

Department Policy and Procedure Manual

Subject: Personal Leave and Non-FMLA Medical Leave
Scope: Organization-Wide

Effective Date: June 22, 1998
Revised
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I. Purpose.

The purpose of this policy is to define the process and procedures for Personal Leaves and Non-FMLA Medical Leaves necessitated by an employee's own medical condition.

II. Policy Statements.

In addition to leave provided under the hospital's Family and Medical Leave Act ("FMLA") and other leave policies, the hospital provides leaves of absence to eligible employees who need time off from work duties as follows:

A. Personal Leave. This could include to take classes or to pursue other educational activities, for family or personal reasons, or other compelling reasons. Personal Leaves are granted at the hospital's discretion.

B. Non-FMLA Medical Leave. This is leave for an employee's own medical condition and includes:

1. Leave for an employee whose FMLA leave has been exhausted; and
2. Leave for an employee who is not eligible for FMLA leave (for example, the employee does not have sufficient hours or length of service).

C. Job Protection.

1. Personal Leaves and Non-FMLA Medical Leaves are generally not subject to job protection.
2. Job protected Non-FMLA Medical Leaves for employees with disabilities under the Americans with Disabilities Act will be considered on a case-by-case basis in accordance with applicable law. There is no set limit on the amount of Non-FMLA Medical Leave an employee may take as an ADA accommodation. Decisions as to whether such a leave will be granted and the duration of such leave will be made on a case-by-case basis.

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3. Employees who are seeking job protected Non-FMLA Medical Leaves must fill out a Request for Accommodation Form (attached to the Disabilities and Accommodations Policy). If job protected leave is sought beyond 12 weeks, this needs to be indicated in the Request for Accommodation Form.

D. Maximum Duration of Leave. Personal Leaves and Non-FMLA Medical Leaves may be granted for up to 12 weeks. An extension of a Non-FMLA Medical Leave for up to 14 additional weeks (i.e., up to a total of six months, inclusive of FMLA leave) may be granted at the hospital's discretion. The employee must submit a new Leave of Absence Application to request an extension at least one week prior to the end of the original leave. Extensions will be granted based on departmental staffing needs.

III. Procedures.

E. Eligibility.

1. For a Personal Leave, an employee must have completed one year of employment.
2. For a Non-FMLA Medical leave for an employee's own medical condition for which the employee is eligible and approved for short term disability benefits, an employee is eligible following six months of continuous employment.

F. PTO

1. Personal Leaves are not generally granted until all PTO has been exhausted. If PTO has not been exhausted and a Personal Leave is granted, employees on a Personal Leave must use accrued PTO during the leave. After all PTO has been exhausted, the leave will be unpaid.
2. Employees on Non-FMLA Medical Leave must use accrued PTO during the Short Term Disability (STD) benefit waiting period and if the leave is otherwise be unpaid.
3. Employees on STD have the option of supplementing their pay with accrued PTO.

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G. Other Employment. Employees who begin employment elsewhere while on a leave of absence, except Military leave, are considered to have quit voluntarily.

H. Approval.

1. Written requests for Non-FMLA Medical Leaves will be considered by our Absence Management Vendor IMPG.
2. Written requests for Personal Leave require review by and approval from the department leader and are based on the needs of the department.

I. Employee Notice Requirements.

1. When the need for a leave can be planned, the employee must provide not less than 30 days prior notice to the department leader.
2. If the leave cannot be planned, the department leader must be notified as soon as practicable (generally on the same or next business day when the need for leave arises).
3. Planned medical treatment should be scheduled so as not to unduly disrupt operations of the department.
4. Personal Leave and Non-FMLA Medical Leave requests require the employee to contact our Absence Management Vendor IMPG at 877-737-0032.
5. Final approval of Non-FMLA Medical Leave will be based on and supported by the benefit claim status determination by the STD claims administrator at IMPG.

J. Documentation: Copies of approval documentation should be distributed to the employee, the employee's department leader and Human Resources when appropriate. The Personal Leave/Personal Medical Leave files are maintained IMPG. Personal Medical Leave information is kept confidential in accordance with applicable law.

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1. Benefits on an approved paid leave: (i.e. short term disability, paid time off, paid sick leave) During the leave, the Hospital will maintain your group health benefits on the same conditions as if you had continued working your regular schedule. If Paid Time Off (PTO) is used during your FMLA leave, the Hospital will deduct your portion of your insurance and benefit deductions and contributions as long as you have sufficient funds to cover them.
2. Benefits on an approved unpaid leave: If your leave is unpaid, you must make arrangements with Human Resources to pay your portion of the premium. Your group health care coverage will cease if your premium payment is more than 30 days late, but you will be notified at least 15 days before your coverage lapses. Additionally, if you fail to return from leave, the Hospital may require repayment of any premium that was paid for maintaining the health coverage for you, unless you do not return because of your continuing or recurring serious health condition or that of a covered family member, or because of other circumstances beyond your control. (Please note: if your insurance coverage is cancelled due to failure to pay your premiums, that is not a qualifying event to be offered COBRA continuation coverage.)

Your benefit plan deductions and contributions cease during an unpaid leave

K. Return from Leave of Absence.

1. So that an employee's return to work can be properly scheduled, an employee on leave is requested to communicate and confirm the return with two days advance notice of the return to work date with IMPG.
2. Employees returning from a Personal Medical Leave and receiving STD benefits must provide a fitness for duty certificate to the STD claims administrator.
3. Employees returning from a Personal Medical Leave and receiving STD benefits, who are released to return with work restrictions are to submit the work restrictions documentation to the STD claims administrator at IMPG for review. The employee may be required to have a return to work physical/clearance for duty assessment with the hospital's external occupational health clinician or physician.
4. If the employee is not cleared for duty by the occupational health clinician or physician, the employee can complete a "request for accommodation". Refer to the "request for accommodation" policy for further instructions.

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5. Upon return to work to an eligible status, all previously accrued benefits will be reinstated and available for use on the next pay day. If insurance benefits were not continued while on leave, current plan year elections will be reinstated.
6. Failure to Return to Work. If an employee fails to return to work on the agreed-upon return date, it will be assumed that the employee has resigned effective the last day of the scheduled leave.

L. Administrative Termination After Leave of Absence Maximum Reached. Employees whose leaves extend beyond six (6) months (for any combination of leave types) will have their employment status administratively terminated effective the date the six (6) month maximum is reached, unless a request for accommodation is made and approved as set forth above. If the employee qualifies for long term disability insurance, those benefits will continue until the earlier of the reason for disability ending, maximum LTD benefits reached, or reaching age 65. The transition of other benefits will occur based in combination with the termination date and the specific termination of coverage provisions within the respective benefit plans.

IV. Cross References / Related Policies.

1. FMLA Policy
2. Disabilities and Accommodation Policy
3. VESSA Leave Policy

Date Written: 06/22/1998

Date Reviewed/Revised: 12/22/06; 12/1/2007; 3/25/2007; 4/1/2008; 9/11/2009; 10/14/11; 12/19/13
3/1/2019, 2/1/2020

Date of Approvals:

Hospital Operations Committee:
Administrative Policy & Procedure Committee:

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