

# Paid Leave of Absence Policy

---



117 W. 20<sup>th</sup> Street, Suite 203  
Kansas City, MO 64108  
PH: 816-877-8400 | FX: 816-421-2086

## Contents

Policy Overview .....	3
Eligibility .....	3
Approved Conditions for Paid Leave.....	4
Definitions .....	4
PTO and Maintenance of Health Benefits .....	4
Options for Using Paid Leave .....	5
Requesting Paid Leave .....	5
Required Documentation .....	5
Failure to Return to Work.....	6
Fraud.....	6
Limited Nature of This Policy .....	6

## **Policy Overview**

Water.org challenges traditional approaches to assisting and inspiring people to take action in caring for their needs. That focus extends not only to those we serve, but to Water.org team members as well. Water.org provides Eligible Employees the opportunity to take up to 12 weeks of Paid Leave for their own pregnancy disability, parental (maternal/paternal) bonding time, and Serious Health Conditions or to provide care for an Immediate Person of Significance with a Serious Health Condition.

Paid Leave benefits must be coordinated with city, state or employer provided disability, as applicable. Employees are eligible for Employer provided Short Term Disability upon date of hire. At no point should Paid Leave and coordinated disability benefits, if applicable, exceed 100% of an Eligible Employee's salary.

Paid Leave will run concurrently with Family Medical Leave Act (FMLA) when applicable. The guidelines set forth in this policy are not intended nor to be interpreted as federal Family Medical Leave Act (FMLA) guidance. See Employee Handbook for details.

## **Eligibility**

An employee's eligibility for Paid Leave is based on the employee's months of service as of the date of the Qualifying Event. The maximum amount of Paid Leave that may be taken within a 12-month period, for all reasons combined, is 12 weeks.

### **Twelve weeks of Paid Leave eligibility applies to:**

1. Full-time and part-time US employees who have worked at least 12 months, collectively, for Water.org as of the date of the Qualifying Event.
2. Eligible Employees' actual hours of Paid Leave per week are subject to the employees regularly scheduled work week and coordination of disability\* insurance, as applicable.

### **Scheduled Work Week Example:**

40 hours/wk. \* 12 weeks = up to 480 hours within a 12-month period  
30 hours/wk. \* 12 weeks = up to 360 hours within a 12-month period  
20 hours/wk. \* 12 weeks = up to 240 hours within a 12-month period

### **Coordination of Disability Insurance Example:**

Approved Condition	Coordination of Disability and Paid Leave
Pregnancy + Maternal Bonding Time	<ol style="list-style-type: none"><li>1. First 60% of pay provided via short-term disability payments from insurance company</li><li>2. Remaining 40% of pay provided through Water.org's Paid Leave policy</li></ol>

*\* City, state or employer provided disability must be coordinated, if applicable, prior to receiving Paid Leave of Absence benefits. Remainder of pay will then be coordinated to ensure 100% of regularly scheduled pay.*

The 12-month period in which leave may be taken is a “rolling” 12-month period measured backward from the date an employee uses any Paid Leave. Under the “rolling” 12-month period, each time an employee takes Paid Leave, the remaining leave entitlement would be the balance of the 12 weeks which has not been used during the immediately preceding 12 months.

Employees who do not meet the 12 months of service as of the date of the Qualifying Event (QE) will be eligible for 6 weeks of Paid Leave for that QE upon their one-year anniversary. Employees with less than one year of service may be eligible for other employer/state sponsored leave benefits at the time of the QE. Please reach out to the Human Resources Department for more information.

Example: Jane is hired on 1/5/2020 and has an estimated delivery date of 9/1/2020. At the time of delivery, Jane is eligible for Short Term Disability, but is not eligible for Paid Leave. Jane will be eligible for up to 6 weeks of Paid Leave (bonding time) starting on 1/5/2021 for this QE. If Jane uses the 6 weeks of PLOA for baby bonding time on/after her one year anniversary, she would have 6 weeks of PLOA remaining in the rolling calendar year to use for another Qualifying Event (surgery, care for a family member, etc).

### **Qualifying Events for Paid Leave**

Paid Leave may be requested for the following reasons:

1. birth of a child, or to care for a newly born child within 12 months of birth;
2. parental (maternal /paternal) bonding time with a newly born child within 12 months of birth;
3. placement of a child with an employee for adoption or foster care within 12 months of placement;
4. to care for an Immediate Person of Significance with a Serious Health Condition;
5. an employee’s own Serious Health Condition that makes the employee unable to perform the essential functions of their job.

