personal Leave of Absence requires the recommendation of the School Principal or Administrator. An e-mail must be sent to the appropriate Leave Specialist stating the recommendation of and approval by the Chief Human Resources Officer or designee and the **"reason for the personal leave extension."**

### 20 Day Rule

All leaves of absence are subject to the 20-day rule. The 20-day rule is defined as follows:

If an employee returns to work and does not work a minimum of twenty (20) workdays and must go back out on leave, this is considered an extension of the original leave and NOT a new leave.

An employee must work at least twenty (20) workdays between leaves before the second leave is considered a new Leave of Absence.

# **LEAVE OF ABSENCE GUIDEBOOK**

## **Leave Duration Changes—Earlier Return**

### **Medical**

If an employee's health care provider determines that the employee may return to work at an earlier date than what was originally anticipated, the employee must provide a revised medical note from the licensed health care provider, releasing him or her back to work on the earlier date. In any case, an employee is not allowed to return to work without a note of release from his or her health care provider due to liability reasons. For instructional employees, if another employee was hired on a "Short-Term Contract," the employee on leave cannot return to work until that contract has been fulfilled. In addition, classroom instructional employees must return to work at full duty with no restrictions. If an employee is in a support staff position and is being released back to work with restrictions, the Administrator must approve the return determined by the physical demands cited in the employee's job description.

### **Personal**

If an employee wants to return to work earlier than anticipated and his or her position has not been filled, approval must be obtained from the Principal or Administrator.

## **Employment while on leave**

An employee may not be employed or receive income from any other employer while on an approved leave from Brevard Public Schools.

# **LEAVE OF ABSENCE GUIDEBOOK**

## **Chapter 5. Returning to Work from a Leave**



# LEAVE OF ABSENCE GUIDEBOOK

## Returning to Work from a Leave of Absence

When an employee returns from a medical leave of absence, a medical release note from the attending **licensed health care provider** is required. The medical release note or return to work statement must include a return-to-work date and the employee's release status, full duty or with restrictions. It is the employee's responsibility to provide the note to the site coordinator prior to reporting to work.

If the employee is a Classroom Instructor or Instructor's Assistant, the employee must be released to full duty with no restrictions. If the employee is a Non-classroom Instructor or a Support Staff member returning with restrictions, an Administrator or Supervisor will need to review and approve or deny the return. The return to work would be subject to the physical demands of the employee's job description. For employees returning with restrictions from a workers' compensation leave of absence, approval from risk management is required.

The medical release note must be forwarded to the appropriate leave specialist. If the return to work is from a non-medical leave of absence (Personal), the work site contact is required to inform the Leave Specialist of the date of return.

The Leave Specialist will then notify the following:

- Employee's Work Site Contact for confirmation of the employee's return
- Benefits Specialist
- HR/Employment Specialist
- Payroll
- Leave Accounts Receivable (A/R) Specialist.

The leave A/R Specialist will inform the Benefits Specialist of all premium payments received from the employee while on leave. If benefit premium payments are in arrears, the employee's first payroll check upon their return will be adjusted by past premiums due.

The Work Site Contact should provide a blank **Employee Benefit Change Form** to the employee returning from an **unpaid** leave of absence. The employee's return from an unpaid leave of absence is a **qualifying event** which is defined as a **change in family status**.

The change in family status allows the employee a special open enrollment period during which he or she has 30 days from the first date of return from an **unpaid** leave to make changes to benefits selections. If no changes are desired, "No Changes" should be handwritten across the flex enrollment form and signed by the employee. All Benefit Change Forms are to be submitted to the Office of Employee Benefits, ESF, Melbourne.

# LEAVE OF ABSENCE GUIDEBOOK

## Purchasing Retirement Credit for a Leave of Absence

Employees who are enrolled in the Pension Plan continue to earn *creditable service* for any period they are on an approved leave of absence with pay. You will not earn *creditable service* for any period you are on an approved unpaid leave of absence. Receiving pay from a Disability Carrier does not constitute "with pay."

Employees may find it beneficial to purchase this creditable service prior to their retirement, because it could positively affect the amount of their monthly pension benefits once they retire.

