Baptist Health South Florida

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POLICY TITLE: Personal Leave of Absence

Responsible Department: Human Resources

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SUBMITTED BY (AUTHOR): Lisa Miranda-Sixto
Title: Manager, Leave and Disability Administration

APPROVED BY: Margaret Marshall
Title: Assistant Vice President, Total Rewards

APPROVED BY: Adriene McCoy
Title: Corporate Vice President and Chief Human Resources Officer

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SUMMARY & PURPOSE:
This policy describes the conditions under which an employee may request a Personal Leave of Absence.

POLICY:
The purpose of granting a Personal Leave of Absence is to retain for future employment a valuable employee whose circumstance would be improved by an absence from work in excess of available Paid Time Off (PTO) benefits. A Personal Leave of Absence can be an enlightened way to achieve both organization and individual objectives. It is the Department Leader's responsibility, however, to assure that staffing will be sufficient to meet operating requirements when approving a Personal Leave of Absence. An employee seeking Personal Leave of Absence must notify their leader and receive leader approval prior to taking of leave. Once the leader approves the Personal leave, the employee must contact the Unum Benefits Center (877-663-7437) as soon as possible and no later than ten (10) calendar days from the date the leave is scheduled to begin.

Definition:
Personal Leave of Absence - a paid or unpaid authorized absence from work not covered by other leave policies. Examples of reasons for Personal Leave might include the following:

a. Absence to care for a non-covered relative under the Family and Medical Leave of Absence Policy with a serious health condition.
b. Extension of FMLA leave after the allotted twelve weeks has expired.
c. Personal convenience for an extended vacation.
d. Absence for educational purposes or volunteer work on behalf of the community, political organizations or charitable organizations.

SCOPE/APPLICABILITY:
All full-time and part-time employees (scheduled 20 hours per week or more) who are in good standing are eligible for Personal Leave of Absence after three (3) months of continuous employment. "Employee in good standing" is defined as the employee who has not received a formal corrective action within the previous six (6) month period. The employee must use his or her available PTO (Paid Time Off) benefits. Upon exhaustion of accumulated PTO

benefits, the remainder of the leave period will then consist of unpaid leave. Eligible employees will only be entitled to one (1) Personal Leave of Absence in a rolling twelve (12) month period. A rolling twelve (12) month period is measured backward from the beginning date of the requested leave.

PROCEDURES TO ENSURE COMPLIANCE:

1. Personal Leave is a Privilege

   Department Leaders are encouraged to consider what accommodations can be made to allow employees to take Personal Leave of Absence. Personal leave is to be granted only if there is an understanding that the employee intends to return to work at a Baptist Health facility upon the expiration of the leave. If the employee is in good standing and has not taken a personal leave during the twelve (12) months immediately preceding the leave request, the department leader may grant the taking of personal leave. The leader may also consider the length of the employee's service in determining whether the leave is appropriate and must balance the individual's desires against the organization's staffing requirements to perform its mission. Therefore, a Personal Leave of Absence is considered a privilege and not a right.

2. Requesting Leave
   a. The employee must notify their leader and the Unum Benefits Center (877-663-7437) of their need for personal leave as soon as possible and no later than ten (10) calendar days from the date the leave begins;
   b. The leader provides the employee with a copy of the *Unum Leave of Absence Brochure* (available in Employee Self Service);
   c. Upon receipt of the employee's request for personal leave, Unum will email the employee's leader to obtain approval or denial of the requested leave and, if approved, obtain the leave start and end dates;
   d. The leader is responsible to respond to Unum's email requesting personal leave approval or denial as soon as possible and no later than two (2) business days from the receipt of the Unum email;
   e. Once Unum has verified that the personal leave is approved by the leader, Unum will process the leave and send the employee the applicable leave correspondence;
   f. The leader is responsible for processing the employee's payroll at 100% of regularly scheduled hours from available paid time off (PTO) benefits, including shift differential. If the employee does not have any available PTO hours, the leader will process unpaid hours by entering LOA hours in the employee's timecard.

3. Leave Duration

   Personal leaves can be granted for a maximum of one year. This one year maximum includes both paid and unpaid portions of the leave. If personal leave is not an extension of a FMLA, Medical Non-FMLA or Work-Related Non-FMLA leave, the employee will be granted thirty (30) days job protection.

