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**PRIVILEGED AND CONFIDENTIAL
ATTORNEY-CLIENT COMMUNICATION
MEMORANDUM**

To: Board Members
Superintendents of Schools
School Business Officials

From: Frazer & Feldman, LLP

Date: June 11, 2014

Re: Latest Legal Publication



Enclosed please find a copy of the latest article published by Frazer & Feldman, LLP, associate Christie R. Jacobson, Esq. The article is entitled, “Solutions to Five Common Problems Involving Unpaid Leaves of Absence.” It is featured in the June 9, 2014 Edition of *On Board*, which is the statewide newspaper published by the New York State School Boards Association (“NYSSBA”).¹

On any given workday, most school districts will have at least one employee out on an unpaid leave of absence under the federal Family and Medical Leave Act of 1993 (“FMLA”). Districts must review each request carefully to ensure compliance with not only FMLA, but also the Americans with Disabilities Act of 1990 (“ADA”) as amended by the ADA Amendments Act of 2008 (“ADAAA”). As if that were not daunting enough, districts must also be sure to comply with any applicable district policies, collective bargaining agreements and employment contract provisions regarding leave. Even small mistakes can have major legal and financial consequences for districts and employees alike. The enclosed new article provides recommended solutions to five common problems regarding unpaid leaves of absence in order to help school districts avoid the most common – and costly – errors.

¹ The article is also available online at www.nyssba.org/news/2014/06/06/on-board-online-june-9-2014/solutions-to-five-common-problems-involving-unpaid-leaves-of-absence/.