

OANO OHIO ASSOCIATION OF
NONPROFIT ORGANIZATIONS
A resource for Ohio's nonprofits.



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This educational resource packet about
LEAVE POLICIES
is made possible through OANO's Standards for Excellence



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ABOUT THE STANDARDS FOR EXCELLENCE®

Ohio's nonprofit sector is committed to public service. Hard at work in communities across the country, nonprofit organizations are serving and meeting the needs of our citizens and strengthening our communities. The success of nonprofit organizations depends upon public confidence and broad public support. Nonprofits are supported by individuals, corporations and foundations through charitable contributions and volunteer efforts; by government through contracts and grants; by consumers through purchases and fees; and by the general public through state and federal tax laws.

The OANO is committed to raising the level of ethical and accountable practices in nonprofit organizations. Therefore, the OANO has released these Standards for Excellence® (Standards) to serve as a model for nonprofit organizations to implement in their operations and governance. These Standards build upon that foundation, and go a step further. Based on fundamental values - such as honesty, integrity, fairness, respect, trust, compassion, responsibility, and accountability - these Standards describe how nonprofits should act to be ethical and accountable in their program operations, governance, human resources, financial management and fundraising. Eight (8) Guiding Principles are provided, along with fifty-eight (58) standards - more detailed performance benchmarks that will enable nonprofits to strengthen their operations.

STANDARDS FOR EXCELLENCE® – 8 GUIDING PRINCIPLES

MISSION AND PROGRAM -- Nonprofits are founded for the public good and operate to accomplish a stated purpose through specific program activities. A nonprofit should have a well-defined mission, and its programs should effectively and efficiently work toward achieving that mission. Nonprofits have an obligation to ensure program effectiveness and to devote the resources of the organization to achieving its stated purpose.

GOVERNING BODY -- Nonprofits are governed by an elected, volunteer board of directors that should consist of individuals who are committed to the mission of the organization. An effective nonprofit board should determine the mission of the organization, establish management policies and procedures, assure that adequate human resources (volunteer or paid staff) and financial resources (earned income, government contracts and grants, and charitable contributions) are available, and actively monitor the organization's financial and programmatic performance.

CONFLICT OF INTEREST -- Nonprofit board and staff members should act in the best interest of the organization, rather than in furtherance of personal interests or the interests of third parties. A nonprofit should have policies in place, and should routinely and systematically implement those policies, to prevent actual, potential, or perceived conflicts of interest.

HUMAN RESOURCES -- A nonprofit's relationship to its employees and volunteers is fundamental to its ability to achieve its mission. Volunteers occupy a special place in nonprofit organizations, serving in governance, administrative and programmatic capacities. An organization's human resource policies should address both paid employees and volunteers, and should be fair, establish clear expectations, and provide for meaningful and effective performance evaluation.

FINANCIAL AND LEGAL -- Nonprofits must practice sound financial management and comply with a diverse array of legal and regulatory requirements. A nonprofit's financial system should assure that accurate financial records are kept and that the organization's financial resources are used in furtherance of the organization's charitable purposes. Organizations should conduct periodic reviews to address regulatory and liability concerns.

OPENNESS -- Nonprofits are private corporations that operate for public purposes with public support. As such, they should provide the public with information about their mission, program activities, and finances. A nonprofit should also be accessible and responsive to members of the public who express interest in the affairs of the organization.

FUNDRAISING -- Charitable fundraising provides an important source of financial support for the work of most nonprofit organizations. An organization's fundraising program should be maintained on a foundation of truthfulness and responsible stewardship. Its fundraising policies should be consistent with its mission, compatible with its organizational capacity, and respectful of the interests of donors and prospective donors.

PUBLIC AFFAIRS AND PUBLIC POLICY -- Nonprofits provide an important vehicle through which individuals organize and work together to improve their communities. Nonprofits should represent the interests of the people they serve through public education and public policy advocacy, as well as by encouraging board members, staff, volunteers and constituents to participate in the public affairs of the community.

LEAVE POLICIES

Section 3: This section contains examples of leave policies incorporating a variety of leaves. Your organization may want to explore the following issues in drafting or redrafting your leave policies:

- How far in advance must the employee schedule leave?
- How much time off do you want to give to individual employees?
- Will seniority play a role in the establishment of vacation time?
- Do you want to combine vacation and sick leave into one policy or maintain two separate policies?
- Is there a unique aspect to your leave program that you can highlight in your policies?
- Can employees carryover unused time each year? How is such time saved or compensated? Do you prefer a “use it or lose it” policy?
- Do you want your vacation policy to coincide with the employee’s anniversary, your organization’s fiscal year, or the calendar year?
- When do employees become eligible to take leave of any nature?
- Is your organization subject to the FMLA? If so, do you have a policy covering this area?
- For extended leave policies, what are the employee’s reinstatement rights and benefits eligibility during leave?
- Do you want to offer an unpaid leave of absence?

