

Non-FMLA Leave Policy

complies with all federal and state family and leave laws. However, when these laws do not apply or an employee does not meet the eligibility requirements, the company will consider an employee's request for non-FMLA medical leave. This leave may provide up to [maximum leave period] in a 12-month period, unless otherwise required by law. Each leave request will be considered on an individual basis.

[EMPLOYER: If the employer is covered and the employee is eligible for FMLA, those rights should be considered before this policy.]

Within the First Year of Employment

An employee experiencing a serious medical condition within his or her first year of employment may request a leave of absence. A leave of up to [number of weeks] weeks within the first 12 months of service may be provided when the employee needs to be out of work for at least five consecutive workdays.

Neither leave for a family member's serious health condition nor intermittent leave are permitted under this policy.

After the First Year of Employment, If Less Than 1,250 Hours Have Been Worked

An employee experiencing a serious medical condition after his or her first year who does not qualify for FMLA leave may request a leave of absence for his or her own serious health condition. A leave of up to [insert number of weeks] weeks within a 12-month period may be provided when the employee needs to be out of work for at least five consecutive workdays.

Neither leave for a family member's serious medical condition nor intermittent leave are permitted under this policy.

Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves:

- Any period of incapacity or treatment connected with inpatient care (e.g., an overnight stay) in a hospital, hospice, or residential medical care facility;
- A period of incapacity requiring an absence of more than three calendar days from work, school, or other regular daily activities that also involves continuing treatment by (or under the supervision of) a health care provider;
- Any period of incapacity due to pregnancy or for prenatal care;
- Any period of incapacity (or treatment) due to a chronic serious health condition (e.g., asthma, diabetes or epilepsy);

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- A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective (e.g., Alzheimer's, stroke or terminal diseases); or
- Any absences to receive multiple treatments (including any period of recovery) by, or on referral by, a health care provider for a condition that likely would result in incapacity of more than three consecutive days if left untreated (e.g., chemotherapy, physical therapy or dialysis).

Requesting Non-FMLA Medical Leave

Other than in the case of a medical emergency, an employee is required to request leave at least 30 days in advance of the first day of requested leave. If an employee becomes aware of the need for medical leave less than 30 days in advance, he or she must request leave on the next business day.

Health Care Provider Statement

When requesting leave, an employee must provide with a statement from his or health care provider certifying the need for medical leave. Human Resources will receive and review all medical certifications.

Incomplete Health Care Provider Information

If an incomplete medical statement is received, Human Resources will provide the employee with the opportunity to either have the health care provider correct the document or provide a written release for Human Resources to contact the health care provider directly. The employee will have seven calendar days to resolve any deficiencies in the medical document. If, after seven calendar days, the identified deficiencies have not been resolved, the request for leave will be denied.

Pay Status

An employee who is taking non-FMLA medical leave must exhaust all accrued time off banks prior to taking unpaid leave.

While using any form of paid time off, an employee will continue to accrue time off. When all paid time off banks are exhausted, the leave will be unpaid. No additional paid time off will be accrued during a period of unpaid leave.

Paid time off accrual will restart upon the employee's return to paid status.

Employee Benefits

While an employee is on approved leave, will continue the employee's health benefits at the same level and under the same conditions as if the employee had continued to work, as long as the employee continues to pay a portion of the health care premium.

While on paid leave, the employer will continue to make payroll deductions to collect the employee's share of the premium.

While on unpaid leave, the employee must to make this payment by mail to [insert mailing information]. The payment must be received by the first day of every month. A [insert number days]-

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day grace period applies. If full payment is not postmarked within the grace period, your benefits will be terminated.

[EMPLOYER: Consult with plan carrier and plan documents to assure that continuation of benefits for an employee on leave is allowable.]

If the employee fails to return to work as scheduled, may require the employee to reimburse the amount it paid for the employee's health insurance premium during leave. Exceptions may be made, at management's discretion, if the reason for not returning as scheduled is a continued serious health condition of the employee or a circumstance beyond the employee's control.

Job Restoration

There are no job restoration rights associated with a non-FMLA medical leave. However, will make every attempt to reinstate an employee to the same position or a position with equivalent status, pay, benefits and other employment terms upon his or her return from an approved leave. In the event this cannot be done, the employee will receive written notice from Human Resources as soon as the determination has been made and no later than the employee's scheduled return date.

Returning to Work

Employees are expected to return to work at the end of the approved leave period. At least two days prior to an employee's scheduled return to work date, he or she must provide a health care provider's statement releasing the employee to return to work. This statement should be presented to the employee's supervisor. If the statement releases the employee to return to work with restrictions, the supervisor will consult with Human Resources to determine if the restrictions can be met.

If an employee is released to return to work sooner than the expected return date that was provided when he or she requested the leave, the employee must notify his or her supervisor within two business days of receiving the release.

All return to work documentation will be kept with Human Resources.

Unable to Return to Work

If the employee is not medically released to return to work at the end of his or her leave, employment ends effective the last day of the approved leave. Exceptions will be made if continued leave is granted as an accommodation under the Americans with Disabilities Act (ADA). Other exemptions may also be granted at management's discretion. Each situation will be reviewed on an individual basis.

Failure to Return to Work

Any employee who fails to return to work as scheduled will be considered to have voluntarily terminated employment with . Termination will be in effect as of the last day of the approved leave.

Attendance and Non-FMLA Medical Leave

Absences while on approved non-FMLA medical leave will not be counted as occurrences of absenteeism under company's attendance policy. However, employees may be subject to discipline up to and including employment termination if, during their leave, they engage in activities

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inconsistent with the stated purpose for the leave. For example, employees may be prohibited from engaging in other employment during leave. Misrepresentations or any act of dishonesty related to the leave will also be grounds for discipline, up to and including employment termination.

Worker's Compensation and Non-FMLA Medical Leave

Non-FMLA Medical Leave and Worker's Compensation can run concurrently.

Failure to Follow Policy Requirements

Failure to comply with this leave policy will result in denial of the leave request. Absence without leave approval will subject the employee to disciplinary action up to and including employment termination.