4. Outside or Supplemental Employment While on Personal Leave

   An employee on a Personal Leave of Absence may not work at another job during the duration of the leave. A Personal Leave of Absence will not be granted for the purpose of allowing an employee to take another paid position temporarily, try out new work or venture into business. Failure to adhere to this rule may lead to revocation of the personal leave and may also lead to disciplinary action.

5. Transfer Eligibility

   Employees will not be permitted to apply for a transfer during their leave of absence unless one of the following occurs:
   - An employee's position has been eliminated because of Baptist Health business needs.
   - An employee's position has been posted and filled due to the length of the employee's leave.
   - Mutual agreement between the current department leader, the HR Site Consultant and the employee.

6. Return from Leave

a. The employee is expected to return to work from a personal leave the day following the approved leave end date;
b. The employee must notify their leader of their intent to return from personal leave and submit a *Notice of Intention to Return from Leave form* to their leader at least five (5) days prior to the planned return date;
c. The employee is required to notify the Unum Benefits Center (877-663-7437) of their actual return to work date (first day the employee clocks into work);
d. Upon receipt of the employee's reported return to work date, Unum will email the employee's leader requesting confirmation of the actual return to work date;
e. The leader is responsible to respond to Unum's email requesting return to work confirmation, as soon as possible, and no later than two (2) business days of receipt of Unum email;
f. If the position held by the employee prior to the personal leave is still available, the leader will return the employee to the former position if the leave request was for thirty (30) days or less, and is not an extension of FMLA leave. If the approved leave exceeds a thirty (30) day period, reinstatement will be at the sole discretion of Baptist Health;
g. If the position held by the employee prior to the personal leave is no longer available, the leader will instruct the employee to contact their HR Site Consultant for assistance in securing a position elsewhere in Baptist Health;
h. The leader will notify Unum that the employee has not returned to work and will remain on personal leave for at least thirty (30) additional days, or as agreed upon with HR Site;
i. Upon receipt of the request for personal leave extension, Unum will email the employee's leader to obtain approval of the requested leave and obtain the leave start and end dates;
j. The HR Site Consultant will assist the employee in searching for another position and notify the Director of Recruitment of the employee's availability;
k. The Director of Recruitment will notify staff members to accept multiple transfer requests.

7. Failure to Return to Work

An employee who fails to return to work within five (5) days after expiration of a personal leave will be terminated as a voluntary resignation unless an extension of the personal leave has been approved. Extensions should be requested five (5) days prior to initial leave expiration date. If the extension is denied, the employee is expected to return to work the day after the leave expires. The effective date of the termination will be the day following the expiration date of the personal leave, or extension thereof.

8. Benefits While On Leave

Baptist Health will continue the employee's benefits while on leave up to a maximum of twelve (12) months from the start date of the employee's absence, provided employee contributions are paid on a timely basis. Baptist Health will continue to pay its portion of the employee's applicable benefit costs and the employee must pay their share, if any. During paid leave, the employee's share of the cost will continue to be paid through payroll deductions. Should the employee's leave be unpaid, the Baptist Health Benefits Department will provide the employee with information regarding payment of their share of the cost. The employee has a thirty (30) day grace period in which to make such payments. In the event that the employee does not pay their share of the benefit cost on a timely basis, coverage for the employee and/or employee's dependents may be terminated for the remainder of the leave. Any benefit fully paid by Baptist Health will continue during the employee's leave, not to exceed a twelve (12) month period. An employee can also choose to cancel participation in all or some of their voluntary benefits upon the start of the employee's leave. Coverage for these benefits will be reinstated immediately upon the employee's return from leave unless the employee chooses not to reinstate coverage. If the employee does not return to work following their leave, the employee will be required to reimburse Baptist Health for any employee benefits costs still outstanding or paid by Baptist Health on the employee's behalf. During an unpaid leave, the employee ceases accruing Paid Time Off.

Please contact the Pay & Perks Service Center at 786-662-7178, option 1 for information regarding employee benefits continuation during leave.

SUPPORTING/REFERENCE DOCUMENTATION:
N/A

RELATED POLICIES, PROCEDURES, AND ASSOCIATED FORMS:

- Unum Leave of Absence Brochure
- Notice of Intention to Return from Leave Form
- BHSF Administrative Policy 3800 Paid Time Off – Human Resources
- BHSF Administrative Policy 6610 Omnibus Accountability Policy for Leaders – Human Resources

ENFORCEMENT & SANCTIONS:
Violation of this policy may lead to disciplinary action, up to and including termination of employment.