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GENERAL

Beaumont Hospitals (Hospital provides a leave of absence benefit for regular status employees who may require an extended period of time away from the workplace. It is the intention of the Hospital to be in compliance with the Family and Medical Leave Act of 1993 (FMLA) for those leave requests that are covered by FMLA.

ELIGIBILITY

All full-time and part-time employees who have completed the new hire probationary period are subject to the provisions in this Policy.

CLASSIFICATION

A leave of absence may be granted for the following reasons:

- Medical (non-work related)
- Family Leave
- Workers' Compensation (work related)
- Personal
- Military (including FMLA Military Leave)
- Educational
- Adoption
- Sabbatical

RESPONSIBILITY**Employee**

An employee who is absent from work must request extended time off from work when the absence extends beyond five (5) scheduled work days, or forty (40) hours, whichever comes first, not to exceed fourteen (14) calendar days. Employees have a responsibility to keep their department apprised to the status of their leave of absence for planning and staffing purposes. Employees are expected to contact their department manager/supervisor on at least a monthly basis to provide information on the estimated length of the leave and, when possible, provide a one (1) week notice regarding their return from leave of absence. Failure to do so may impact their leave of absence benefit or employment status.

FAMILY/MEDICAL LEAVE**GENERAL**

In compliance with the FMLA, as amended, employees who request and qualify for a Family and Medical Leave, will be granted such leave.

Generally, FMLA Leave is unpaid leave. However, under certain circumstances an eligible employee may substitute accrued paid leave or, for the employee's own serious health condition (illness or injury); qualify for Short Term Disability (STD) benefit coverage.

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FAMILY/MEDICAL LEAVE**GENERAL (contd.)****Foreseeable Leave:**

An employee must provide Human Resources (HR) at least thirty (30) calendar days advance notice before a Family and Medical Leave is to begin if the need for the leave is foreseeable based on an expected birth, placement for adoption or foster care, planned medical treatment for a serious health condition of the employee or illness of a covered service member. HR may waive the thirty (30) calendar days advance notice for certain circumstances.

Unforeseeable Leave:

The need for a personal medical leave or a family leave that is unforeseeable due to an emergency situation or other circumstances must be communicated to HR or the employee's manager. It is required that notice be received within five (5) calendar days of the event resulting in the need for a leave. HR may waive the five (5) calendar days notice for certain circumstances. A family member may give notice to HR or the employee's manager if the employee is incapacitated.

Notice: Initial notice of an unforeseeable Family and Medical Leave may be verbal or written; however, in order to receive approval for the leave the employee must complete the Family and Medical Leave of Absence Claim Kit forms.

Job Protection:

An employee's position while on a Family and Medical Leave will be protected for up to a total of twelve (12) weeks within a rolling twelve (12) month period provided the employee has been employed for at least twelve (12) months and has worked at least 1,250 hours during the twelve (12) months prior to the start of the

FAMILY/MEDICAL LEAVE**Job Protection (contd.)**

FMLA leave. The twelve (12) week job protection will extend to either a Medical or Family Leave or a combination of both Family and Medical Leave. Department management may not replace the employee prior to the expiration of their 12-week job protection under FMLA Regulations and Hospital policy. An example of the "rolling" 12-month period for leave is as follows:

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FAMILY/MEDICAL LEAVE**Job Protection (contd.)**

"If an employee has taken eight weeks of leave during the past 12 months, an additional four weeks of leave could be taken. If an employee used four weeks beginning February 1, 2008, four weeks beginning June 1, 2008, and four weeks beginning December 1, 2008, the employee would not be entitled to any additional leave until February 1, 2009. However, beginning February 1, 2009, the employee would be eligible to take FMLA leave, recouping the right to take the leave in the same manner and amounts in which it was used in the previous year. Thus, the employee would recoup (and be entitled to use) one additional day of FMLA leave each day for four weeks, commencing February 1, 2009. The employee would also recoup additional days beginning June 1, 2009 and December 1, 2009."

An employee on a FMLA leave due to a serious active duty illness or injury of a qualifying service member may take job-protected, unpaid leave, or substitute appropriate earned or accrued leave for up to a total of twenty six (26) work weeks in a single twelve (12) month period to care for the qualifying active duty service member.

