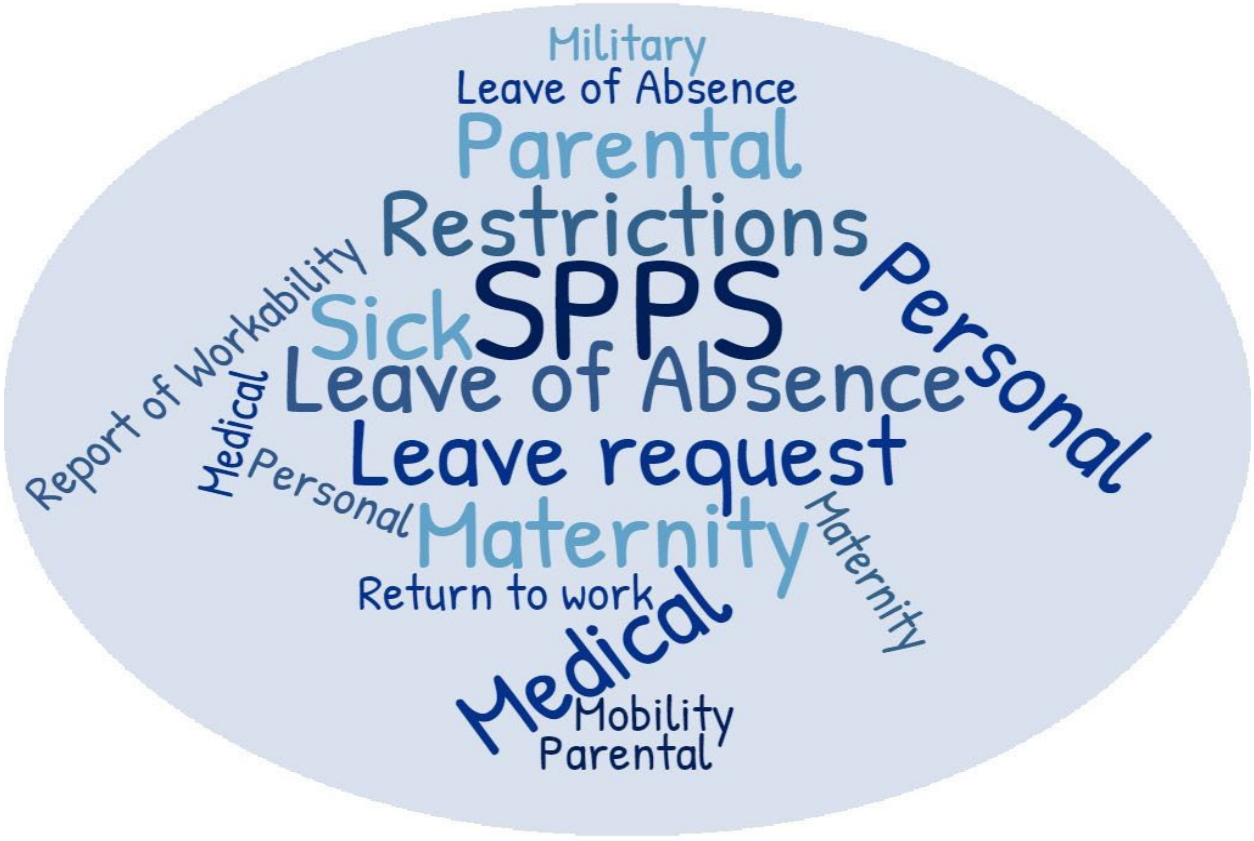
Employee's Guide to Taking a Leave of Absence



Saint Paul Public Schools
Attn: Benefits – 3rd Floor
360 Colborne Street
Saint Paul, MN 55102
Phone: 651-767-8200, Fax: 651-305-4259
E-mail: benefits@spps.org

Saint Paul Public Schools

Leave of Absence Guide

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Types of Leave of Absence

- ***Medical***
  when an employee is unable to work due to their own illness/injury
- ***Care of family member***
  the need to care for an employee's child(ren), spouse, or parent due to an illness/injury
- ***Pregnancy***
  the medical recovery period following the birth of a baby
- ***Parental***
  the need to provide care for a child(ren) of an employee for an extended period of time immediately following the conclusion of pregnancy
- ***Adoption or Foster Care***
  to attend to adoption procedures or care for a newly adopted child
- ***Military***
  when an employee is called to duty or training
- ***Military Exigency***
  for qualifying exigencies arising out of the fact that the employee's spouse, son, daughter, or parent is on active duty or call to active duty status as a member of the National Guard or Reserves in support of a contingency operation
- ***Mobility***
  a leave for teachers, for up to 5 years in duration
- ***Professional Training***
  a leave for the purpose of acquiring additional training and/or education that will benefit the District
- ***Charter School***
  a leave to work in a charter school
- ***Child Care***
  a leave to care for a child that is under school age, for 1 year in duration
- ***General Non-compensatory***
  a leave of absence, for any reason, for up to 1 year in duration

What is FMLA?

