



LEAVE OF ABSENCE ADMINISTRATION

FREQUENTLY
ASKED QUESTIONS
FOR EMPLOYEES



Here are some Frequently Asked Questions (FAQs) about leave.

1. When can I request a leave under the provisions of the Family & Medical Leave Act (FMLA)?

You're eligible to take FMLA leave for these situations:

- The birth of a child
- The placement of a child via adoption or foster care
- To care for your own serious health condition
- To care for a spouse, child or parent with a serious health condition
- To care for a spouse, child, parent or next of kin who is an injured service member
- To be with a spouse, child, parent or next of kin who is on active duty or called to active duty status in support of a contingency operation

2. How does the FMLA define "family"?

Family members are defined under FMLA as:

- Your parent(s)
- Your child(ren), including adult children who are incapable of caring for themselves
- Your spouse when he or she has a serious medical condition
- Your next of kin, but only in situations of caring for an injured service member

3. How do I request leave?

You should let your manager know in advance that you need a leave. Then, you should contact FMLASource at (844) 242-6747 to initiate a leave request.

4. Are there any other ways to contact FMLASource? What are FMLASource's hours of operation?

Yes, you can visit them online at FMLASource.com or download their mobile app on the Apple Store or Play Store. The FMLASource team dedicated to Memorial is staffed 8:30 am–10:30 pm p.m., Monday through Friday. You can call 24 hours a day, with off-hour coverage by a service center.

5. What kind of leave can I request through FMLASource?

FMLASource administers Family and Medical Leave Act (FMLA) leave, ADA leave, military leave, and medical/personal leaves of absence. FMLASource does not administer bereavement leave or jury duty leave – you should continue to contact your manager or Human Resources with questions about those programs.

6. When am I eligible to apply for leave?

You are eligible for FMLA if you have worked for Memorial for twelve (12) months and have worked at least 1,250 hours during that 12-month period. You are eligible for a non-FMLA leave of absence if you have been employed for at least ninety (90) days. ADA leave has no waiting period.

7. How much leave am I eligible for?

Each type of leave has different requirements and amounts of leave available. In general, FMLA allows for a total of 12 weeks of job-protected leave in a 12-month period. This amount includes FMLA taken for any reason that is taken at any time in the 12-month period. For instance, if you take eight weeks of FMLA to recover from a surgery, you will have four weeks of FMLA available for any other reason for the rest of the 12-months.

Non-FMLA Leaves of Absence allow for a maximum of 12 weeks combined leave in a 12-month period. For instance, if you do not qualify for FMLA and take six weeks of maternity leave, you will have six weeks remaining for either medical or personal leave of absence available for the remainder of the 12-month period.

ADA leaves have no fixed allotment of time and are based on your specific medical need and the operational needs of your department.

8. What happens after I contact FMLASource?

FMLASource sends you a packet that contains important paperwork. It is critical that you return the required documents, including medical certification, before the deadline given to you by FMLASource if you need leave for a medical reason (for you or a family member). Your leave may be denied if the necessary paperwork is missing or late.

9. How does FMLASource determine whether to approve a request for leave?

FMLA and ADA leaves are administered according to federal regulations. You will have your leave approved if you meet the criteria established by the regulations. You may be granted a non-protected leave if you do not meet the criteria for job-protected leaves. Non-protected leaves are subject to the approval of your department leader.

10. What if I am not eligible for FMLA?

Since FMLASource is administering Memorial's other leave of absence plans, they will evaluate your request (and medical certification, if applicable) to determine if you are eligible for any other leave of absence. It is important that you complete and return all medical documentation to allow FMLASource to accurately determine if you are eligible for another type of leave.

11. Do I need to contact both my manager AND FMLASource?

Yes. It is important that you follow your normal department call-in procedures as well as contact FMLASource if you are on an approved intermittent leave. You must contact FMLASource within 24 hours of your absence. Failure to report your absence within 24 hours can result in denial of FMLA coverage for those dates.

12. My leave is personal, why do I have to tell my manager?

Your time away from work is subject to the approval of your manager if your leave is not eligible for FMLA or ADA job-protection. It's your manager's responsibility to properly staff your department. You do not need to disclose

any details that make you uncomfortable. However, your manager needs to know that you are requesting an extended time away from work.

13. What is the difference between an FMLA leave and a non-FMLA Leave of Absence?

FMLA is a federal leave program that provides for job-protected leave. That means, in most cases, you are reinstated to your position at the end of your leave. Non-FMLA leaves (except ADA leave) are not job protected. That means your department may fill your position due to operational needs and you are not guaranteed reinstatement into your position at the end of your leave.

14. What is an ADA leave?

ADA stands for the Americans with Disabilities Act. There may be times when you are considered disabled due to your health condition. Memorial may offer you a leave in order for you to receive treatment that will allow you to once again perform the essential functions of your job if you're not able to perform them with or without accommodation.

15. Can I take an educational leave of absence?

Yes, if your department leader approves it. Keep in mind that educational leave is considered a personal leave of absence, which is a non-protected leave.