### Defined Benefit Plan/Pension Plan Members

A Pension Plan member may elect to purchase *creditable service* for up to two work years of authorized leave of absence. You can do this provided you have completed a minimum of six years of creditable service (excluding periods of leave of absence), and you return to active employment with a *Florida Retirement System (FRS)* employer immediately upon termination of your leave of absence and remain on your employer's payroll for at least one calendar month.

Your cost for purchasing this service will be at the contribution rate in effect at the time of your leave multiplied by your monthly rate of compensation in effect immediately prior to taking your leave plus 6.5% interest compounded annually from the effective date of the leave until full payment is made. You may pay for the leave any time before retirement, but this service **does not** count toward the years of service you need to be *vested*.

To obtain the cost of purchasing your leave, you must complete both an [FRS Information Request Form \(FR-9\)](#) and an [FRS Pension Plan Application to Purchase Retirement Credit \(FR-28\)](#). Forward the completed forms with a copy of your leave to the Retirement Benefits Office for processing and submission to FRS. After FRS calculates the cost to purchase the service credit for the leave, they will mail the final results to your home address.

### Defined Contribution Plan/Investment Plan Members

You **may not** purchase creditable service under the Investment Plan. If you have additional service credit you wish to use towards your retirement, you must purchase such service under the Pension Plan before you become a member of the Investment Plan.

### Deferred Retirement Option Program/DROP Members

You **may not** purchase creditable service under the DROP Program. If you have additional service credit you wish to use towards your retirement, you must purchase such service under the Pension Plan before you join the DROP Program.

### Additional Information

For specific information about purchasing retirement service credit, you may contact the BPS Retirement Office by phone at 321-633-1000 x11260 or the Florida Retirement System (FRS) at 866-446-9377.

# LEAVE OF ABSENCE GUIDEBOOK

## Chapter 6. Appendices

## Appendix 1: Glossary

Term	Definition
20-day rule	<p>All leaves of absence are subject to the 20-day rule. The 20-day rule is defined as follows:</p> <p>If an employee returns to work and does not work a minimum of twenty (20) workdays and must go back out on leave, this is considered an extension of the original leave and NOT a new leave.</p> <p>An employee must work at least twenty (20) workdays between leaves before the second leave is considered a new Leave of Absence.</p>
Advanced Study or Education Service Leave of Absence	<p>A leave granted at the discretion of the Board for the purpose of participating in an exchange teaching program for Teachers on Professional Service Contract or continuing Contract.</p> <p>A military teaching program such as Department of Defense Schools.</p> <p>Full-time service in the Peace Corps, Teacher Corps, or Job Corps.</p>
Benefit Change Form	The form an employee fills out to change benefit coverages. The form is specific to the plan year in which changes are made.
Benefit Plan/Pension Plan	An employer-sponsored retirement plan under which members are promised a lifetime benefit at retirement if they meet certain age and/or service requirements. The benefit amount is based on the member's earnings, length of service, and service accrual value. Promised benefits are pre-funded by contributions made by the employer, employee, or both, plus investment earnings (the FRS Pension Plan is pre-funded by employer contributions only.) All promised benefits to current and future retirees and other eligible beneficiaries are guaranteed under the plan.
Board-Paid Benefit	The portion of the insurance premium that is paid for by the School Board. Board-paid benefits include the Board's portion of the employee's medical, and one times the employee's annual salary in life insurance.
Certification Form	A U.S. Department of Labor form that must be filled out by a health care provider to support a request for FMLA leave.
Claims	Bills that are submitted to the plan administrator for reimbursement. If the claim is paid, it is now referred to as a "paid claim."
COBRA	The Consolidated Omnibus Budget Reconciliation Act (COBRA) gives workers and their families who lose their health benefits the right to choose to continue group health benefits provided by their group health plan for limited periods of time under certain circumstances such as voluntary or involuntary job loss, reduction in the hours worked, transition between jobs, death, divorce, and other life events.
Contribution Plan/ Investment Plan	An employer-sponsored retirement plan under which contributions are made by the employer, employee, or both, to individual member accounts to generate funds for future distribution to the member (the FRS Investment Plan allows employer contributions only). The benefit amount is the sum that accumulates in the member's account, based on contributions made, plus investment earnings, less fees and expenses. Members may have to meet certain age and/or service requirements to receive account accumulations.
Creditable Service	Service for which a member earns retirement credit by receiving compensation for work in a regularly established position with an employer that participates in the FRS.
Dependent Life Insurance	Life insurance issued on the life of an employee's eligible dependent(s).
Direct Payment	Payment made by the employee directly to the insurance carrier (rather than via payroll deduction).