Leave Time:

An approved leave for a certified qualifying reason may be taken as follows:

- Continuous days time off;
- Intermittent time off *
- Reduced Schedule time off *

Continuous days off are uninterrupted days taken according to the normally scheduled work days per week for all types of leaves under this Policy, and if for a serious health condition of the employee or family member, must be certified by a health care provider.

* When leave is taken after the birth of a healthy child or placement of a healthy child for adoption or foster care, an employee may be granted the time off according to Human Resource's and management's discretion. See Family Leave page 8

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FAMILY/MEDICAL LEAVE**Leave Time (contd.)**

Intermittent time off may be taken in separate blocks of time due to single qualifying reason of a medical need which is for a serious health condition of the employee or family member, and is certified by a health care provider.

Reduced Schedule time off reduces an employee's usual number of working hours per workweek, or hours per workday; normally from full-time to part-time. Time off under a reduced schedule must be for a single qualifying reason of a medical need, which is for a serious health condition of the employee or family member and is certified by a health care provider.

Certification of Leave:

An employee seeking FMLA Leave for the serious health condition of a family member or for his/her own serious health condition, whether applying for STD benefits for the employee or only FMLA unpaid leave for the employee, must provide a certification issued by the health care provider of the employee or the employee's family member.

The Family and Medical Leave is not effective until approved by HR and/or Integrated Health Services (IHS).

Recertification of Leave:

Recertification is due every thirty (30) calendar days. However, if the employee requests an extension of the leave, circumstances of the condition have changed significantly, and/or information is received questioning the validity of the leave, recertification may be requested less than every thirty (30) calendar days. The Hospital reserves the right to request a second medical opinion when the validity of the leave is questioned.

Forms for Certification and Recertification:

All leaves with the exception of Certification of Qualifying Exigency of Military Family Leave or Certification for Serious Injury or Illness of Covered Service member must use the appropriate forms from the Family and Medical Leave of Absence Claim Kit. If the Leave is for: (1) a Qualifying Exigency, the Department of Labor (DOL) Form No. WH-384 must be used; and (2) a serious injury or illness of a covered service member DOL Form No. WH-385 must be used.

a. The initial certification must be received in HR from the employee and/or employee's representative within fifteen (15) calendar days of the employee's notice requesting a leave. If the certification is not complete, HR will advise the employee of the

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FAMILY/MEDICAL LEAVE**Forms for Certification****and Recertification Leave Time (contd.)**

deficiencies of the form(s). The employee has seven (7) calendar days to accurately complete and resubmit the form.

b. If the initial certification is more than thirty (30) calendar days but less than sixty (60) calendar days, a recertification at the thirtieth (30th) day may not be required. However, if recertification is necessary, the recertification must be received by IHS and/or HR Departments on the recertification date, which is minimally thirty (30) calendar days after the initial certification.

**Second or Third Opinion
of Certification or
Recertification**

If the validity of the leave is questioned, IHS reserves the right to request a second medical be opinion obtained by the employee from a physician selected or approved by IHS. The cost of the second medical opinion shall be the responsibility of the Hospital.

If the opinion of the employee's health care provider and the second medical opinion differ, IHS reserves the right to require the employee to obtain a third and binding medical opinion at the Hospital's cost. The third health care provider (physician) must be approved jointly by the employee and IHS.

When an employee is notified by a Beaumont representative the employee has 24 hours in which to complete the requested action.

If the employee refuses to participate in a third medical opinion, the second medical opinion is binding.

Failure to participate in a second or third medical opinion, to respond to a requested action within 24 hours and /or to comply with the physician's recommendation from the binding opinion, could jeopardize the employee's leave of absence, STD payments, benefits eligibility, and/ or employment status.

IHS will provide copies of the second and third medical opinions to the employee upon request.

The Hospital will reimburse cost to cover parking and travel (e.g. mileage) for the second and third medical opinions.

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FAMILY/MEDICAL LEAVE**Returning From Leave of Absence:**

An employee returning before the expiration date of a leave of absence must notify department management if possible, one (1) week prior to the date of return. Failure to provide timely notice may result in a delay in resumption of scheduled work hours. An employee who is absent for medical reasons, must return to work on or before the specified dates as authorized by the attending health care provider. STD payments will cease as of the day you are cleared to return to work. See Return from Medical Leave below for further requirements.