The Family and Medical Leave Act of 1993 (FMLA) is a United States federal law requiring covered employers to provide employees job-protected unpaid leave for qualified medical and family reasons.

Qualified Reasons:

- Personal or family Illness
- Pregnancy, adoption, or placement of a foster care child
- Military, military exigency, or care of an injured service family member

Employee Eligibility:

- Work for a covered employer
  - *SPPS is a covered employer*
- Have worked for the employer for a total of 12 months
  - *employment does not have to be consecutive*
- Have worked at least 1250 hours over the previous 12 months

Leave Entitlement:

An eligible employee receives up to a total of 12 work weeks of unpaid leave during any 12-month period for qualifying reasons. While on FMLA, there is no change to the employee's benefits and the employee continues to receive the district contribution towards their medical insurance.

Contractual Entitlements

Per contractual agreement, accrued sick leave may be used for the following reasons:

- Illness or injury of employee - All available sick leave will be applied.
- Illness or injury of dependent child - All available sick leave will be applied.
- Provide necessary care for spouse, parent, or a member of the household with a serious health condition - Employee may use a designated number of days of accrued sick leave per contract year. Check your bargaining unit's contract.

FMLA vs. Contractual Entitlements

FMLA: allows employees to take an unpaid leave of absence if they meet guidelines, requires site to hold the employee's position for up to 12 weeks in a 12-month period, maintains an employee's benefits for up to 12 weeks in a 12-month period.

Contractual: allows employees to use their paid benefits (accrued sick/vacation time), allows employees to take a designated leave of absence if they do not qualify for FMLA.

Paid vs. Unpaid Leave

Paid Leave

- Paid time off comes from your accumulated sick/vacation/personal leave.
- All deductions, including benefit premiums, will continue to come out of your paycheck as normal.
- You can receive Short-Term disability while using your accrued time. Short-term disability is a separate process and is managed by Madison National Life.

Unpaid Leave

- Once you've used all of your accrued time, you will be unpaid and will no longer receive a paycheck.
- Your active benefits will end on the last day of the month that you went unpaid.
- You will receive a COBRA notice to continue benefits, starting the following month. While on COBRA, you do not receive the district's contribution towards your medical insurance premiums.
- If you are enrolled in these plans and meet eligibility requirements, you can continue to receive Short-Term and Long-Term disability through Madison National Life. You cannot receive Long-Term disability until you have used all of your accrued sick time.

Continuous vs. Intermittent

Continuous leave is a leave of absence that is taken all at once and you do not work during this time.

- Any medically related continuous leave of absence, must be approved by Benefits regardless if paid time off will be applied.

Intermittent leave is a leave taken in separate blocks of time due to a single qualifying reason. This includes missing an occasional day of work for appointments, treatment, or symptom management and employees working a temporary reduced-hour schedule.

IMPORTANT NOTE:

After an employee has been approved for an intermittent FMLA leave, the employee is not required to submit a doctor's note for each absence related to their FMLA qualifying reason. However, the employee *does* need to indicate that their absence is FMLA related when following their normal call-in procedures and they must inform Benefits when they have taken time towards their FMLA intermittent leave.

Leave Process

Who can apply for a leave of absence:

- All regular employees

When to apply for a leave of absence:

- If you will be absent between 3 -10 continuous days, you will need to submit a doctor's note for your time off. The doctor's note must include the dates off work, date you can return to work, and if you will have any restrictions. If you have restrictions, your supervisor must approve that they can be accommodated before you can return. If they cannot be accommodated, please notify Benefits.
- If you will be absent for more than 5 days, you will need to go through the leave of absence process.
- Employees are expected to notify their supervisor of their intent to take a leave of absence. For FMLA qualifying absences, the law states 30 day advance notice when possible. When not possible, notification to your supervisor should be as soon as feasible. For medical leaves, you are not required to disclose the specific reason or medical condition that is prompting the leave request. Notifying your direct supervisor of the need to take a leave of absence allows them to plan for coverage during your absence if applicable.

