

NPS PAID LEAVE vs. FAMILY MEDICAL LEAVE ACT
Comparison of paid versus unpaid leave for full-time employees.

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The Family Medical Leave Act allows 12 weeks of **unpaid** leave for all full-time employees with at least 12 months of service. Note however, other Norfolk Public Schools policies allow for some **paid** leave for those with earned leave available. The following table clarifies an eligible employee's right to **paid** versus **unpaid** leave.

Keep in mind: *Paid leave and unpaid FMLA leave run concurrently.*

FMLA EVENT	FMLA ALLOWS	NPS PAID LEAVE ALLOWS
Adoption or foster placement of a child	12 weeks unpaid	Full-time employees not entitled to annual leave are entitled to leave not to exceed five (5) days upon the adoption of a child. One (1) day of leave for adoption will be deducted from the allowance for personal leave and up to four (4) days from sick leave.
Illness of an employee's spouse, parent or child	12 weeks unpaid	From accumulated sick leave , one day for every month of employee contract (e.g., 10 days per year for most teachers), plus any available personal leave. <i>In addition</i> , the superintendent or his designee may approve an additional 20 days for critical illness of spouse, child or parent.
Employee's own illness	12 weeks unpaid	Use of accumulated sick leave in accordance with various NPS policies regarding documentation as required of medical supervision.
Birth and first year care of a child	12 weeks unpaid for a mother or father; combined total of 12 weeks unpaid leave if both mother and father are NPS employees.	<i>For a mother</i> , use of accumulated sick leave for time actually spent under medical supervision. <i>For a father</i> , 4 days of paid paternity leave charged to available sick leave, plus any available personal leave. NPS also allows up to a year of unpaid leave for parenthood.

The question arises, **what did Norfolk Public Schools employees gain from FMLA?** The answer is that NPS had already instituted most of the major aspects of FMLA through self-initiated policy and meet and confer agreements between EAN and the Administration dating back to 1968. ***The major gain from FMLA is the right of eligible employees to remain covered by the school system's health insurance (if they were already enrolled) during the FMLA period without additional premium cost to the employee.*** Should the employee not return to work, those premiums would have to be repaid.