If an employee returns from a Family and/or Medical Leave and has exceeded their twelve (12) weeks of job protection within a twelve (12) month period or the employee is returning from a leave other than a Family and/or Medical leave and the employee's position is no longer available, he/she will be placed on an unpaid 60-day lay-off and must be referred to HR. During the lay-off period, employees are not eligible for a leave of absence. Health care coverage will be discontinued the last day of the month in which the lay-off was effective and COBRA information will be sent to the employee for health care coverage continuation options.

If a position is not secured within sixty (60) days, or a "good faith job offer" is refused, the department manager should terminate the employee through Oracle Manager Self Service indicating "discharged layoff".

MEDICAL LEAVE

An employee must request a medical leave of absence in the event that a temporary disability requires absence from work for more than five (5) scheduled work days or forty (40) hours, whichever comes first. Approval of such a leave is dependent upon certification by a legally qualified health care provider.

It is the responsibility of an employee on medical leave to provide necessary medical documentation regarding the leave (as described under Certification and Recertification of Leave in this policy).. Medical documentation will be submitted to IHS/HR on a monthly basis. The employee must also comply with the IHS Case Management process. Failure to comply and/or provide required documentation could jeopardize the employee's leave of absence, STD payments, and/or employment status.

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MEDICAL LEAVE
(contd.)

Certain employees, as determined by HR, are required to utilize a maximum of forty (40) hours of benefit time which will be pro-rated based on the employee's status for the first week of his/her own Medical Leave every twelve (12) months in a rolling year. After the week of benefit time is utilized, employees have the option to either utilize their remaining benefit time or take the time off unpaid under FMLA Leave.

Non-exempt employees with less than five (5) years of service may be granted a medical leave of absence for up to six (6) months. Certain exempt employees, as determined by HR, with less than five (5) years of service may be granted a medical leave of absence for a total of eight (8) months. Employees with five (5) or more years of service (at the time of extension) may request an unpaid medical leave of absence extension for a total of up to twelve (12) months for non-exempt employees and fourteen (14) months for certain exempt employees. Regardless of the length of an approved medical leave of absence, periodic certification is required to support the medical leave. Medical disability benefits as outlined in the Short Term Disability Policy No. 231 may be paid until the benefits are exhausted.

Sick Bank Reserve

Non-exempt employees who have either depleted their CTO bank or who do not participate in the STD Program may utilize the hours remaining in their Sick Bank Reserve (hours stored upon transition to the Combined Time Off Program) – refer to the Combined Time Off Policy No. 225 for payment while on a Leave of Absence. Such hours must be used in ten (10) day increments when paid out or until the Sick Bank Reserve has been depleted of hours.

Health Care Coverage

Employees on an approved Medical Leave of Absence may retain health care coverage through payroll deduction or the premium contribution arrangement in accordance with the schedule indicated above (e.g., six, eight, twelve or fourteen months). Employees placed on a 60 day lay-off will be offered their existing health, dental and vision benefits through COBRA continuation.

Return from Medical Leave

At the end of the above indicated time limits, or when the condition cannot be supported medically, whichever occurs first, the employee must be returned to active status or, if physically unable

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Return from Medical Leave (contd.)

to work, employment will be terminated. (Refer to Return from a Leave of Absence, Procedure No. 230-3).

All employees on Medical Leave must submit a written clearance from their health care provider to Occupational Health Services (OHS) prior to returning to work (excluding maternity-vaginal delivery). Once the employee receives clearance from both his/her health care provider and OHS, the employee must return to work in accordance with Procedure 230-3 and 230-6. Any exception to medical leave provisions shall be subject to review by the IHS and OHS. Should circumstances warrant, the Hospital may require that the employee be examined in OHS after the employee has been absent thirty (30) days or more. Employees returning from a Medical Leave of Absence with restrictions may be eligible for workplace accommodations upon department manager approval.

FAMILY LEAVE

Requests for Family Leaves of Absence will be granted to eligible employees and subject to the requirements of FLMA Regulations for those who require time away from work due to the birth, adoption or foster care of a healthy baby or child, care of employee's seriously ill children, spouse or parents. In order to be eligible for Family Leave, an employee must have completed one (1) year of service and 1,250 hours in the previous year during the twelve (12) months prior to the start of the Family Leave.

