



## Family and Medical Leave

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*Employees may take family and medical leave for eligible family-related matters. Leave can also be taken due to an employee's own serious health condition.*

### Policy

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Eligible employees may take up to 12 weeks of leave in a 12-month period. A leave may be taken for one or more of these reasons:

- To care for a child during the first 12 months after birth
- Placement of a child with an employee for adoption or for foster care.
- To care for a spouse, child, or parent who has a serious health condition.
- Due to an employee's own serious health condition which limits the employee's ability to perform the essential functions of their job.
- Because of any qualifying exigency (as defined by the Secretary of Labor) arising out of the fact that the spouse, son, daughter or parent of the employee is on active duty or has been notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation.

Eligible employees may take up to 26 weeks of leave in a single 12-month period to care for a spouse, son, daughter, parent or next of kin who is a recovering service member.

When an eligible employee experiences a work-related injury or illness which limits the employee's ability to perform the essential functions of their job, the associated absence(s) will count toward their FMLA entitlement. Should the employee voluntarily accept light duty work, time worked in an alternate assignment will not count toward their FMLA entitlement. The employee retains the right to be restored to their original or an equivalent position as long as the combined total of time in FMLA leave and light duty does not exceed 12 weeks. In the event the employee refused light duty assignment, the absence would count toward the FMLA entitlement.

If an employee is eligible for a paid leave of absence, the paid time will count as part of the 12 week maximum. Accrued paid time off (PTO) must be taken before taking unpaid leave.

If a husband and wife both work for UnityPoint Health - Des Moines, the total amount of leave they are eligible for each year may depend on the reason for the leave.

Employees returning to work following a family and medical leave are guaranteed a position similar in seniority, status, shift, equivalent schedule, and pay to the job they had before the leave.

**Any issues not specifically addressed in this policy or accompanying procedure shall be governed by the Family and Medical Leave Act (FMLA) of 1993 and the amendments of 2008.**

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## Procedures

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### Eligibility

All employees are eligible for family and medical leave provided they have been employed by UnityPoint Health - Des Moines or an IHS affiliate for at least 12 months on the date the leave is to begin, and have worked at least a total of 1,250 hours during the 12 months prior to the date on which the leave is to begin.

### Definitions

#### Serious Health Condition

An illness, injury, impairment, or physical or mental condition that requires:

- • Inpatient care in a hospital, hospice, or other residential medical care facility, or
- • Continuing treatment by or under the supervision of a health care provider which involves:
  - The inability to work, attend school, or perform other regular daily activities for more than three consecutive calendar days, or
  - Any period of absence due to pregnancy or for prenatal care, or
  - Any period of absence due to a chronic serious health condition (a condition which requires periodic visits for treatment, continues over an extended period of time, and may cause episodic absences).
- • An absence which is permanent or long-term due to a condition for which treatment may not be effective.
- • Any period of absence to receive multiple medical treatments.
- Any injury or illness incurred by a member of the Armed Forces in the line of duty on active duty that renders them medically unfit to perform the duties of the member's office, grade, rank, or rating.

The employee must submit documentation from their health care provider to verify the need for a leave. After 30 days, or more frequently as circumstances change, the employee may be required to submit additional information to continue the leave.

Employees with questions regarding a qualifying serious health condition under the provisions of the Family and Medical Leave Act are encouraged to contact the Disability Coordinator.

### **Family Members Eligible for Care**

Employees can take a leave to care for the following family members with a serious health condition:

- Spouse; biological, adopted, or foster children; and stepchildren under the age of 18.
- Biological, adoptive, or foster parents; and stepparents.

### **Covered Servicemember**

- A member of the Armed Forces who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.

### **Next of Kin**

- The nearest blood relative of a covered service member

### **Amount of Leave**

Eligible employees may take up to 12 weeks of leave in a 12 month period. The 12 month period is measured forward from the date the employee's first FMLA leave begins.

Eligible employees may take up to 26 weeks in a single 12-month period to care for a recovering service member.

If any employee takes leave on an intermittent or reduced hours schedule, only the amount of leave actually taken may be counted toward the total number of weeks leave to which an employee is entitled.

Eligible part time employees are entitled to leave determined on a pro rated basis. A weekly average of the hours worked over the 12 weeks prior to the beginning of the leave period would be used for calculating the employee's normal work week.

### **Notification of a Leave**

Whenever possible, employees are expected to provide their supervisor 30 days notice of their plans to take a leave.

A Request for Leave of Absence Form (HR 2000) must be completed by each employee requesting a leave for any reason. The completed form must be submitted to the department manager.

### **Certification**

- Any employee requesting a continuous leave for their own serious health condition must submit a completed Short Term Disability Medical Certification Form.
- Any employee requesting leave for their own health on an intermittent or reduced hours basis must submit a completed Certification of Health Care Provider form.
- Any employee requesting leave to provide care for a covered family member must submit a completed Certification of Health Care Provider form.

- Any employee requesting leave to care for a child after birth, placement for adoption or placement with the employee for foster care must provide a supporting document from the appropriate source.

