

TITLE: Leave of Absence

Policy Number: AM-HR-012

STATEMENT OF PURPOSE:

This policy is intended to direct the timely and accurate processing of a Leave of Absence for an extended time away from work.

POLICY:

An employee who has qualified for an approved leave status such as FMLA (Family and Medical Leave Act), Workers' Compensation, military service obligations, Foster Caregiver (FCG) waiting for children to be placed, or other extended absences other than vacation, will be placed in a leave classification. This is used to provide a record of the qualified leave. Leave is designated as with or without pay per the discretion of Management.

PROCEDURE:

1. All requests for a Leave of Absence (LOA) of three (3) days or more must be made using the [Request for Leave or Approved Absence form](#). The form is completed by the employee and submitted to his/her supervisor for signature (a signature acknowledges the request and is not for approval). The form is then submitted to Human Resources for review and approval.
2. If the leave requested is for medical reasons, the employee is required to have the [FMLA Certification of Health Care Provider form](#) completed and returned within fifteen (15) days.
3. If the leave requested is for reasons to care for a family member, the employee is required to have the [FMLA Certification of Health Care Provider for Family Members Serious Health Condition form](#) completed and returned within fifteen (15) days.
4. Leave requests for a qualifying exigency leave for families of members of the National Guard and Reserves when the covered military member is on active duty or called to active duty in support of a contingency operation should be made on the form entitled [Department of Labor Certification of Qualifying Exigency for Military Family Leave](#). The Certification form must be returned to the employer within 15 days of the request or provide a reasonable explanation for

the delay. Failure to provide certification may result in a denial of continuation of leave. Military caregiver leaves for family members caring for an ill or injured service member are to be made using the form [Department of Labor Certification for Serious Injury or Illness of Covered Service member](#). Employees must provide this certification within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave.

5. While on an approved Leave of Absence, health, dental, and life insurance will be continued provided the employee makes arrangements to pay his/her contribution for single or family coverage as requested.
6. During an unpaid LOA, the employee will not earn credits toward annual leave, vacation, or sick leave. Human Resources will adjust employee records to indicate change in increment dates. Employee will not lose any seniority or employment benefits that accumulated before the leave began. Any employee eligible for family and medical leave will be restored to his/her old position or to a position with equal pay, benefits, and other terms and conditions of employment as provided by FMLA. NTF cannot guarantee that an employee will be returned to his/her original job. A determination as to whether a position is an "equivalent position" will be made by NTF.
7. Following a medical leave of absence, an employee must present a "Fitness to Return to Duty" certificate before returning to work. A note from the treating physician will fulfill this requirement. An employee will not be permitted to return to work until such certificate is provided. However, the required health benefit maintenance will cease upon expiration of the twelve (12) week FMLA.
8. Please refer to the U.S. Department of Labor FMLA Summary for more information concerning the Family and Medical Leave Act. This fact sheet can be obtained by visiting the website: <http://eeoc.gov/publications.html>.
9. NTF's policy is to use all existing PTO hours prior to accessing the time in your FMLA bank, if applicable.
10. If the employee fails to return to work after the expiration of the leave, the employee will be required to reimburse health insurance premiums paid on his/her behalf during the family leave, unless the employee fails to return due to serious health condition which prevents the employee from performing his/her job or circumstances beyond the employee's control. Furthermore, failure of the employee to return to work may lead to discipline, up to and including termination.

11. Funeral Leave: In case of a death in an employee's immediate family, NTF may authorize a paid leave of absence of up to three (3) days per year (in town) and five (5) days per year (out of town) to attend the funeral. If more than three days in town or five days out of town are needed, an employee may request permission to use Paid Time Off (PTO) or time off without pay for these purposes. This benefit does not accrue from year to year. Permission for this benefit must be secured in writing from management. "Immediate family" is defined as a spouse, children, parents, grandparents, siblings, stepsiblings, mother- and father-in-law, and any other member of employee's immediate household.

Foster Caregiver Leave Status

1. A FCG who is waiting for children to be placed in the home will not be required to complete the Request for Leave or Approved Absence form. The program will submit an [Employee Personnel Record Change form](#) indicating children have been removed.
2. FCGs with an "On Leave" designation will continue to be paid for ten (10) working days following the children's departure. If a FCG receives another sibling group placement by the end of this ten-day time period, the FCG's PTO bank will be deducted for the ten (10) days of payment.
3. If a FCG does not receive another sibling group by the end of the ten-day time period following removal of the siblings from the home, the FCG becomes inactive and placed on leave status. The appropriate location will inform the FCG, in writing, of their change in status and forward an Employee Personnel Record Change form to Corporate Human Resources with notification of the FCG's status change. The FCG's benefits (medical, dental, vision, life insurance, 401(k), short-term disability, long-term disability) continue for thirty (30) days following the date the children were removed from the home.
4. Inactive FCGs that do not receive a placement for thirty (30) days will have their employment relationship terminated effective their 31st day of inactivity. The applicable location will inform the FCG that the employment relationship has been terminated and will forward the [Employee Separation and Discharge form](#) to Corporate Human Resources within twenty-four (24) hours of the employee's termination.
5. If the FCG receives a placement on the 31st day of inactivity, a drug test, within three (3) days of re-activity, is required to continue employment.

6. FCGs whose employment relationship has been terminated due to inactivity will have to be “rehired” to begin their employment relationship again with Neighbor To Family and will experience the appropriate benefits waiting period.