A Family Leave will not be granted to employees who indicate that they do not intend to return to work at the conclusion of such leave. Employees who fail to return to work after a Family Leave for reasons other than a serious health condition or due to circumstances beyond the employee's control, will be required to reimburse the Hospital for health insurance premiums paid while on leave.

A Family Leave provides up to twelve (12) weeks of unpaid leave within a rolling twelve (12) month period. A request for Family Leave must be in writing stating the reasons and duration of the leave. If a husband and wife are both Hospital employees and eligible for FMLA Leave, the Hospital will limit a combined total of twelve (12) weeks leave (subject to the available FMLA time for each employee) between the two employees during the twelve (12) month period. This limit applies to the husband and wife requesting FMLA for birth of the employee's healthy child or to care for the child after birth, for placement of a child with the employee for adoption or foster care, or to care for the child after placement.

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FAMILY LEAVE

(cont'd)

When possible, the request for Family Leave should be submitted thirty (30) calendar days in advance of the effective date of the leave. Employee is advised to furnish certification, contained in the Family and Medical Leave of Absence Claim Kit, at time of leave or within five (5) business days.

Although Family Leave is an unpaid leave, department managers may accommodate an employee's request to use available benefit time for all or for a portion of the Family Leave.

ADOPTION LEAVE

Full-time and part-time employees (authorized to work twenty (20) hours or more) may request a paid leave of absence for adoption purposes. When the child(ren) is placed in the employee's home, the employee may request a leave of absence for a period of six (6) weeks. Full-time non-exempt employees who participate in the STD Program shall receive 60% of their base weekly salary for the six (6) week period. Full-time, exempt employees shall receive full salary continuation for the six (6) week period. Part-time, non-exempt employees who participate in the STD Program will receive 40% of their base annual salary for the six (6) week period and part-time exempt employees will receive full salary continuation for the six (6) week period. Should additional time be required, employees may request FMLA leave under the FMLA provisions. The employee's position will be protected for a total of twelve (12) weeks.

WORKERS' COMPENSATION

An employee who sustains an on-the-job injury or illness and is not cleared to return to work by the fifth day of confinement by the Occupational Health Service Physician must be placed on a Workers' Compensation Leave of Absence.

(Refer to the [Workers' Compensation Policy No. 251](#))

PERSONAL

Requests for personal leaves of absence must be submitted in writing and approved by the department and the request must have the appropriate departmental approval and shall be subject to review every thirty (30) days. The maximum length of a personal leave is three (3) months.

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MILITARY

Employees who enlist in the Armed Forces for an initial period of active duty (re-enlistments excluded) and employees currently in the active reserves or National Guard, who are called to temporary active duty, will be granted a leave of absence for a period which will coincide with the active duty orders. The employee will remain on the active payroll with their salary continued for a period of four (4) weeks after being called to active duty and then will be transferred to the inactive payroll if still on a leave of absence. Once on the inactive payroll, deductions from pay for the 403(b) Plan or Health Care/Dependent Care Flexible Spending Accounts shall cease.

Benefits While On Military Leave Of Absence

Reservists may submit a written request to the Director of Human Resources to cash their CTO bank down to a zero (0) balance. Such requests will be handled on an individual basis and shall not be automatic.

Reservists on military leave will continue to receive health care coverage (medical, dental and vision insurance) for themselves and their dependents and shall not be billed for premium payments for the duration of the Leave. However, the reservists primary medical coverage will be through the appropriate military program. The Hospital will make the premium payments on behalf of the employee and his/her covered dependents for optional life insurances in effect at the commencement of the leave period for up to fourteen (14) months. Premium payments for auto and home insurances will remain the responsibility of the Reservist.

Employees participating in an annual two (2) week military training camp, normally conducted during the summer months, shall be paid the difference between the military pay and their regular civilian pay, not to exceed fifteen (15) working days, provided the military pay is lower. (Military pay vouchers and a copy of the orders must be sent to Payroll for proper reimbursement of the differential).

