

**NOTICE TO FULL-TIME EMPLOYEES WHO ARE ABSENT DUE TO FAMILY
MEDICAL LEAVE (FMLA), SHORT-TERM DISABILITY, WORKERS'
COMPENSATION OR UNPAID LEAVE OF ABSENCE**

Family Medical Leave Act (FMLA)

- Full-time employees who are absent from work due to personal illness or serious illness of spouse, parent or dependent child, for more than 3 consecutive days should contact your applicable benefit specialist, to discuss eligibility for Family Medical Leave Act (FMLA). If eligible for FMLA, a full-time employee's job and health insurance benefits are protected for up to 12 weeks each fiscal year. Time away from work covered under FMLA can be with or without pay. An employee must use any outstanding vacation, paid annual leave, personal days or floating holidays, prior to going on leave without pay. To be eligible for FMLA, an employee must have worked at JCCC for one year and minimum of 1250 hours during the year prior to the absence.

- **Military Family Leave Entitlements**

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

- If employees are eligible for FMLA, time charged under Short-Term Disability or Workers' Compensation will automatically run concurrently with and satisfy up to the 12 weeks of FMLA eligibility.

Other:

- If an employee is absent for a period of more than five consecutive work days and has not previously provided FMLA documentation then, at the Human Resources Department's discretion, the employee can be required to provide written information from their doctor explaining the reason for the absence and the expected duration of the leave. In addition, the employee will be required to provide a written release from the physician before returning to work.

Unpaid Leave of Absence:

- If an employee is not eligible for FMLA, is not covered under Short-Term Disability or Workers' Compensation and does not have sufficient accrued leave to cover a leave of absence due to illness, such employee may request an unpaid leave of absence, in writing. Approval of this request will be at the discretion of JCCC. If the unpaid leave covers 20 work days or less, approval by the employee's supervisor, branch administrator and President is required. If the unpaid leave of absence covers more than 20 work days, approval by the supervisor, branch administrator, President and Board of Trustees will be required.

Workers' Compensation:

- Absences due to on-the-job injuries/illnesses are governed by the Workers' Compensation laws/processes at the direction of Tom Clayton, Director, Insurance and Risk Management, extension 2508, GEB 161.

Short-Term Disability:

- The college pays 100% of the cost for its Short-Term Disability (STD) Plan coverage. After you have been on the job for at least six (6) months, the STD Plan provides a weekly benefit equivalent to 65% of your pre-disability total weekly earnings to a maximum of \$2,000 per week. After a 14-day elimination period, the maximum period for which short-term disability benefits will be paid is 26 weeks

Regardless of whether an employee chooses to use accrued sick leave, vacation, personal and/or floating holiday, etc. for some or all of their absence, their entitlement to STD benefits will terminate 26 weeks after what would have been the end of the STD elimination period.

Note: Eligibility for Short-Term Disability, Workers' Compensation, sick leave or leave without pay will be discussed individually with each employee based on their circumstances.

Return to Work:

- **Return to Work Releases:** If an employee is absent due to FMLA and/or Short-Term Disability leave and has been released to return to work, the employee is asked to have the provider fax a written release to (913) 469-4487, attention Human Resources/Benefits Department. The employee may also mail or have someone deliver the written work release to Human Resources. We will then notify the employee's supervisor and coordinate the employee's return to work.

Employees are asked NOT to return to work until Human Resources has received the written work release from the physician. Returning to work without a release and/or the Offices of Human Resources coordination with the employee's supervisor may result in the employee being sent home from work and a delay in the employee's return to work.

Due to privacy concerns, employees are instructed **NOT TO GIVE A WRITTEN WORK RELEASE TO SUPERVISORS.** The work release should be sent to The Office of Human Resources, GEB 274, Box 46. Employees can also have their doctor's office fax a release to the Human Resources department; at (913) 469-4487. We ask that the release be received in Human Resources at least two days prior to an employee's return to work.

Employees are asked to have providers include the following on written work releases:

(Name of employee) is released to return to work on (date) with no restrictions.

Or

(Name of employee) is released to return to work on (date) with the following restrictions: [the provider should list the specific, detailed restrictions including the end date of the restrictions, if known]. If the provider does not specify an end date to the restrictions, employees will need to get another note when the restrictions are fully released.

Upon receipt of the release stating restrictions and prior to an employee's return to work, Human Resources will check with the employee's supervisor to see if he/she can accommodate the employee's restrictions. If the restrictions cannot be accommodated, the employee will be required to remain off work until they have a full release or a release with restrictions that can be accommodated.

Releases for pregnancies are not required unless employees are asking to return to work prior to six (6) weeks from the birth of the baby or there are other specific circumstances.

Work releases resulting from Workers' Compensation injuries/illnesses are provided/governed by the Workers' Compensation laws/processes under the direction of the Director of Insurance and Risk Management.

PLEASE NOTE: If at any time during your Short-Term Disability or accrued personal time off from work etc. you are approved for and begin receiving long-term disability benefits under the Kansas Public Employees Retirement System (KPERs) **your employment at JCCC will end.**

Effect on Benefits:

- Vacation and Sick Leave Accrual: If an employee is receiving pay on the first pay date of any month, the employee will accrue vacation or sick leave for that month.
- Benefit Status: Depending on the type of leave (FMLA, short-term disability, Workers' Compensation or unpaid leave) and the length of absence, there may be a reduction in an employee's benefits and/or a requirement that the employee pay all or a portion of elected benefits. Leaves are reviewed on an individual basis and appropriate benefit information will be provided to employees at the onset of their leave of absence. Benefits will remain whole for any month in which an employee works or receives pay charged to accrued leave. (This does not include vacation and sick leave accrual – please see information provided above).
- Holiday Pay: To receive compensation for a scheduled paid holiday which falls during FMLA, full-time employees must work or charge to accrued leave, both the day preceding and the day following the paid holiday.