ANNUAL AND SICK LEAVE

The **Nonprofit Organization** provides paid annual and sick leave to its employees to allow them: (1) to enjoy regular periods of rest and relaxation; (2) to use when the employee or an employee’s family member is sick and the employee is unable to come to work; and (3) to attend to other personal business when necessary.

All full-time, full-year employees are eligible for paid annual and sick leave, which is earned at a rate ranging from 120 hours per year to 200 hours per year, depending upon years of service. See the chart below. Leave accrual for part-time employees is calculated on a prorated basis. Leave for contract employees is determined by their contract.

Full-Time, Full-Year Employees			
Years of Service	Annual and Sick Leave	Credited as of (1st day of fiscal year-7/1) Credited as of January 1	Cumulative Leave Maximum Carryover
3 or less	120	60 hours 60 hours	20
3 through 7	160	80 hours 80 hours	40
More than 7	200	100 hours 100 hours	60

The **Organization** encourages you to use your leave. You will not be paid in lieu of annual and sick leave and you are not permitted to “work your leave” for double pay. You can carryover a small portion of unused leave based on the chart above. **OR: You will not be allowed to carryover your leave from one year to the next. OR: You will not be able to carryover leave from one year to the next except for contributions made to your sick leave bank. Each employee may accumulate up to 30 (or 40, or whatever number you feel is in the best interest of your employees and the organization) days in their sick leave bank. (Your organization will need to make clear whether this is a calendar year, a fiscal year, or an employee anniversary year.)** All hours above that will be forfeited at the end of the year.

You can receive up to two weeks vacation pay for unused vacation upon your voluntary termination depending upon when you leave during the (**fiscal, anniversary, calendar**) year. If you leave in the first six months, you can be reimbursed for up to one week’s vacation/sick leave for any unused leave; if you leave during the second six months, you can receive up to two weeks vacation/sick leave for any unused leave. **OR: You will not receive any payment for unused leave upon your termination. OR: You will receive a prorated amount of leave depending upon when you leave during the course of the year. AND, you can add: If an employee is involuntarily terminated, he or she will not be entitled to any payout for unused leave.**

A few other notes about annual and sick leave:

- When a **Nonprofit Organization** holiday falls during your scheduled leave, it is counted as a holiday and not as annual leave.
- Under exceptional circumstances, if you do not have any accumulated leave, you may take limited advanced annual and sick leave (**with or without pay**) with the approval of the vice president/associate director. Advanced leave may not exceed two times your accrual rate.
- When approving annual and sick leave requests, supervisors will consider staffing requirements, respective lengths of service, and employee preferences.
- Accrual of leave begins on your date of hire (**or at some other later date, e.g., after you have completed six months of employment, two months of employment, etc.**).
- Certain absences qualify as Family and Medical Leave Act absences, as described in this section of the Handbook.
- Under certain circumstances, you can contribute up to 40 hours of leave to another employee; contributed hours will be deducted from the contributing employee’s cumulative maximum carryover for the calendar year in which the leave is contributed. An employee may not receive more than 80 hours of contributed leave in a 12-month period.
- If you have an illness lasting longer than ten workdays that qualifies for FMLA leave (**your organization can shorten this time period to three days in accordance with the FMLA**), you

must submit a Request for FMLA Absence form, and, if applicable, submit an application for short-term disability benefits. **(If your organization provides short-term disability benefits).**

VACATION LEAVE

As of the first day of the fiscal year (**July 1**), all full-time, regular employees are attributed 15 vacation days to be taken over the next twelve months of the fiscal year. New employees are attributed a *pro rata* share of vacation days depending on what month they were hired during the course of the fiscal year. Part-time employees are attributed a pro rata share of vacation days depending on the number of hours worked. For example, an employee working half-time will receive 7 1/2 vacation days as of the start of the fiscal year.

Following the completion of your third year of employment with the **Nonprofit**, you will be entitled to 20 days of vacation leave starting, on a pro rata basis, as of your employment anniversary date. After completion of your seventh year at the **Nonprofit**, you will be attributed 25 vacation days. No employee can be allotted more than 25 vacation days per fiscal year.

