

## Diocese of Sacramento — Human Resources Services

### MEDICAL / FAMILY LEAVE POLICY

It is the policy of the Parish/School/Diocese to provide up to 12 workweeks of unpaid family/medical leave within a 12-month period, under the following conditions.

Eligibility: To be eligible for leave under this policy, an employee must (1) have completed at least 12 months of employment with the Parish/School/Diocese, and (2) have worked at least *1200 hours* during the 12-month period preceding the date the leave would begin.

Permissible purposes of leave: Leave may be requested for one or more of the following reasons:

- To address the employee's serious health condition that prevents the employee from performing one or more of the essential functions of his or her position.
- To care for the employee's family members (such as employee's spouse, child, parent, grandparent, grandchild, or sibling) who has a serious health condition. "Parent," under this policy includes biological, adoptive, foster or step-parent, or a legal guardian; or
- *Baby bonding following* the birth of the employee's child, or placement of a child with the employee for adoption or foster care.

*Pregnancy Disability Leave is provided for under a separate policy in addition to this Medical / Family Leave Policy.*

Calculating the leave period: Eligible employees may request up to 12 weeks of medical/family leave during a 12 month period. The 12 weeks of leave will be measured using a "rolling" 12-month period measured forward from the date an employee's first medical/family leave begins.

Under this measurement formula the 12-month period during which 12 weeks of leave may be taken can only begin with the first day of a qualifying absence following 12 consecutive months in which no Medical/Family Leave has been taken. No carryover of unused leave from one 12-month period to the next 12-month period is permitted. For example, if an employee starts medical family leave beginning March 1, 2013 and takes 12 weeks either concurrently or intermittently within a 12-month period, the employee would not be entitled to another 12 weeks until March 1, 2014. *Occupational Disability Leave* will run concurrently and the eligible employee will be entitled to a total of 12 weeks of medical/family leave in the designated 12-month period.

Requesting medical/family leave: To request medical/family leave, an employee should first submit a PT400 Request for Leave form to his or her pastor/principal/supervisor as soon as he or she realizes the need for the leave.

If the leave is based on the expected birth, placement for adoption or foster care, or planned medical treatment for a serious health condition of the employee or a family member, the employee must notify his or her pastor/principal/supervisor at least 30 days before leave is to begin. The employee must consult with his or her pastor/principal/supervisor regarding scheduling of any planned medical treatment or surgery in order to minimize disruptions. Any such scheduling is subject to the approval of the health care provider of the employee or the health care provider of the employee's child, parent, or spouse.

If the employee cannot provide 30 days' notice, the employee must inform his or her pastor/principal/supervisor as soon as is practical.

*Medical certification: Medical certification supporting the need for leave is required for your own serious health condition or your family member's serious health condition before leave under this policy can be granted. A request for medical/family leave will therefore be treated initially as pending (awaiting approval) until the Parish/School/Diocese receives the required medical certification. If the leave is confirmed upon receipt of satisfactory certification, it will be recorded as approved, retroactive to the initial date of leave, as indicated by the pertinent health care provider. The Parish/School/Diocese may require recertification from the health care provider if additional leave is required after completion of any leave period.*

If the medical/family leave request is made because of the employee's own serious health condition, the Parish/School/Diocese may require, at its own expense, a second opinion from a health care provider of its choice. The health care provider designated to give a second opinion will not be one who is employed on a regular basis by the Parish/School/Diocese.

If the second opinion differs from the first opinion, the Parish/School/Diocese may require, also at its expense, that the employee obtain the opinion of a third health care provider designated or approved jointly by the Parish/School/Diocese and the employee. The opinion of the third health care provider shall be considered final and binding on the Parish/School/Diocese and the employee.

If the leave is needed to care for a sick spouse, child, parent, grandparent, grandchild, or sibling, the employee must provide a certification from the health care provider stating:

- Date of commencement of the serious health condition;
- Probable duration of the condition; and
- The serious health condition of the spouse, child, parent, grandparent, grandchild, or sibling that warrants the participation of the employee to provide care.

Intermittent leave: Employees may take medical/family leave intermittently (in blocks of time, or by reducing their normal weekly or daily work schedule) if the leave is for the serious health condition of the employee or the employee's spouse, child, parent, grandparent, grandchild, or sibling, and the reduced leave schedule is medically necessary as determined by the health care provider of the person with the serious health

condition. The smallest increment of time that can be used for such leave is one hour.

Benefits while on leave: An employee taking medical/family leave will be allowed to continue participating in any employee benefit plans in which he/she was enrolled before the first day of the leave (for the duration of the approved leave up to the maximum of 6 months) at the level and under the conditions of coverage as if the employee had continued in employment for the duration of such leave. The Parish/School/Diocese will continue to make the same premium contribution as if the employee had continued working, but the employee must continue to make the same monthly benefit premium payments during the leave as before the leave started.

The Parish/School/Diocese does not pay an employee during a medical/family leave but any unused accrued sick leave will be applied. (Only 50% of accrued sick time may be used for care of employee's spouse, child, grandchild, sibling, grandparent, or a parent of the employee or his or her spouse). If the need for medical/family leave is due to the employee's disability and the disability is not work related, State Disability (SDI) will be coordinated with sick pay so that total compensation while on leave does not exceed regular pay. If an employee chooses, unused vacation may be used and coordinated with State Disability.

Employees on medical/family leave will not continue to accrue vacation and sick leave during any unpaid portion of that leave. Employees will, however, accrue vacation and sick leave on any paid time. (SDI benefits not included.)

Return from leave: Upon completion of the leave period, the Parish/School/Diocese will require certification by the employee's health care provider that the employee is fit to return to his or her job. Failure to provide certification by the health care provider of the employee's fitness to return to work will result in denial of reinstatement for the employee until the certificate is obtained.

If 12 workweeks (or less) of leave are taken by an employee in a 12-month period due to a serious health condition (not including pregnancy) or family/medical care, he/she will be returned to the previous position or will, to the extent possible, be placed in a comparable position with comparable employment benefits, pay, and other terms and conditions of employment.

Exhaustion of Leave: If an eligible employee (1) exhausts all 12 weeks of medical/family leave, and (2) has no other applicable leave available to cover the time off (e.g., vacation or sick pay), but (3) is medically unable to return to work, that employee will be subject to dismissal from employment.