



BALTIMORE COUNTY PUBLIC SCHOOLS
Office of Employee Benefits, Retirement, and
Absence Management

6901 N. Charles Street, Towson, MD 21204
Phone: 443-809-4133; Fax 410-337-0160



FAQs – FML AND MEDICAL LEAVES OF ABSENCE

Below are frequently asked questions regarding Family Medical Leave Act (FMLA) and other medical leaves of absence.

Is FML paid?

No. With the exception of TABCO or Unified Sick Leave Bank (USLB), there are no paid leaves of absences. To be paid while on an approved leave, employees who are approved for FML or non-FML are required to run their available personal illness leave, urgent business, and vacation leave concurrent to their approved leave.

Can I be terminated for being in an unpaid status while on an approved leave of absence?

No. Employees are permitted to be in an unpaid status if they are on an approved leave of absence.

How are holidays and inclement weather days handled when I am on leave?

When an employee is on leave and running their personal illness time concurrently, the employee will receive the holiday pay for any holiday that occurs. Closure days due to inclement weather that occur are also paid and not charged to personal illness time. With the exception of the weeks for winter break and spring break, holidays and snow days do not extend an employee's leave.

[Under FMLA guidelines](#), when a school system temporarily closes for winter or spring break, the days closed does not count against the employee's FML. The full week of winter break or spring break would be added to the FML time for an employee [WHD Fact Sheet #28L](#).

Where is the conversion form that I'm used to completing?

The Office of Employee Benefits, Retirement, and Risk Management (OEBRAM) no longer use the conversion form. The office has updated the forms and processes.

If an employee is seeking conversion, it is not necessary as they may run any leave time concurrently with FML. In accordance with Baltimore County Public Schools' (BCPS') FML standard, employees are required to use the balance of any accrued, pending accrued, and/or front-loaded personal illness leave, vacation, urgent personal business, and compensatory (where appropriate) leave at the start of their absence. Accordingly, all accrued/pending accrued/front-loaded leave balances will run concurrently with FML. Once an employee has exhausted all their eligible accrued leave, pending accrued leave, and/or front-loaded leave, their absence(s) will be unpaid, unless they are eligible for the sick leave bank.

How much leave time may a husband and wife take for the birth of a child if they both work for BCPS?

Spouses employed by the same employer are limited in the amount of leave they may take for the birth and care of a child or placement of a child for adoption or foster care to a combined total of 12 work weeks (or 26 work weeks if leave to care for a covered service member with a serious injury or illness is also used). Leave for birth and care, or placement for adoption or foster care, must conclude within 12 months of birth or placement. [WHD Fact Sheet #28L](#)

Am I required to report the birth of my baby?

Yes. If an employee is seeking FML for the birth or placement of a child, they will need to inform OEGRAM of the date of birth or placement. However, they are not required to notify OEGRAM or any other BCPS office of the type of delivery. The type or amount of leave an employee is eligible to take is not impacted on whether the birth of the child was natural or by c-section.

What happens if my baby is not delivered on the expected date?

If the baby is delivered early, the employee will need to contact leaves@bcps.org and submit the verification of birth. If the baby is not delivered on the expected date and you continue to work, contact leaves@bcps.org.

Who is responsible for coding time while I'm on leave?

The supervisor or timekeeper is responsible for making sure that time is coded. Some employees may have advanced notice of a leave of absence and should work with their supervisor on coding. Other employees may have a leave of absence as an emergency or unexpectedly and they will not be able to code their time themselves. Nonetheless, coding is the responsibility of the supervisor/timekeeper and employees are best served to work with the supervisor/timekeeper to make sure they are coded and paid (if applicable).

Why do I need a leave status?

Obtaining a leave status offers employees job protection, eliminates the need for them to submit multiple doctor's notes each time they are absent, and offers confirmation of the legitimacy of their need to be off work. Additionally, being in an approved leave keeps you out of absence management programs (Integrated Disability Management and Employee Absence Management Program), which leaves them subject to disciplinary action if they do not comply with those programs.

I've had the same medical condition for years. Why do I have to keep re-applying for intermittent leave?

Under the law and at least every six (6) months, an employee will be required to provide an updated medical certification from their health care provider. However, an employee may be required to submit this documentation sooner if: (1) an employee requests an extension of leave, (2) there is a significant change in their status and/or use of leave, and/or (3) if there is reason to doubt the continuing validity of the certification. Recertification helps ensure that their leave continues to meet their needs, allows for adjustments to be made, and confirms the continued need for the leave.

What would make me ineligible for FML?

To be eligible for FML employees must:

- Have been employed with BCPS for at least twelve (12) months to be eligible for FML;
- Have worked at least 1,250 hours during the twelve (12) consecutive months immediately preceding the date the leave would begin (to be eligible for FML); and,

To determine whether you are eligible for FML, please complete this [FMLA Eligibility Form](#).

How do I submit my leaves application?

If an employee has a leave application that they would like to submit for review and a decision, applications should be submitted online at [Online Leaves Application Submission](#).

Why am I being asked to submit forms digitally?

Submitting an application through the digital application submission process allows for quicker responses and better customer service. OEGRAM staff are better able to track and follow up with

submitted applications. The office does not accept applications by email.

Am I required to perform any work on leave?

Employees who are on leave should not be conducting work or communicating with students and parents. Supervisors may contact an employee for limited reasons, such as identifying where files or documents are located so that others may cover the work. Employees who are off work on a leave may seek access to the school to obtain personal belongings. The supervisor may schedule time for the employee to retrieve personal belongings at a time that is least disruptive to the worksite.

Why is my supervisor asking me to return my device and BCPS property? I plan to return to work after my leave ends.

The return of BCPS property (e.g., laptop, keys, etc.) is important so that the worksite can use those resources for other employees who may need to fill in and cover for the employee in their absence. Additionally, keeping the device at the worksite allows for automatic updates to go through in the employee's absence. If the employee has BCPS property, the supervisor may communicate with the employee to coordinate the return of BCPS property.

Do I need a doctor's note to return to work?

At least five (5) business days prior to returning to work, the employee must submit a return-to-work certification and be cleared by OEBRAM. The form can be returned to OEBRAM by fax to 410-337-0160 or digitally by clicking here – [Return to Work Submission](#).