

LEAVE OF ABSENCE

All the important stuff



FAMILY MEDICAL LEAVE-

- ▶ The Family Medical Leave Act became effective in August 1993
- ▶ It is enforced by the Wage and Hour Division of the US Department of Labor
- ▶ It requires that covered employers provide eligible employees with up to 12 weeks of unpaid leave and the right to reinstatement or
- ▶ Requires covered employers provide eligible employees who are the spouse, son, daughter, parent or next of kin of an injured covered service member be allowed up to 26 weeks to care for injured service member.

▶ FMLA REVISIONS

- ▶ In January 2009, the National Defense Authorization Act (Military Family Leave) was made law.
- ▶ This allows family members of military to be granted leave for qualifying exigency leave including
 - ▶ Short notice deployment
 - ▶ Military events/activities
 - ▶ Childcare/school activities
 - ▶ Financial/Legal Arrangements
 - ▶ Non Medical counseling for self or children
 - ▶ R&R with service member while home on leave (15 days)
 - ▶ Post-deployment activities
 - ▶ Parental Care Leave

▶ FMLA RED FLAGS

- ▶ If an employee mentions any of the following (they do not even have to mention they are requesting FML), they should be instructed to contact Lincoln immediately and an email should be sent to loa@aaacarolinas.com informing HR so we can be on lookout for claim.
 - ▶ Team member, spouse or child has an overnight hospital stay
 - ▶ Team member, spouse or child has 3 consecutive days of incapacity for any medical reason
 - ▶ Team member, spouse or child had or will have ongoing absences related to a chronic medical condition
 - ▶ Team member is pregnant
 - ▶ Team member is absent to care for newborn child
 - ▶ Team member is absent for reasons related to an adoption or foster child event
 - ▶ Team member requests medical leave but does not provide a reason
 - ▶ Team member specifically requests FML
 - ▶ Team member is absent for reasons related to caring for someone injured in the line of military duties
 - ▶ Team members is absent for reasons related to a family member being called to active duty or on active duty

▶ SOME IMPORTANT NOTES

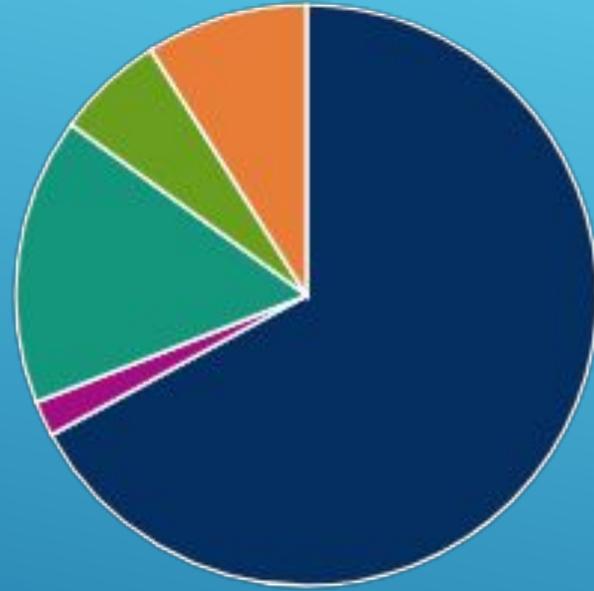
- ▶ If you hear any of the red flags, employee should be immediately referred to Lincoln and an email sent to loa@aaacarolinas.com so HR is aware
- ▶ You should not ask anything about the reasons. If they want to volunteer, you are free to listen but you should not be on a fact-finding mission
- ▶ You will receive notice if FML is approved or denied and will receive emails on when they will have to use PTO, Vacation, Unpaid, etc. (Payroll will make those entries).
- ▶ If an employee is denied FML then the absence should be treated as any other absence in regards to attendance policies. If they are approved, an absence cannot count against them.

ADA ACCOMMODATIONS

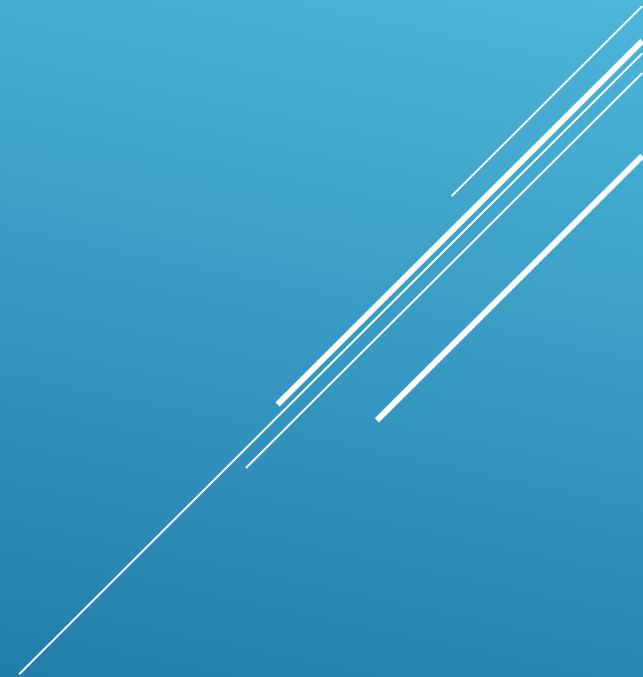
All the important stuff

- ▶ Americans with Disability Act
 - ▶ Prohibits discrimination in employment on the basis of a disability
 - ▶ Requires employers provide reasonable accommodations to applicants and employees (absent due to undue hardship)
 - ▶ Reasonable accommodation is defined as any change in the work environment or in the way things are customarily done that enables an individual with a disability enjoy equal employment opportunities
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Types of Accommodations



■ Leave ■ Schedule Modification ■ Worksite Modification ■ Change in Job Duty ■ Other



▶ ADA Process

- ▶ Team Member Approaches about an accommodation
- ▶ Team Member is directed to form on myaaacarolinas.com website under work/life balance
- ▶ Once request is completed, a package will be sent to employee to obtain further information if needed from medical provider
- ▶ Once all paperwork is received, request will be reviewed by ADA Review team which will include team members manager to determine if accommodation can be made
- ▶ Meeting is scheduled with team member to go over findings of ADA Review team
- ▶ After meeting documentation is sent to team member with final findings.
- ▶ Employee may be responsible for cost of any special equipment requests

ON THE JOB ACCIDENTS

All the important stuff

- ▶ When an accident occurs (no matter how small it may seem)
 - ▶ Call Jason Nadalsky at 980-229-1799
 - ▶ Jason will determine any action that may need to be taken
 - ▶ Visit to approved medical facility
 - ▶ Drug Test
 - ▶ Follow up in regards to if any changes have to be made in surroundings
 - ▶ Complete Accident forms found in manager tool kit
 - ▶ Manager form
 - ▶ Employee Form
 - ▶ Witness Form
 - ▶ If employee will miss time, this now becomes an FML case

QUESTIONS???

Contact Lincoln

www.MyLincolnPortal.com

(company code AAACarolinas)

1-888-408-7300