### **Definitions**

**Continuing Treatment:** Subject to certain conditions, the Continuing Treatment requirement includes an incapacity of more than five full business days and two visits to a health care provider or one visit to a health care provider and a continuing regimen of care; an incapacity caused by pregnancy or prenatal visits, a chronic condition, or permanent or long-term conditions; or absences due to multiple treatments. Other situations may meet the definition of Continuing Treatment.

**Immediate Person of Significance:** an individual to whom an Eligible Employee takes primary responsibility for arranging and giving care.

**Serious Health Condition:** a disease or illness, accidental injury, impairment, or physical or mental condition that includes an incapacity of more than five full business days and 1) involves Continuing Treatment by a health care provider and 2) prevents an Eligible Employee from performing the functions of the employee's job, or prevents the Eligible Employee's qualified Immediate Person of Significance from participating in school, work or other daily activities.

### **PTO and Maintenance of Health Benefits**

Eligible Employees will continue to accrue PTO and those that participate in Water.org's group health plan will maintain coverage during Paid Leave on the same terms as if they had continued to work, up to 12 weeks.

### **Options for Using Paid Leave**

Eligible Employees may take Paid Leave consecutively (in a single block of time), intermittently (in separate blocks of time), or by reducing their normal work schedule when medically necessary.

A consecutive leave of absence is recommended for the birth of a child, to care for a newly born child, or for placement of a child for adoption or foster care. Two of the 12 weeks may be used intermittently.

Employees who request intermittent or reduced-schedule leave will coordinate with their supervisor to minimize disruption to normal business operations.

### **Requesting Paid Leave**

To request and use Paid Leave, an Eligible Employee must provide a Paid Leave of Absence Request Form and, if applicable, subsequent Health Care Provider Certification forms to the Human Resources Department and/or additional documentation as required. Please contact the Human Resources Department as soon as need for the leave becomes known to go over the leave process and required documentation.

### **Required Documentation**

When requesting and using Paid Leave, Eligible Employees are required to provide the following documentation:

- 1) If the need for leave is foreseeable, a Paid Leave of Absence Request Form must be provided to Human Resources 30 days in advance of the anticipated beginning date of the leave. If the need for leave is not foreseeable, this information must be provided as soon as possible. This form documents the condition for which paid leave is necessary and the anticipated timing/duration of the leave. It is required to document the employee's, or their Immediate Person of Significance's, inability to perform job functions, daily activities, need for hospitalization or Continuing Treatment by a health care provider.

- 2) Depending on the purpose of the leave request, a Health Care Provider Certification form may be required to substantiate and certify the need for leave due to a Serious Health Condition. Failure to submit this documentation to Human Resources within 15 days of the initial Paid Leave of Absence Request Form submission may delay the commencement of Paid Leave or be cause for denial of the Paid Leave request. Second or third medical opinions and periodic re-certifications may also be required.
- 3) Applicable city, state or employer provided disability paperwork may be required by Human Resources for coordination of Paid Leave benefits.
- 4) Periodic communications and updates to Human Resources regarding leave status.
- 5) Medical certification of Fitness for Duty before returning to work, if the leave was due to an Eligible Employee's own Serious Health Condition. This certification will be required to confirm you can perform the essential functions of your position.

Failure to comply with the foregoing requirements may result in delay of pay, denial of Paid Leave, or if necessary, disciplinary action, up to and including termination.

Depending on the purpose of the leave request and until all documentation can be reviewed and approved by Human Resources, Eligible Employees may be required to:

- Coordinate with applicable city, state or employer provided disability benefits.
- Use accrued PTO.
- Go without pay.

If approved and applicable, Eligible Employees will be reimbursed any PTO used prior to being paid under the Paid Leave of Absence Policy.

### **Failure to Return to Work**

Any Eligible Employee who fails to return to work as scheduled after Paid Leave, or exceeds the 12-week Paid Leave entitlement, may be subject to disciplinary action, up to and including immediate termination.

### **Fraud**

Providing false or misleading information or omitting material information in connection with a Paid Leave will result in disciplinary action, up to and including immediate termination.

### **Limited Nature of This Policy**

This Policy should not be construed or implied as a contractual relationship. The Water.org Human Resources Department reserves the right to modify this policy as necessary.