

Subject: Medical Leave of Absence	Effective Date: September 2011
Responsibility: Human Resources	Revision Date: N/A

Policy:

Employees ineligible for medical leave through Family Medical Leave Act (FMLA) who are unable to work due to personal illness or injury may be granted a personal medical leave of absence for the duration of the illness, injury not to exceed 6 weeks. The Human Resources (HR) Director, working with the employee's supervisor, will determine whether the request for leave will be granted.

Purpose: In limited circumstances, some employees who do not meet eligibility standards of FMLA may be eligible to take a personal medical leave of absence for up to 6 weeks.

Eligibility: Regular full-time employees will be eligible for personal medical leave after completion of 90 calendar days of service and if they work at least thirty (30) hours per week, unless an employee is eligible for an accommodation under the American with Disabilities Act (ADA).

The approval of such leave shall largely depend upon the circumstances, specialization or critical nature of the employee's position as well as the practicality of replacing the employee.

Except as required by the FMLA, in no case will a leave of absence exceed the employee's length of service since the most recent date of hire, nor will a leave of absence be granted to half-time, casual or temporary employees.

If an employee is eligible for medical leave through FMLA, the FMLA leave will run concurrent with the personal medical leave of absence. This means that the combined total of FMLA leave and approved medical leave can be no more than 12 weeks or the applicable state law.

If the employee has exhausted all available personal leave of absence time; a request for additional time not to exceed 14 days will be reviewed by the HR Director and direct supervisor.

Upon returning, employees may be returned to a comparable position, if the job is available and the employees are able to perform the job.

An employee will not be required to remain on leave for any minimum period and should return when able to resume the performance of duties.

If the employee cannot or does not return to work at the end of approved leave, employment may be terminated.

Effect on Benefits: Participation in health, dental, life insurance, long and short-term disability insurance may only be continued if the employee pays the required premiums on the established due date. Arrangements for personal payments must be made with the HR Department prior to the beginning of the leave or as soon as possible if the leave is unforeseen. Failure to make such arrangement as required may result in termination of the employee's benefits. If the employee is on paid status the company will continue paying the employer portions of the premiums and deducting the employee portion.

If the employee is unpaid during the duration of the leave, then he/she will have to make personal payments for the full premium for those benefits during their absence or upon their return to employment. If the payment is more than 30 days late, benefits may cease until the employee returns to work.

Paid Time Off (PTO) hours will only accrue while an employee is on a paid status. During personal medical leaves of absence without pay, no PTO hours will accrue. Time while on leave is counted as service credit in determining eligibility for those benefits that are dependent upon length of service.

No refund of any retirement contribution is made upon the commencement of the leave, since the return of the employee is anticipated.

Return to Work: Where possible, the employee will be returned to his/her former or essentially equal position upon returning from leave. Employee is responsible for providing adequate documentation to support return to work and/or fitness for duty. If employer has reason to question the capacity of an employee to perform duties and responsibilities, the HR Director may require a second opinion at the employer's expense.

Failure to Return or Accept Employment: An employee will be considered to have voluntarily terminated employment if he/she: (1) fails to return to work upon the expiration of their medical leave of absence or date agreed upon; (2) advises the company of his/her intention not to return to work; or (3) refuses comparable reemployment.

Procedure:

1. Staff who wish to request a medical leave of absence must make their request in writing to their supervisor with a copy to Human Resources within 30 days prior to the beginning of the leave or as soon as practical. The employee should provide Human Resources with the Physician's Certification Form.
2. The Director of Human Resources and the supervisor, in consultation, will review the request
3. If the employee requests an extended leave of absence for medical reasons, he/she must provide a physician's statement specifying the purpose and duration of the extended leave