Following extensive negotiations with bargaining units, there was an agreement that important changes in the administration of leave under the Family and Medical Leave Act of 1993 (FMLA) would occur during the 2018-2019 school year. Most significantly, in order to be eligible for FMLA leave, employees must meet all of the eligibility criteria set forth in the Act. Certain employees who are ineligible for FMLA may be eligible for a new AACPS leave program called Job Protected Alternative Leave (JPAL).

Effective March 1, 2019, AACPS’ FMLA procedures will change, and JPAL will become available. The following changes will affect all employees.

- The FMLA approval period will change from the fiscal year to the “12-month period measured forward.” Under the current fiscal year approach, all FMLA approvals conclude on June 30 of each year, regardless of when an employee was approved for leave.

Under the new approach, approved employees will be eligible to use FMLA leave within 12 months of the start of the requested leave period. Once the 12-month period expires, employees may reapply for FMLA leave.

- To be eligible for FMLA leave, all employees must work 1,250 hours (“service hours”) during the 12 months immediately prior to the commencement of the requested leave period. Service hours consist of time that is actually worked and do not include leave time (sick, annual, personal business, FMLA, etc.).

- Employees who cannot work 1,250 hours in a 12-month period due to their assigned duty hours will be ineligible for FMLA. However, these employees may apply for JPAL.

- To be eligible for JPAL, employees in Units I, II, III, V, and VI must work 87 percent of their assigned duty hours in the 12 months prior to the commencement of the requested leave period. Under JPAL, the availability of intermittent leave will be limited to situations involving medically necessary treatment regimens.

- After employees use 50 days of paid leave for an FMLA-qualifying medical condition, FMLA/JPAL will run concurrently with paid leave for qualifying medical conditions.
Special Provisions for Unit III
- The “Adoption Leave” provision in the Negotiated Agreement has been amended to allow employees to use up to six weeks of accrued paid leave during the 12-month FMLA period that is provided to eligible employees for adoption/foster care processes.

Special Provisions for Unit IV
- To be eligible for JPAL, employees must work 1,000 “service hours” during the 12 months immediately prior to the commencement of the requested leave period.

If you have questions, please contact the Office of Integrated Disability and Leave Management at 410.222.5090.