How to apply for a leave of absence:

As soon as you know that you will need to take a leave of absence, please reach out to the benefits office at benefits@spps.org. To apply for a leave of absence, two items are needed:

- The FMLA Certification of Healthcare Provider must be completed by the treating healthcare provider.
- A Leave of Absence Request must be submitted in PeopleSoft. The request form is found under the Forms tile on the homepage, then Employee Forms.
- The request is considered pending until all paperwork is received. Per FMLA guidelines, FMLA paperwork must be submitted within 15 days of the employer's request. Should Benefits request missing FMLA paperwork from the employee, the employee has 15 calendar days to submit the completed paperwork.

What to expect once leave paperwork has been submitted:

- The Benefits team will review within 5 business days.
- The Benefits team will determine if the leave is FMLA eligible.
- A decision letter is sent to the employee's email address(es) on record. Employee may also request letter to be mailed to their home address.
- An email notification is sent to the employee's Supervisor, Lead Clerk, Human Resources Consultant, and Human Resources Coordinator. Details of the notification include leave type, dates of leave, and if the leave is FMLA eligible.

Medical details are confidential and are not shared with the notification team.

IMPORTANT NOTE:

Employees are advised to submit leave of absence paperwork directly to Human Resources. Employees are NOT required to provide their direct supervisor with a copy of any paperwork provided to Human Resources for a medical leave of absence. Furthermore, Human Resources cannot share specific medical information with an employee's supervisor. It is at the discretion of the employee if they would like to disclose this information to their supervisor.

Health Insurance

While on a paid leave of absence, health insurance will continue as normal during the school year and during the summer.

If on an unpaid leave of absence, your health insurance will end on the last day of the month that you went unpaid. You will be offered benefits continuation coverage through COBRA. If you are a 10 or 11-month employee and your unpaid leave continues over the summer, then any summer health insurance deductions that were collected will be adjusted and you will be offered COBRA for the summer.

Should I turn in a timesheet while on leave?

Yes, while you are on a leave of absence and using your accrued sick/vacation/personal time, you will continue to turn in a timesheet.

- Before your leave of absence starts, please review your sick/vacation/personal days. Your balance can be found on your most recent pay stub.
- Submit your e-timesheet in advance of your leave.
    - If payroll does not receive your timesheet while on leave, you will not be paid.

Can I work while on leave?

No.

How do I return to work from leave?

If returning to work from a medical leave of absence, employees must provide a Report of Workability form to Benefits at least 2 business days prior to the return to work date. If returning from any other type of leave, employee can return on their approved return date.

- If the Report of Workability form states you can return to work full-time with no restrictions, then you will return to work on the date listed on the Report of Workability form.
- If the Report of Workability form states that you have restrictions, Benefits will contact your Supervisor to confirm if restrictions can be accommodated.
    - If your restrictions can be accommodated, Benefits will notify employee.
    - If your restrictions cannot be accommodated, your leave will be extended. Another leave designation letter will be sent to the employee and an email

notification will be sent to the Supervisor, Lead Clerk, Human Resources Consultant, and Human Resources Coordinator.

- On the return to work date, Benefits will confirm with the Supervisor that the employee has returned.
  - If employee has returned, Benefits will update the employee's record in PeopleSoft. Employee cannot submit their timesheet for hours worked until the employee has been returned to work in PeopleSoft.
  - If employee has not returned, Benefits will follow up with the employee.

What should I do if I need an ADA accommodation?

Please send an email to benefits@spps.org asking for ADA paperwork.

Short-Term Disability Overview

Short-Term Disability (STD) coverage is available on an optional basis to benefit-eligible employees working at least 20 hours per week.

Beginning in 2025, the STD carrier is MetLife. Benefit-eligible employees can enroll in STD insurance within 30 days of their hire date. After the initial 30-day window, STD insurance can only be added (or coverage amounts increased) during open enrollment. When enrolling or increasing coverage amounts during open enrollment, the carrier requires employees to go through their underwriting approval process. An Evidence of Insurability Form must be completed by the employee and submitted to the carrier. Once the carrier approves STD benefits, your benefits will be effective as of the first of the month following the carrier approval. Failure to submit the Evidence of Insurability Form will result in your request being denied.

Short-Term Disability Coverage:

Short-Term disability (STD) replaces a portion of your pay for medical disabilities while you are out of work due to a *non-work-related* illness or injury. You are eligible to elect coverage *up to* the lesser of 66.667% of your monthly salary or a maximum of $3,000, for each month you are on STD. STD coverage must be in place before your illness or injury in order to collect benefits. Injuries or illnesses covered under workers compensation benefits are *not* additionally covered under STD.

Benefits on a claim begin on the first day of an accident or the 8th day of an illness and continue for a maximum of 3 months (or 6 months for employees who do not qualify for Long-Term Disability).

