

SUBJECT:	UNPAID LEAVE OF ABSENCE		
	<p>POLICY:</p> <p>This policy applies to all permanent non-union employees of Saint Joseph's Medical Center.</p> <p>Staff covered by a collective bargaining agreement should refer to their contract regarding guidelines for leaves of absences.</p> <p>PROCEDURE:</p> <p>It is the policy of the Medical Center to review and consider all written requests for a leave of absence for permanent employees. Such leaves are unpaid and with the exception of Military Reserve Duty (USERRA) do not provide job protection or a guarantee of employment at the end of the leave of absence.</p> <p>The maximum amount of unpaid leave an employee can take is six months, inclusive of FM LA leave. Employees who take twelve weeks of FMLA leave may apply for an additional three months of leave under this leave policy, but the additional leave time, if granted, will not include the protections of the FMLA, including any right to reinstatement. Exceptions to the six month maximum may be considered in the case of qualifying medical circumstances.</p> <p>All requests for a leave of absence must be presented in writing to the Supervisor or Department Head and must be approved by the Department Head and Vice President for Human Resources. A leave of absence may be considered for various reasons including illness, injury, disability, military reserve duty or any other compelling personal reason. A leave of absence, other than a leave under the FMLA and Military Reserve Duty (USERRA) will be considered for payroll purposes as a <u>resignation with notice</u>.</p> <p>The unpaid leave begins on the date the employee physically leaves work. In cases where employees are eligible for FM LA leave, the FM LA leave time will always run concurrently with any leave of absence under this policy.</p> <p>The employee must give the Medical Center thirty (30) days written notice before the beginning of the leave, when it is reasonably foreseeable. However, if the leave is not foreseeable or will begin in less than thirty (30) days, the employee shall provide notice as soon as possible.</p> <p>A leave of absence, other than a leave under the FMLA and Military Reserve Duty (USERRA), is not guaranteed and the Medical Center reserves the right in its sole discretion to deny such leaves if it is unreasonable, unsupported or will result in an undo hardship for the Medical Center and its current employees.</p> <p>USE OF ACCRUED TIME</p> <p>If the leave of absence is for the employee's own illness, all accrued but unused sick time must be substituted for the unpaid leave of absence. Once all sick time is exhausted, accrued but unused vacation, personal and holiday time must then be substituted for unpaid leave.</p> <p>If the leave is for any reason other than the employee's own illness, all accrued but unused vacation, personal and holiday time must be substituted for the unpaid leave of absence.</p> <p>Continuation of Benefits Section</p> <p>Health and Welfare Benefits during an Unpaid Leave of Absence will continue as follows:</p>		
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<p>Vice President, Human Resources: <i>Dean Ciritello</i></p>	<p>[*] Supersedes 005-559</p>	<p>[] References</p>	<p>[] Supplements</p>

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		<p>Employees with illness, injury or disability that do not qualify under The Family and Medical Leave Act (FMLA):</p> <p>Medical and life insurance benefits held by the employee as a result of his/her employment at the Medical Center will be continued for a period of three (3) months, at the cost which the employee is currently paying through payroll deduction, subject to any plan-wide increases or decreases in the premium rates during the leave period.</p> <p>If the employee wishes his or her coverage to continue for three (3) additional months, he/she will be responsible for all premiums. (Maximum of six (6) months continued coverage from the beginning of the Unpaid Leave of Absence.) When group health coverage ceases, continuation coverage (COBRA) is available.</p> <p>Failure to Satisfy Medical Benefits During Leave of Absences:</p> <p>If the employee is unable to satisfy contributions through payroll deduction while on leave, payments for those premiums will be required upon the employee's return from his or her leave of absence. The employee will receive notification of delinquent payment and the months overdue for continued coverage.</p> <p>If the employee does not return from his/her leave of absence and has not satisfied payment of premiums for health and life insurance benefits, the Medical Center may recover some or all of the premiums paid for maintaining these benefits, unless the failure to return is caused by the continuation, recurrence or onset of a serious health condition that entitles the employee to leave, for circumstances beyond the control of the employee.</p> <p>After three months (3) the Human Resource Department will notify the employee that he/she is responsible for the full payment of all premiums; for an additional three months (3).</p> <p>Failure of an employee to make payments of premiums will result in loss of coverage.</p> <p>Coverage is for a maximum of six (6) months from the beginning of the leave of absence. If the employee does not return from the leave of absence, benefits can be continued through continuous coverage (COBRA).</p> <p>Military Reserve Duty (USERRA)</p> <p>During military service medical and life insurance benefits held by the employee as a result of his/her employment at the Medical Center will be continued for up to 24 months, for the employee and covered members of the employee's family, while in military service.</p> <p>Coverage will continue for the first three (3) months at the cost which the employee is currently paying through payroll deduction, subject to any plan-wide increases or decreases in the premiums rates during the leave period.</p> <p>If the employee wishes their coverage to continue after the initial three (3) months he/she will be responsible for full payment of all premiums.</p>	
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If the employee does not elect to continue coverage while in military service, he/she has the right to be reinstated in Saint Joseph's Medical Center's health plan, when reemployed, without a waiting period or restriction, except for service related illness or injury.