Uniform Services Employment and Re-Employment Rights Act of 1994

In compliance with the Uniform Services Employment and Reemployment Rights Act of 1994 (herein referred to as the Act), an employee returning from active duty within five years of the date of leave, will return to the job that they left or a job of similar seniority, status and pay. In order to be eligible for reemployment, the returning employee must:

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Uniform Services
Employment and Re-
Employment Rights Act of
1994 (contd.)

- Be Honorably Discharged from Military Service.
- Give Advance Notice (Written or Verbal) of Their Military Service.
- Report for Reemployment within Time Periods as Specified in the Act.

All benefits (such as health care coverage, life insurance, etc.) will automatically be available to the employee without going through a ninety- (90) day waiting period. (For "Return Eligibility" refer to Military Leave of Absence Procedure No. 230-4).

FMLA Military Leave

FMLA permits an employee to take up to 12 workweeks of leave because of a "qualifying exigency," which arises "out of the fact that a spouse, a son, a daughter or parent of the employee is on active duty (or has been notified of an impending call or order to active duty) in the Armed Forces including National Guard or Reserves ("Armed Forces") in support of a contingency operation."

Qualifying Exigency is defined as:

1. Short Notice Deployment which can only be used for seven days.
2. Any official ceremony, program or event sponsored by the military or any family support or assistance programs and informational briefing by the military or service organizations e.g., American Red Cross that are related to the active duty or call to active duty of a covered military member.
3. Child care (including care of a dependent child over 18 years of age who is incapable of self care due to physical or mental disability at the time the FMLA is to commence) and school activities when the active duty or call to duty status of a military member necessitates change in arrangements.
4. Financial and legal arrangements to make, update or act as representative to address the covered military member's absence while on active duty or call to active duty status.
5. Counseling for oneself, military member, biological, adopted, stepchild, legal ward or foster child under 18 years of age or over 18 years of age if incapable of self care as defined above, of a covered military member

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Uniform Services
Employment and Re-
Employment Rights Act of
1994 (contd.)
FMLA Military Leave

for needs which arise from the active duty or call to active duty status of covered military member.

6. Rest and recuperation up to five (5) days for each instance, to spend time with a military member who is on short-term, temporary leave during a period of deployment.
7. Post-deployment activities to attend arrival ceremonies and other official ceremonies or programs sponsored by the military for a period of 90 days following the military member's active duty status.
8. Death of covered military member including meeting and recovering the body of the covered military member and making funeral arrangements.
9. Additional activities to address other events which arise out of active duty military status provided that HR and the employee agree that such a leave qualifies as an exigency, and both agree to the timing and duration of the leave

FMLA permits eligible employees to take up to twenty-six (26) workweeks of leave to care for a current service member or service member on the temporary disability retired list of the Armed Forces who has a serious injury or illness incurred in the line of duty on active duty for which the member is undergoing inpatient or outpatient medical treatment, or therapy or recuperation. This leave begins on the first day the eligible employee takes FMLA leave to care for the covered service member and ends twelve (12) months after that date. (See Military Leave of Absence Procedure, No. 230-4)

EDUCATIONAL

If a full-time regular employee or part-time (twenty (20) hours or more) regular employee with at least one (1) year of service desires to attend school on a full-time basis to complete a degree of professional education requirements, the employee may request an educational leave of absence. A thirty (30) day notification is required whenever possible.

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MILITARY
EDUCATIONAL (contd.)

Such a leave will require department head approval and may not exceed twenty-four (24) calendar months (exceptions may be approved on a program-specific basis). Proof of registration and course completion may be required for each semester in order to maintain employment status.

JURY DUTY

Refer to Jury Duty Policy No. 228.

BEREAVEMENT

Refer to Bereavement Policy No. 229.

COMPUTATION OF BENEFITS

WHILE ON LEAVE
OF ABSENCE

The benefits chart on page 15 indicates the types of benefits full-time employees are eligible for when placed on a leave of absence. In addition, the chart indicates responsibility for premium payment. If an employee normally pays a portion of benefit premiums through payroll deduction, the premium contributions will continue during the leave of absence. Failure to remit payments may result in the cancellation of benefits or recovery of these payments when the employee returns to work or terminates.