- You can find your STD monthly amount in the Employee Self-Service section of PeopleSoft under Benefits Details, Benefits Summary.
- To calculate your STD weekly benefit using your monthly amount, you will take your monthly amount multiplied by 12 months and divide by 52 weeks. This will give you your weekly amount.

Long-Term Disability Overview

Long-Term Disability (LTD) insurance is available to benefit-eligible employees who are working full-time as determined by their bargaining unit contract. For participants of the cafeteria plan, LTD insurance is a core benefit. Benefit eligible employees are automatically enrolled in LTD insurance within 30 days of their hire date/eligibility.

The current LTD carrier is MetLife.

Long-Term Disability Coverage:

Long-Term Disability (LTD) insurance provides income protection if you become disabled due to injury or illness and cannot work for an extended period of time. If you have a total disability (see definition below) and cannot work for three months, you will receive a monthly benefit equal to 60% of your pre-disability salary, minus any other income benefits such as workers compensation and Social Security. (There is a $100 per month minimum LTD benefit for qualifying leaves also covered under workers compensation.)

Benefits are payable after three months (a 90-day elimination period applies) or the end of accrued sick leave, whichever is greater. The maximum benefit is $6,000 per month. The plan pays benefits up to age 65 or your "Social Security normal retirement age", whichever is later. A pre-existing condition exclusion applies to all new entrants.

Definition of total disability: Inability to perform your regular job or occupation during the first 36 months of disability. After 36 months of disability, total disability is the inability to perform any business or occupation that you might reasonably be trained for considering your education and past experience.

Sick Leave Bank Donation and Eligibility

Currently there are 5 Bargaining Units with a negotiated Memorandum of Understanding with the Board of Education and Independent School District 625.

- AFSCME (American Federation of State, County and Municipal Employees)
- Custodial and Operating Engineers
- Educational Assistants (St. Paul Federation of Teachers Representing)
- Nutrition Services
- Teachers (St. Paul Federation of Teachers)
- Teaching Assistants
- Professional Employees Association
- Association of Supervisory and Administrative Personnel

Donation Eligibility:

If you are a member of one of the above bargaining units and would like to **donate** sick leave under this bank, you must:

- Be a regular full-time or part-time member of the bargaining unit and be eligible

for benefits
- Have an accumulated sick leave balance sufficient, at the employee's FTE, to carry the employee through 720 hours; and
- Not have submitted a resignation or retirement to the District prior to making the donation.

Donation Process:

- To donate sick leave to the bank, an eligible employee must complete a sick leave contribution form and submit the completed form to Human Resources.
- Contributions must be in whole hour increments and may not exceed 80 total hours during the time the donor is employed by the District.
- Donations, once made and processed by Human Resources are irrevocable.
- Donations are not taxed to the donor and are not tax deductible.
- Days donated are donated at the donor employee's regular rate of pay.

Sick Leave Bank Donation Authorization Form https://www.spps.org/Page/34395

Eligibility to Receive Sick Leave from the Bank:

If you are a member of one of the above bargaining units and would like to **receive** sick leave from this bank, you must:

- Be a regular full-time or part-time member of one of the bargaining units and be eligible for benefits.
- Have exhausted your accumulated sick leave and all other paid leave, such as accrued vacation, if applicable, at the time you request a donation from the bank.
- Be eligible for leave under the Family Medical Leave Act (FMLA) prior to the beginning of the need for donated sick leave.
- Not be receiving benefits from Worker Compensation or Social Security.
- Not be receiving Long-Term disability benefits.
- Not be serving a disciplinary suspension.
- Not have submitted a resignation or retirement to the District.
- Must have a serious medical condition, or need leave to care for the serious medical condition of the employee's spouse, parent, or member of the employee's household and be on an FMLA leave of absence.
- Due to the serious health condition, need a prolonged absence from duty and suffer a substantial loss of income.

Employee Assistance Program - ComPsych

ComPsych is your Employee Assistance Program (EAP). ComPsych offers up to 5 sessions per year of free, confidential assessment for short-term counseling, referral, and follow up . To all employees and even to All household members. Professional counselors are experienced in helping people identify and find solutions to personal issues such as:

- Relationships
- Financial Concerns
- Parent/Child Issues
- Mental Health
- Substance Abuse
- Job Stress
- Gambling
- Childcare or Eldercare
- Loss and Grief
- Other Life Concerns

Using EAP is completely confidential, provided at no cost to you, and available to both you and your household family members. When you need help with personal concerns, ComPsych EAP is the place to turn.

ComPsych EAP Main Website:
https://www.guidanceresources.com/groNg/#/login?707292903=