



Family and Medical Leave

Employee leaves of absence requests, with the exception of a Personal Leave (refer to the Personal Leave policy for the request process), are processed through SJVCi's third-party administrator, which is currently SunLife, but may change from time-to-time. Employees can always contact Employee.Relations@embered.com to ask who the third-party administrator is.

The federal Family and Medical Leave Act (“FMLA”) requires covered employers with 50 or more employees to provide eligible employees up to 12 weeks of unpaid, job-protected leave in any 12-month period for certain family and medical reasons. The Organization has chosen a 12-month period is a rolling period measured backward from the date an employee uses any FMLA leave, except for leaves to care for a covered military servicemember with a serious illness or injury. For those leaves, the leave entitlement is 26 weeks in a single 12-month period, measured forward from the date an employee first takes that type of leave.

Basic Leave Entitlement

Eligible employees can take FMLA for the following reasons: (1) for incapacity due to pregnancy, prenatal medical care, or child birth; (2) to care for the employee’s child after birth or placement for adoption or foster care; (3) to care for the employee’s spouse, registered domestic partner, son or daughter, or parent who has a serious health condition; (4) for a serious health condition that makes the employee unable to work, or (5) because of a qualifying exigency arising out of a spouse’s, son’s, daughter’s, or parent’s active duty or notification of an impending call or order to active duty in the armed forces in support of a contingency operation. Leave may be taken as a block of time, intermittently, or on a reduced-schedule basis.

Eligibility

In order to qualify for FMLA leave, an employee must: (a) have been employed for at least 12 months, and (b) have worked at least 1,250 hours of service during the 12-month period immediately before the leave would begin.

Insurance Coverage

SJVCi will continue to pay its share of the premiums to maintain any health plan coverage that is already in effect for the employee up to twelve (12) weeks for an approved federal and/or state family and medical leave (and as discussed in the California Addendum to the Employee Handbook, up to seventeen (17) weeks and three (3) days for California employees on Pregnancy Disability Leave (“PDL”). If the employee is not eligible for these leave types or the employee exhausts eligibility, the employee’s health plan will be cancelled the last day of the month an ineligible absence begins or approved FMLA and/or PDL is exhausted. The employee must continue to pay his/her share of the health benefit costs if he or she wishes such coverage to continue during an approved federal and/or state family and medical leave or California PDL. If an employee does not pay his/her share of the premiums for the period of the leave, coverage will cease in accordance with the provisions of the law. The employee may thereafter



reinstate coverage following leave if the employee resumes payment of his or her share of the premiums in a timely manner. Payments are made by check or money order made payable to San Joaquin Valley College, Inc. and mailed to:

Attn: Director, Payroll & Benefits
San Joaquin Valley College, Inc.
3828 W. Caldwell Avenue
Visalia, CA 93277

How to Request Leave

Employee leaves of absence requests are processed through the Organization's third-party administrator ("TPA"), which is currently SunLife. The first step of the leave request process is to notify by email your manager and Employee Relations at Employee.Relations@embered.com and provide the following information:

- Your first and last name
- Work location
- Contact Information that includes:
 - Personal email address
 - Personal phone number
 - Home address
- Is leave for employee or family member?
- If for pregnancy disability/maternity or state baby-bonding leave, provide baby's due date
- Leave start date
- Leave end date (approximate or actual)
- Supervisor's first and last name
- Supervisor's work email address

The second step is to submit a leave of absence claim to Sun Life at 888-444-0239 or login at www.sunlife.com/account (NOTE: to submit a claim online, you must create an account). The employee will not be considered for a protected leave if this step is not completed.

The third step is for the employee and his/her/their health care provider to fully complete and submit the required medical certification form(s) to Sun Life by mail, email, or fax by the due date.

Employees approved for an intermittent/reduced schedule leave for foreseeable medical treatments must work with their supervisors to schedule the leave so as not disrupt SJVCi's operations.

Denied Leave



The TPA will determine if an employee meets the eligibility requirements for FMLA. The TPA will also check to see if the employee is eligible for other types of protected leave or reasonable accommodations of a disability or medical condition. If an employee's leave is denied protected leave or other reasonable accommodations due to ineligibility or insufficient medical documentation, the employee is expected to return to work the following business day the denial notification is provided. **No further notification would be provided by the TPA or Ember's Employee Relations.** If the employee does not return to work as required, a voluntary resignation would be processed due to job abandonment.

Reinstatement

Except where the law authorizes a different result, an employee who complies with the provisions of this policy will be reinstated to the same or an equivalent position as that which he or she occupied when the leave commenced. An employee who takes a leave for his or her own serious health condition must provide a medical release verifying that he or she is able to return to work, in the same manner as employees return from other types of medical leave. If an employee fails to return for work immediately after the period of approved leave expires, the employee will be considered to have voluntarily resigned their position.

Other Family Medical Leaves

State Family and Medical Leave

In addition to FMLA, some states have their own family and medical leave. To find out if the state you reside and or work in has its own family and medical leave, please contact SunLife.