Term	Definition
DROP	Deferred Retirement Option Program (DROP) - An elective program available for eligible members of the FRS Pension Plan, who are eligible for normal retirement. Under this program, a member effectively retires and continues employment for up to 5 years. While in DROP, the member's monthly retirement benefits accumulate, earning interest and annual cost-of living adjustments. When the DROP period concludes, the participant terminates covered employment and begins receiving his/her predetermined monthly retirement benefit, as well as the accrued DROP.
Elimination Period	The number of calendar days at the beginning of a continuous period of disability (forexample, long-term, short-term disability) for which no benefits are payable.
Evidence of Insurability	(EOI) Medical information provided proving to the insurance company that the applicant is insurable.
Extended Illness	In certain situations when an employee is on a continued leave and has exhausted all accumulated sick pay (and sick bank pay if available) but continues to be sick or disabled and unable to return to employment, he or she may be granted leave upon submitting a request for a leave of absence for a total maximum of two (2) calendar years. In this circumstance, Brevard Public Schools designates the employee to be on an extended illness defined as a medical leave. An extended illness leave will run consecutively with a medical or FMLA leave. All requests and extensions for this type of leave shall be defined by a healthcare provider's statement. See extended illness section of this book.
FMLA	Eligible employees receive a total of 12 work weeks of leave during any 12-month period for one or more of the following reasons: The birth and care of the newborn child of the employee Placement with the employee of a child for adoption or foster care Care for an immediate family member (spouse, child, or parent) with a serious health condition; <b>or</b> Medical leave when the employee is unable to work because of a serious health condition.
FRS	Florida Retirement System -- The retirement system established in December 1970 to consolidate the existing pension plans (now closed retirement systems) and provide a retirement, disability, and survivor benefit program for participating state and local government employees. Today, the FRS is a single retirement system consisting of two primary retirement plans and other nonintegrated programs administered under Chapter 121, F.S. The primary plans are a defined benefit plan established under part I and a defined contribution plan established under part II of that chapter. In addition, alternative optional defined contribution programs are available for specified employee groups under part I, including the State University System Optional Retirement Program, the State Community College System Optional Retirement Program, and the Senior Management Service Optional Annuity Program.
Full Course Load	The number of classes, taken at an accredited institution, required by the institution in order to maintain student status.
HIPAA	The Health Insurance Portability and Accountability Act (HIPAA) provide rights and protections for participants and beneficiaries in group health plans. HIPAA includes protections for coverage under group health plans that limit exclusions for preexisting conditions; prohibits discrimination against employees and dependents based on their health status; and allows a special opportunity to enroll in a new plan to individuals in certain circumstances. The law also offers specific protections for personal health information (PHI).
Leave of absence	Any absence greater than 5 consecutive days including personal illness, personal leave, or worker's comp
Licensed Health Care Provider	Any professional related to the health care of the patient. (for example, Doctor, Nurse, Physician's Assistant, Nurse Practitioner, etc.)