All forms are available on the intranet at <http://benefitsource.ihs.org>. These forms are returned directly to the Disability Coordinator by the employee.

- Any employee requesting Active Duty Leave or Caregiver Leave must provide supporting documentation from the appropriate source, or as defined by the Secretary of Labor.

If the leave is an emergency situation, the appropriate certification form should be provided within 15 days or as soon as practical. The health information contained in the certification form will be held in confidence. Information will be maintained in separate, confidential files in the Disability Coordinator's office.

UnityPoint Health - Des Moines will notify an employee in writing when a leave, paid or unpaid, qualifies as family and medical leave under the provisions of the Family and Medical Leave Act.

### **Scheduling a Leave**

Leave to care for a newborn or a child placed for adoption or a child placed with the employee for foster care must be taken all at one time. The leave must conclude by the end of twelve months following the date of placement.

Leave to care for a sick family member, covered service member, or leave taken due to an employee's own serious health condition may be taken as needed. Leave can be taken periodically or by working a reduced number of hours if the medical needs of the employee or the family member or covered service member being cared for make that necessary.

### **Job and Benefit Protection**

Employees returning to work following a leave are guaranteed a position similar in seniority, status, shift, equivalent schedule and pay to the job they had before the leave.

Any benefits earned before the leave are protected, and benefit programs the employee was eligible for before the leave will be available without a waiting period when the employee returns to work.

Employees not returning to scheduled work following a medical release to return will be considered a voluntary resignation from UnityPoint Health - Des Moines.

### **Continuing Benefits During a Leave**

During a leave, employees who are enrolled will continue to receive the following benefits at the employee cost:

- Medical, dental, and vision coverage.
- Life insurance.
- Short-term and long-term disability coverage.
- Health and dependent care spending accounts.

If the leave contains paid time, the employee's contribution towards benefits elected through the Benefit Program will be payroll deducted as if the employee were actively working.

If the leave is unpaid, the employee will be responsible for making arrangements with Human Resources to make timely payments for the employee's share of benefits elected through the Benefit Program. If the employee's premium payment is more than 30 days late, UnityPoint Health - Des Moines will notify the employee of the intent to drop the employee's benefits elected through the Employee Insurance Benefit program. If the premium payment is not received within 15 days of the date of notification, the employee's coverages will be dropped. Upon return from leave, the employee may elect to restart insurance coverages they had before the coverages were dropped.

If an employee does not return to work following a leave for any reason other than due to their own serious health condition, the serious health condition of an eligible family member, or circumstances beyond the employee's control, UnityPoint Health - Des Moines will charge the employee for the employer's share of medical, dental, and/or vision coverage provided while on unpaid leave.

Paid time off (PTO) does not accrue during an unpaid leave.

#### **Combining Paid and Unpaid Time Off**

If an employee is eligible for a paid leave of absence, the paid time will count as part of the 12-week maximum. For example, in the case of maternity, the six weeks following the birth of a child is typically covered under the short-term disability plan. In this situation, an additional six weeks of unpaid leave would be available.

Accrued PTO must be taken before taking unpaid leave. For example, if an employee has one week of PTO they would need to use that week first. Then the employee would be eligible for 11 additional weeks of unpaid leave.

#### **Couples Who Both Work for Iowa Health - Des Moines**

If a husband and wife both work for UnityPoint Health - Des Moines, the total amount of leave they are eligible for each year may depend on the reason for the leave.

If the leave is taken to care for a spouse or child with a serious health condition, or due to the employee's own serious health condition, each person is entitled to the full 12 weeks.

If the leave is taken to care for a child who is newly born, placed with the employee for adoption, placed in the family's home for foster care, or to provide care for a covered service member, UnityPoint Health - Des Moines will accommodate requests for each employee to take the total number of weeks leave to which an employee is entitled whenever possible. However, based on business and staffing needs, the aggregate number of weeks may be limited

#### **Returning From a Leave**

Employees must notify their department management when they are released to return to work.

An employee returning to work after a personal serious health condition must present a return to work release from their physician to their department management. The employee's department management should send a copy of the return to work release to the Disability Coordinator.

**Time Record**

The eligible employee's department management is responsible for coding available PTO during a family and medical leave absence when other means of compensation are not applicable.

**Extension of Leave Beyond 12 Weeks**

A request by an employee to extend a leave beyond 12 weeks for any reason other than their own personal illness will be evaluated on a case-by-case basis. UnityPoint Health - Des Moines cannot guarantee approval of an extension, nor assure return to a similar position.

An employee unable to return to work due to a personal serious health condition when the 12-week FMLA entitlement is exhausted will be placed on a personal leave of absence for medical reasons. Documentation will continue to be maintained in separate, confidential files in the Disability Coordinator's office.

**Other Information**

Employees are encouraged to contact the Disability Coordinator with any questions regarding family and medical leave.

**Related Human Resources Policies:**

Adoption Benefit – Benefits

Attendance and Notification of Absence – Work Environment

Employee Insurance Benefits - Benefits

Paid Time Off (PTO) - Time Off

Personal Leave - Time Off

Short-Term Disability - Benefits

**Related Forms:**

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