BENEFIT TIME
DURING LEAVE
OF ABSENCE

Non-exempt employee's first week of benefit time which will be prorated based on the employee's status, prior to the eighth (8th) day, is paid out of the employee's CTO bank for Medical, Intermittent and Adoption leave of absences. If eligible, STD benefits commence on the eighth (8th) day of disability. Exempt employees begin salary continuation benefits, if eligible, on the first (1st) day of disability for Medical, Intermittent and Adoption leave of absences.

For Family, Personal and Educational Leave of Absences, the first week prior to the eighth (8th) day is paid from the (exempt and non-exempt) employee's CTO bank which will be prorated based on the employee's status. For a Non Exempt employee who takes a Family Leave immediately following a Medical Leave of Absence, only one week of benefit time will be utilized from the employee's bank.

HOLIDAYS DURING
LEAVE OF ABSENCE

Employees are not eligible for holiday payment for legal holidays, which occur while on Leave of Absence. (See Holiday Policy, No. 227.)

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REPLACING AN EMPLOYEE WHILE ON LEAVE OF ABSENCE

Employees on a Family and Medical Leave or a combination of both, will have their position protected for up to a total of twelve (12) weeks within a twelve (12) month period or twenty-six (26) weeks for serious illness or injury of a covered service member provided they have been employed twelve (12) months, have worked 1,250 hours in the preceding year, and, if applicable, meet medical requirements under FMLA guidelines. A department manager may not replace the employee prior to the expiration of their 12-week job protection under FMLA guidelines and Hospital policy. Exceptions must be approved by the HR Director, of the employee's respective Hospital division.

TERMINATION OF EMPLOYMENT

Employees on a Family and Medical Leave, or a combination of both, who have exhausted all job protection including applicable extensions, will be terminated from active employment as shown below:

LESS THAN 5 YEARS OF SERVICE

Exempt and non-exempt employees with less than five (5) years of service will be terminated from active employment after six (6) months or, for certain exempt employees as determined by HR, after eight (8) months.

5 OR MORE YEARS OF SERVICE

Employees with five (5) or more years of service will be terminated from active employment after twelve (12) months for exempt and non-exempt employees or fourteen (14) months for certain exempt employees, as determined by HR.

For termination of employment guidelines for employees on a military leave, refer to Military Leave of Absence Procedure No. 230-4.

For termination of employment guidelines for employees on a Workers' Compensation Leave of Absence, refer to the Handling Workers' Compensation Cases Policy No. 251-1.

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Leave of Absence Benefit Chart

Type of Leave	Medical, Dental and Vision	Basic Life	STD	Vol LTD
Medical (Paid)	Applicable contributions continue pre-tax, or the option to suspend with reinstatement upon return.	Coverage Continues	Suspend	Applicable Contributions continue pre-tax or suspend & reinstate upon return
Medical (Unpaid)	Pay contributions as you go on after tax basis or the option to suspend with reinstatement upon return	Coverage Continues	Suspend	
Family	Applicable contributions continue after tax, or the option to suspend with reinstatement upon return.	Coverage Continues	Suspend	
Workers' Comp	Applicable contributions continue after tax, or the option to suspend with reinstatement upon return	Coverage Continues	Suspend	Suspend
Personal	Applicable contributions continue after tax. Non-payment results in loss of coverage and COBRA eligibility	Coverage Continues	Suspend	Suspend
Adoption	Will follow either paid or unpaid MLOA rules based upon empl status	Coverage Continues	Suspend	Suspend
Military	Hospital Paid	Suspend	Suspend	Suspend
Educational	Applicable contributions continue after tax. Non-payment results in loss of eligibility	Coverage Continues	Suspend	Suspend
Sabbatical	Applicable contributions continue after tax. Non-payment results in loss of coverage and COBRA eligibility	Coverage Continues	Suspend	Suspend

INQUIRIES

Any questions pertaining to a leave of absence should be directed to Human Resources.

DETAILED PROCEDURES

- Medical Leave of Absence, No. 230-1.
- Leave of Absence other than Medical, No. 230-2.
- Returning from a Leave of Absence, No. 230-3.
- Military Leave of Absence, No. 230-4.
- Regular Replacement Procedure, No. 230-5.
- Determining Recurrent Disabilities, No. 230-6.

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