Term	Definition
Life Insurance	Insurance providing payment of a stipulated sum to a designated beneficiary upon the death of the insured.
Long-Term Disability Insurance	A policy which provides cash benefits for longer than a short-term policy.
Medical Leave of Absence	Approved when a personal illness or injury occurs that prevents the employee from being at work for more than five days as defined by a licensed health care provider.
Military Leave of Absence	Time off for certain types of active or inactive duty required by the Armed Services.
Military Orders	Official document from the U.S. Government defining the period of service, location, etc.
Open Enrollment Period	Period of time an organization allows its employees to select or modify insurance coverages.
Payroll Deduction	Payments that are deducted from an employee's paycheck
Personal Leave of Absence	Time off for adoption/child rearing/paternity, public service or for other personal reasons.
Personal Leave for FMLA reasons	Personal leave for FMLA reasons is a type of medical leave. An employee may not meet the 1,250 hours or other eligibility requirements to qualify for a FMLA leave. In this circumstance, Brevard Public Schools designates the employee to be on a personal leave for FMLA reasons. All requests for this type of leave are medical leaves and shall be defined by a healthcare provider's statement. See page 13 of this book.
Section 125 Plan	A cafeteria plan of benefits under which the IRS allows employees to make premium payments on a pre-tax basis. Once benefits have been elected under a Section 125 Plan, a "Qualified Life Event" must take place before election changes can be made outside of the annual Open Enrollment period.
Short-Term Disability	A policy written to cover disabilities for up to 26-weeks. Note: The health care providers determine disability length.
Vest, Vesting, Vested	These terms refer to meeting the age and/or length-of-service conditions that are required under a retirement plan for a member to qualify for a future benefit from that plan. FRS vesting requirements are described as follows: Under the FRS Pension Plan all members actively employed on July 1, 2001, vest for service retirement upon completing 6-years of creditable service, regardless of membership class. Members of the Pension plan initially enrolled after July 1, 2011 are vested upon completing 8 years of creditable service. Under the FRS Investment Plan, members become vested for contributions paid on their behalf (plus earnings) after joining the Investment plan by completing one work year in a regularly established position with an FRS employer (which may include service under another FRS plan).
Waiting Period	Period of time that must elapse before benefits begin to be paid.

## Appendix 2: Links to Web Information

This document was designed to be viewed online, and as an online document, it contains links to pertinent documents and web sites that are related to a leave of absence. To view the page, hold the control key down while clicking on the link.

Link Contains	Link Address
Brevard Public Schools WebSite	<a href="https://www.brevardschools.org/Page/1">https://www.brevardschools.org/Page/1</a>
BPS Leave of Absence Home Page	<a href="https://www.brevardschools.org/Domain/9753">https://www.brevardschools.org/Domain/9753</a>
FMLA CertificationForm / Employee's Serious Health Condition	<a href="https://www.dol.gov/sites/dolgov/files/WHD/legacy/files/WH-380-E.pdf">https://www.dol.gov/sites/dolgov/files/WHD/legacy/files/WH-380-E.pdf</a>
The Family and Medical Leave Act	<a href="https://www.dol.gov/agencies/whd/fmla">https://www.dol.gov/agencies/whd/fmla</a>
Leave of Absence Forms	<a href="https://www.brevardschools.org/Domain/9753">https://www.brevardschools.org/Domain/9753</a>
Benefits Cost Per Pay Period	<a href="https://www.brevardschools.org/cms/lib/FL02201431/Centricity/Domain/1149/Benefit%20Cost%20Per%20Pay%202022.pdf">https://www.brevardschools.org/cms/lib/FL02201431/Centricity/Domain/1149/Benefit%20Cost%20Per%20Pay%202022.pdf</a>
BenefitChangeForm	<a href="https://www.brevardschools.org/cms/lib/FL02201431/Centricity/Domain/1149/2022%20Benefit%20Change%20Form%20%20-%20Final%2012-13-21.pdf">https://www.brevardschools.org/cms/lib/FL02201431/Centricity/Domain/1149/2022%20Benefit%20Change%20Form%20%20-%20Final%2012-13-21.pdf</a>
FRS Information	<a href="https://www.myfrs.com/">https://www.myfrs.com/</a>
FRS Retirement Credit (purchasing)	<a href="https://www.rol.frs.state.fl.us/forms/fr-28.pdf">https://www.rol.frs.state.fl.us/forms/fr-28.pdf</a>
BPS RetirementOffice	<a href="https://www.brevardschools.org/Domain/2189">https://www.brevardschools.org/Domain/2189</a>