

BENEFIT GUIDELINES FOR LEAVES OF ABSENCE

The new benefit guidelines were developed by Human Resources to answer employee questions about the status of their benefits (paid or unpaid) while on leave of absence.

Employees working for the Archdiocese of Cincinnati and its affiliates (defined as "parishes, schools, offices, agencies and other institutions which operate under the administrative authority of the Archbishop) must complete a Leave of Absence Form if they are off work for **five or more days** for any of the following reasons:

FAMILY MEDICAL LEAVE OF ABSENCE (FMLA leave)

This section covers a leave of absence of up to 12 weeks (which can be taken on an intermittent basis over a rolling 12-month period) for the: (i) birth of a son or daughter or to care for a newborn; (ii) placement of a child for adoption or foster care; (iii) care of a spouse, child or parent with a serious health condition; (iv) an employee unable to work or unable to perform any one of the essential functions of the employee's job due to a serious health condition; (v) qualified exigency leave; and (vi) military leave up to 26 weeks to care for a family member.

Benefits - During the FMLA leave, the benefits of an employee must be continued regardless of whether the leave is paid or unpaid. An unpaid FMLA occurs when the employee's vacation and sick leave have been exhausted. However, an employee's ability to substitute accrued paid sick leave is determined by the terms and conditions of the employer's normal sick leave policy. During the unpaid FMLA leave, the employee must pay the monthly **employee portion** of the health insurance premium and the flexible spending account deduction or opt-out of the applicable plan.

MEDICAL LEAVE OF ABSENCE (MLA leave)

This section covers a leave of absence that is extended beyond the 12-week FMLA leave or any other medical leave that does not qualify as FMLA leave. The Medical Leave of absence may not exceed a one-year period.

Benefits - During the Medical Leave, benefits continue while the employee is being paid accrued vacation and sick leave. An employee's ability to substitute accrued paid sick leave is determined by the terms and conditions of the employer's normal sick leave policy. Once vacation and sick leave are exhausted, benefits will continue until the last day of the month. To continue benefits once on an unpaid Medical Leave, the employee must pay the full cost of the health insurance and the flexible spending account on or before the first day of the next month. If an employee fails to timely submit payment, the employee's medical and/or FSA plan coverage will be terminated, and the employee will not be permitted to re-enroll in the medical plan or the FSA plan until the **next open enrollment period**.

WORKERS' COMPENSATION LEAVE OF ABSENCE (WCLA leave)

An employee injured on the job must complete the Leave of Absence Form if the injury lasts **five or more days**. The employee must also complete the Workers' Compensation form. WCLA leave falls under the FMLA rules and regulations until the employee exhausts the 12 weeks of FMLA time. After the 12 weeks are exhausted, the Workers' Compensation leave falls under the medical leave rules and procedures which can last up to one year.

Benefits - During the WCLA leave, medical plan and FSA plan benefits will be continued as described in the sections above depending on whether the period of the leave is FMLA or Medical Leave.

If the employee has available accrued sick leave and vacation, the employee may elect salary continuation while on WCLA leave until such sick leave and vacation are exhausted. While on salary continuation, the employee's workers' compensation payment will be paid to the employer. The Archdiocesan third-party administrator, Gallagher Bassett, must be notified in writing by the Location Administrator regarding the salary continuation election.

LONG TERM DISABILITY LEAVE OF ABSENCE (LTD leave)

An LTD leave begins six months after an employee's last day of work. For time off preceding the LTD leave, the employee must complete the Leave of Absence Form. After 6 months on LTD leave, the employee will be terminated. This termination does not affect the employee's life insurance and LTD payments provided the employee meets the requirements of the LTD carrier.

Benefits - During the LTD leave, medical insurance and FSA benefits will be continued as described in the section above for Medical Leaves.

SUMMARY

Hopefully, the above new guidelines will reduce the number of employee questions and make it easier for employees and managers to understand the leave of absence process and how it affects the benefits of employees.

If you have any questions about the process, please call the Department of Human Resources.