GBO - FAMILY CARE LEAVE

Maine's "Act to Care for Families" requires employers who provide paid leave under the terms of a collective bargaining agreement or employment policy to allow employees to use such leave to care for an immediate family member who is ill (hereafter referred to as "family care leave") in accordance with the conditions described in this policy.

I. Definitions

For the purposes of this policy, the following definitions from the *Act to Care for Families* apply:

I. “Employer” means a public or private employer with 25 or more employees.

II. "Immediate family member" means an employee's child, spouse, or parent.

III. "Paid leave" means time away from work by an employee for which the employee receives compensation, and is limited to sick time, vacation time, compensatory time, and leave that is provided as an aggregate amount for use at the discretion of the employee for any of these same purposes. Paid leave does not include paid short-term or long-term disability, catastrophic leave, or similar types of benefits.

II. Amount of Leave Available

An employee may take up to 40 hours of available paid leave (or the amount provided by an applicable collective bargaining agreement if that is greater) as family care leave per 12-month period. For the purposes of this policy, the 12-month period is September 1 through August 31. An employee may not use paid leave for family care leave purposes until it has been earned. If the employee has more than one type of paid leave available under an applicable collective bargaining agreement or employment policy, the employee may specify which type and the amount of each type of leave to be used as family care leave.

All family care leave taken by an employee shall be counted toward their entitlement under the federal Family and Medical Leave Act or state Family Medical Leave Act.

III. Employee Notice Requirements

Notice and verification requirements for use of family care leave shall be the same as those required by the school department for an employee's own illness. The employee must specify that leave is being taken pursuant to the *Act to Care for Families*.

Legal Reference:

- 26 MRSA § 636

Cross Reference:

- GBN - Family and Medical Leave

Adopted:

- November 13, 2012

Revised:

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