16. If I am on a medical/personal leave, do I still to go to Employee Health to be cleared, or will FMLA source do that?

If you are on a leave of any type, FMLASource is your point of contact. Your return to work clearance should be provided to FMLASource if you are on any type of leave for a medical reason.

17. My doctor filled out my medical certification. Do I take it to Employee Health?

No. You must send all documentation for your leave to FMLASource. Employee Health is not able to accept your medical documentation or approve your leave.

18. Will I get paid while I am on leave?

That depends: None of the leaves of absence – with the exception of Parental Leave Pay – come with any additional pay. (This includes FMLA.) While you are on leave, you are paid using your available paid time off (PTO) and disability leave hours. Your leave is without pay if you exhaust all of your hours.

If you are on leave for parental reasons – for the birth, adoption, or foster care placement of a child – you may be eligible for up to four weeks of Parental Leave Pay.

19. Will I still have benefits when I am on leave?

Yes. Memorial must continue to pay for your health insurance coverage as usual while you are on leave, automatically deducting the premiums from your pay if you're receiving a paycheck. FMLA requires you to continue paying your portion of the premium during your leave, so you're responsible for paying it even if your leave is unpaid.

20. Is there any circumstance in which Memorial can stop paying for my health coverage?

Yes, if you don't return to work after 12 weeks – or if you tell Memorial that you don't intend to return to work – Memorial can stop making those payments. If you do not return from leave, Memorial may require you to pay back the money that Memorial paid to maintain your health coverage during your leave.

21. Does FMLASource tell my manager the reason for my leave or share my personal medical information?

FMLASource notifies your manager that you have requested leave and the basis of the request. For example, they indicate if the leave is for your own health condition, for maternity leave, care for a child or family member, etc. They will not share your medical condition or health information.

22. What do I tell my manager if I need to call in and use intermittent FMLA?

You are not required to tell your manager your health condition. You should tell your manager that your absence is related to your FMLA. Your manager should not ask you about your health condition, but he or she may ask if your absence is for FMLA.

23. I got a call from HR that said I was “exceeding my expected intermittent FMLA absences.” What does that mean? Are they allowed to do that?

Yes. Your doctor certified that you need leave, how often you need to be absent (frequency), and how long you will be out each time you take leave (duration.) Only the absences that fall into that frequency and duration are approved under FMLA. Your excess absences may be denied, or you may be asked to go back to your doctor if you are taking FMLA more frequently or for a longer duration than certified and approved.

24. What do I do if I need more leave?

Please contact FMLASource as soon as you believe you will need more leave. They may ask for additional information from your doctor in order to consider or approve an extension. Your extension

may be denied if the information is not received from your doctor in time.

25. Will I have the same job when I return from FMLA leave?

Yes. Memorial must reinstate you to the position you held before the leave began or must offer you a position that has the same pay, benefits, working conditions and seniority.

26. I am ready to come back to work, what do I do?

When it is getting close to the end of your leave, FMLASource contacts you to see if you are planning to return to work as scheduled. It is important that you communicate your intent to return.

If your leave is for your own health condition, you will need a medical clearance return to work (RTW) from your doctor before coming back to work. Please plan to visit your doctor and get this clearance before the end date of your leave. The RTW must be sent to FMLASource.

27. What if I have restrictions?

If your doctor has cleared you to return to work with restrictions, FMLASource confers with Memorial. In general, if you are able to perform the essential functions of your job with the restrictions, you may return to work. If you are unable to perform the essential functions of your job, Memorial may choose to extend your leave until you are able to perform those essential functions.

28. Doesn't my manager have to let me come back to work, even if I have restrictions?

No. If you are unable to perform the essential functions of your position with or without accommodation, Memorial is

not obligated to return you to work. We will not jeopardize your safety or that of our patients.

29. I am not eligible for FMLA or ADA leave, and even though I have requested two months of leave, my manager said she will only approve one month. Can she do that?

Yes. If you are not eligible for a job-protected leave, your request is being considered under LOA, which is a non-protected leave. This leave is approved by the department leader, taking into consideration the operational staffing needs of the unit. The department leader may choose to deny, approve, or partially approve the requested leave.

30. What happens if I am on LOA and my position is filled?

You may apply and be considered for any vacant position for which you are qualified.

31. If my manager fills my position while I am on LOA, does she need to find me another one?

No. LOA is a non-protected leave, and you are not guaranteed reinstatement at the end of your leave. You may apply for a vacant position as an internal transfer.

32. How can I find out the status of my leave request or how much time I have left on my leave?

You can contact FMLASource via phone or register to see your leave online at FMLASource.com.

33. Can FMLASource tell me how much disability leave or PTO I have used during my leave?

No, FMLASource administers the time away from work only, not pay. Please direct any questions about pay to your manager.

FMLASource: We're here when you need us.

Phone – (844) 242-6747

TDD – (800) 697-0353

Fax – (877) 309-0218

www.fmlasource.com

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