### FMLA Overview

Last updated: July,11, 2024

We understand that sometimes you face health and family challenges outside of work. There may be times that you need to take time off from work to deal with those challenges.

**What is FMLA?**

The Family and Medical Leave Act (FMLA), a federal law, protects you from negative impacts to your job when you take time off or a leave of absence for any of the following reasons:

* A serious health condition, either yours or a family member’s
* Prenatal medical care or incapacity due to pregnancy and/or delivery
* Time to bond with your new baby or newly placed adopted or foster child
* Qualifying activities (exigencies) related to a family member’s military active duty
* A serious injury or illness of a family member who is a current member of the armed forces or a veteran

Human Resources determines when to designate a leave as “FMLA” based on the facts of each individual situation. When we know facts that indicate your leave of absence might be covered under FMLA, we are required to inform you of your rights under this law. You are responsible for providing enough information so that the District can make the appropriate determination.

**What FMLA is not**

FMLA is not a type of accrued time off. You do not accrue FMLA leave or choose when to use it, like you do with vacation or sick time off. If your absence meets the criteria for FMLA-coverage, it will be designated as FMLA, even if you are using accrued paid time off.

**Am I eligible?**

Based on federal requirements, we use a two-question assessment to determine whether you are eligible for FMLA protection.

**Question 1: Have you worked for a Washington state agency for at least 12 months as of the start date of your requested time off or leave of absence?**

**Question 2: Have you worked for Arlington School District for at least 1250 hours in the 12 months prior to your first day of leave?**

The 1250 hours must be actual worked hours.

If you are eligible for overtime, your overtime hours count toward the 1250 hours. But paid and unpaid time off — except military leave — do not count toward the 1250 hours.

**ELIGIBLE**

If the answer is “yes” to those two questions, you qualify for FMLA coverage, as long as:

* Your absence is for an FMLA-qualifying reason
* You haven’t already used up your 12-week entitlement (as of the start date of your leave of absence)

**NOT ELIGIBLE**

If the answer is “no” to either or both questions, you do not qualify for FMLA-coverage for this particular leave of absence. You may, however, still be eligible for another type of leave. Your HR Benefit Specialist can help you assess your options.