Personal Leave of Absence

All personal leaves are considered, for payroll purposes, as a resignation with notice and do not provide job protection or a guarantee of employment at the end of the leave of absence.

During a personal leave of absence, the employee's benefits will cease on the said day the leave begins. Coverage for medical and life Insurance benefits can continue from the beginning of the leave through continuous coverage, (COBRA).

CERTIFICATION OF HEALTH CARE PROVIDER:

When an employee requests a leave of absence based upon his or her own illness, the employee must provide the following certified information to the Medical Center:

- The probable duration of the condition and, if different, the period of incapacity from work.
- The appropriate and fully completed medical certification from the health care provider
- Any additional information needed, as requested by the Medical Center

The Medical Center will require the employee to submit a certification from a health care provider to support the employee's need for leave based upon his or her illness. The employee is responsible for providing a complete and sufficient certification within 15 calendar days after the employer's request. The employee is responsible for the cost of the medical certification and for providing the certification to the employer. If the certification is incomplete or insufficient, the employer must give the employee a written notice stating the required additional information necessary to make the certification complete and sufficient. The employee must provide the additional information to the employer within seven (7) calendar days, in most circumstances.

- A certification is considered "incomplete" if one or more of the applicable entries on the form have not been completed.
- A certification is considered "insufficient" if the information provided is vague, unclear, or non-responsive.

If an employee does not provide the requested certification within the time required or fails to provide a complete and sufficient certification despite the opportunity to correct any deficiencies, the Medical Center may deny the employee's request for a leave of absence.

The Medical Center may request the employee provide a recertification every 30 days. The Medical Center may request a recertification in less than 30 days only if:

The employee requests an extension of leave.

- The circumstances described by the previous certification have changed significantly.
- The Medical Center receives information that creates a doubt regarding the employee's stated reason for the absence or the continuing validity of the existing medical certification.

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	<p><u>RETURN TO WORK AND FITNESS FOR DUTY CERTIFICATION</u></p> <p><u>Return To Work And Fitness For Duty Certification.</u> Leave begins as stated above and will expire on either the date the employee returns to work, or the return to work date approved upon the commencement of the leave of absence, or on the date of an approved extension of the leave. Failure to return from an approved leave of absence on the preapproved return to work date will result in termination of employment, effective that date.</p> <p>In the case of a leave due to an employee's own illness, the employee will be required, as in the past, to provide certification from an appropriate health care provider that the employee is able to resume work and perform the essential functions of the job to which the employee will return.</p> <p>This return to work, or "fitness-for-duty" certification, from the employee's healthcare provider must be provided to their department head prior to being scheduled to work. A copy must be given to the Employee Health office as well. If the physician's note indicates any restrictions then the department head must confer with Employee Health prior to allowing the employee to return to work.</p> <p>The Medical Center will evaluate each request for leave individually and in accordance with this policy. The Human Resources Department should be contacted for further explanation, if necessary, of this policy. All required forms are available from the Human Resource Department.</p>

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