



## FAQ – SICK LEAVE BENEFITS AND CARE OF RELATIVES

This FAQ answers the most common questions asked about the recently revised State law regarding leaves for sick or injured child, which added leaves for the care of relatives: Minnesota Statutes 2013, section 181.9413. Contact Shannon Fabick at [sfabick@isd271.org](mailto:sfabick@isd271.org) - 952-681-6545 - for more information.

### What changed in the law?

Effective August 1, 2013, employees may use up 160 hours of available sick leave in a 12-month period for the illness or injury of their adult child, spouse, sibling, parent, grandparent, or stepparent. Since 1990, employees have been able to use their sick leave for their child's illness or injury; this has not changed.

### How will this affect me?

The district has always tried to be flexible with the needs of employees to attend to life events, while balancing the needs of the students to provide students with the best instruction and services. In the past, most union contracts limited the paid time (deducted from sick leave) that employees could take to care for their spouse and adult children to five days. You will now have the opportunity to take more paid time (deducted from sick leave), if needed.

### What "care of relatives" is now allowed?

A rule of thumb: If you could personally use available sick leave for your own illness or injury, you can now use available sick leave for your adult child, spouse, sibling, parent, grandparent, or stepparent.

### How do I submit leave requests to care for a relative?

The district is applying the same standards for relatives as it does for dependent children. You submit requests in the same manner that you submit leaves to care for a dependent child. All requests for leaves of five days or more will require a short-time leave form, along with a doctor's note, stating that your attendance is necessary to care for your sick or injured relative.

### Where do I record time taken to care for a relative?

If you use myTime/myLeave, record this time in a new category, named "Sick Relative", which will be deducted from your sick leave. If you don't use myTime/myLeave, note it on your timesheet.

### Does this affect other leaves covered by the Contract, specific to my group?

No, all other leaves allowed under your specific Contract are still in place, including childbirth leave and adoption leave.

### What happens if I need to take time off to care for a relative, but do not have any available sick leave?

Please contact your supervisor or HR. We will try to accommodate your needs.

### Is this different than leaves allowed under Family & Medical Leave Act (FMLA)?

Yes, FMLA is a Federal law; this is a Minnesota state law. FMLA covers only you, your dependent children, your spouse, and your parents; this Minnesota law also covers adult children, grandparents, and stepparents. FMLA leave is unpaid; this Minnesota leave is paid, if you have available sick leave. This means that, under FMLA, even if you have no available sick leave, you may be able to take time off unpaid for yourself, dependent children, spouse, or parents. If using Care of Relatives for an FMLA covered dependent, the leaves run concurrently.