



FAMILY AND MEDICAL LEAVE POLICY

Employees may be eligible for unpaid, job protected family and medical leave under either the Federal Family and Medical Leave Act (FMLA) or the New Jersey Family Leave Act (NJFLA) if applicable, or both. Eligible employees may receive up to twelve (12) weeks of leave per year (FMLA) or twelve (12) weeks every twenty-four (24) months (New Jersey, if applicable) for the reasons set forth below. The School will calculate the 12 month period and the 24 month period on a rolling basis. Thus, when a leave is requested, the School will look back in the relevant time period to determine the amount of available leave as of the date the leave is to begin.

To be eligible for such leave, employees must have one (1) year of service with the School and have must worked at least 1,000 hours for New Jersey Leave (if applicable) or 1,250 hours for Federal Leave during the previous twelve (12) months. Leave may be taken for one of the following reasons:

1. Birth of a child;
2. Placement of a child with the employee for adoption (or foster care, FMLA only);
3. To care for a spouse, civil partner, child (includes individuals 18 or older only if they are "incapable of self-care" because of mental or physical disability that limits one or more of the "major life activities") or parent (parent-in-law, NJFLA only), with a serious health condition; or
4. The employee's own serious health condition (FMLA only).

Armed Services-Related Leave

An employee who is a spouse, son, daughter, parent or nearest blood relative to a member of the Armed Forces who is being treated for, recuperating from or is on the temporary disability retired list due to a "serious injury or illness" is entitled to unpaid FMLA leave for up to a 26 weeks during a 12-month period to provide care for the service member. A qualifying "serious injury or illness" is defined as an injury or illness incurred in the line of active duty that renders the member medically unfit to perform the duties of the member's office, grade, rank or rating. This leave is only available during a single 12-month period.

In addition, the School provides 12-weeks of unpaid leave during a 12-month period, to an employee who has a qualifying exigency arising out of the fact that his or her spouse, son, daughter, or parent who is on active duty or has been called or notified of an impending order to active duty in support of a contingency operation. In order to qualify for this leave, the contingency operation implicated must involve actions, operations or hostilities against enemies of the United States or opposing forces or active duty during a war or national emergency.

Leave under either of the Armed Services-related leave provisions, or a combined leave under both provisions, may not exceed a total of 26 weeks in any 12-month period.

Employees requesting Armed Services-related leave must comply with the procedural requirements of the FMLA, including the requirements for notice and certification of applicable leave circumstances.

Types of Leave

Leave due to the birth or placement of a child in your home for adoption or foster care must be taken in one continuous 12-week segment and must be taken within 12 months of the birth or placement of the child. You may take leave due to your own or a family member's serious health condition in:

1. One continuous 12 week segment;
2. An intermittent schedule, such as one day off each week; or
3. A reduced schedule, such as beginning two hours late, twice a week.

Substituting Paid Leave and Workers' Compensation Leave

Family/Medical Leave is unpaid leave; however, you may use any accrued, unused earned paid days off concurrently with your leave (except when used in conjunction with your own disability leave), which is counted toward the maximum amount of leave. Once paid days off are exhausted, the balance of your leave shall be without pay. If, as the result of your condition, you receive Workers' Compensation leave, that leave will also run concurrent with your FMLA leave. Your total FMLA leave time, which may include paid days off, and Workers' Compensation leave time, may not exceed 12 (twelve) weeks. The School has the right to designate such leaves as running concurrently with FMLA leave.

Benefits During Leave

Taking family and medical leave will not cause you to lose any employment benefits accrued prior to the first day of leave. The leave period will be treated as continued service for purposes of determining vesting and eligibility to participate in any retirement plan in effect. However, employees on FMLA leave normally will not accrue any other additional benefits during the leave period, unless it is paid leave under which benefits would otherwise accrue. Upon return to work, the employee shall be restored to the same, or an equivalent position, where circumstances permit.

The School will maintain your insurance benefits while you are on leave, although you will be required to pay your portion of the premium. However, if you do not return to work after the leave, you may be asked to reimburse the School for the cost of maintaining insurance coverage during the leave. This provision will not apply in cases where your inability to return is through no fault of your own -- for example, at the end of leave you remain physically unable to return to work due to your serious health condition.

Notice of Leave

If your need for leave is foreseeable, you must give 30 days prior notice if possible. If you do not give such notice, the leave may be delayed for up to 30 days.

If your need for leave is due to a planned medical treatment, make every attempt to schedule the treatment so as not to unduly disrupt the work of the School. If your need for leave is not foreseeable, you must request it as soon as practicable, no later than two business days after the need for leave arises.

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