Vacation days cannot be carried over from one fiscal year to the next, nor will you be compensated for unused vacation days. **(OR you may want to allow employees to convert unused vacation days into sick leave OR allow employees to carryover a certain number of days each year).**

Vacations must be approved in advance by the Executive Director. The Executive Director will take the following issues into consideration when approving vacations, particularly when a scheduling conflict arises:

- Coverage of services at the **Nonprofit**
- Convenience of the employees
- Position and seniority of the employee requesting the vacation
- The most recent vacation schedules of the employees requesting vacations

Upon leaving employment, you will receive a payout for unused vacation days depending on what quarter of the year you leave. For example, if you are receiving 15 vacation days per year, you have not taken any vacation, and you leave in the third quarter, you will be entitled to a payout of three quarters of your vacation days, or approximately 12 days of pay.

NOTE: THIS POLICY AND THE NEXT POLICY ARE FOR THOSE ORGANIZATIONS WHICH DO NOT WANT TO COMBINE SICK AND ANNUAL LEAVE, AS THE FIRST POLICY DOES IN THIS SECTION. YOU HAVE LOTS OF CHOICES TO MAKE IN THESE POLICIES, SUCH AS THE NUMBER OF DAYS TO GIVE EMPLOYEES, HOW TO LET THEM ACCUMULATE THOSE DAYS, WHETHER TO ALLOW EMPLOYEES TO CARRY OVER UNUSED TIME, WHETHER TO PAY OUT UNUSED TIME TO EMPLOYEES, WHETHER TO ALLOW EMPLOYEES TO ACCUMULATE MORE TIME BASED ON SENIORITY AND A MYRIAD OF OTHER ISSUES. THESE ITEMS ARE VERY IMPORTANT TO MOST EMPLOYEES, SO TAKE YOUR TIME MAKING THESE DECISIONS.

ONE CAVEAT: IF YOUR ORGANIZATION DECIDES ON A "USE OR LOSE IT" POLICY, MAKE SURE IT IS CLEARLY COMMUNICATED.

SICK LEAVE

The **Nonprofit** provides sick leave for all full-time employees and *pro rata* sick leave for part-time employees. This leave may be used for illness, injury, **(a visit to a health care provider, to take care of a sick child or parent, or for the birth or adoption of a child)**. The Nonprofit may require verification of your illness for absences longer than three days or for repeated absences in the same year.

Regular, full-time employees will receive **13 working days (104 hours)** per year of paid sick leave, accrued at the rate of **four** hours per pay period. Sick leave for part-time employees will be prorated based on the number of hours worked per week. For example, an employee who works half-time will accumulate **2** hours of sick leave per pay period.

Sick leave may be carried over from year to year but no employee can accumulate more than **(30)** days of sick leave. **(You may want the number of days that can be accumulated to coincide with the waiting period in your short-term or long-term disability policy)**. All unused sick leave will be forfeited when you leave the Organization. No employee will receive a payout for accumulated sick leave.

EXCUSED ABSENCES

The **Nonprofit Organization** allows for the following excused absences (in addition to annual and sick leave, disability, FMLA leave, and leave of absence):

- **Jury Duty.** Nonprofit organization cooperates with local, state, and federal courts by allowing you to serve on juries without incurring financial loss. You must provide a copy of the juror summons to your supervisor in order to have your absence counted as an excused absence and to receive your compensation while on jury duty. Full-time, full-year and part-time, full-year employees receive the difference between the compensation for jury duty and their regular rate of pay. Pay for meals and transportation is not considered as compensation.

NOTE: BOTH FEDERAL AND OHIO STATE LAW PROHIBIT AN EMPLOYER FROM DISCHARGING AN EMPLOYEE FOR SERVICE ON A STATE OR FEDERAL JURY. NO LAW GOVERNS THE AMOUNT OF COMPENSATION PAID TO THE EMPLOYEE BY THE EMPLOYER DURING JURY SERVICE OR THE LENGTH OF TIME YOU MUST COMPENSATE THE EMPLOYEE, ALTHOUGH FEDERAL LAW REQUIRES EMPLOYERS TO MAINTAIN THE SAME LEVEL OF BENEFITS AND SENIORITY AS FOR ANY APPROVED ABSENCE.

- **Military Training Leave.** Full-time, full year employees are granted up to ten days leave for annual military training programs for the National Guard, the regular armed forces, or reserves. **Nonprofit Organization** will pay such an employee the difference between the compensation for military duty and his or her regular rate of pay, if military compensation is less than the employee's regular rate of pay.

If you are conscripted or enlist for an extended military obligation, you will not continue to receive compensation from the **Nonprofit**. In compliance with the Veteran's Reemployment Act, you will, be returned to your former job or a similar position at the completion of your military service if: 1) you reapply for your job within 90 days of separating from service; and 2) you are qualified to perform the job. You will receive any other benefits to which you are entitled to by law.

NOTE: YOU ARE REQUIRED BY LAW TO ALLOW AN EMPLOYEE TO TAKE OFF TWO WEEKS FOR MILITARY RESERVES BUT YOU ARE NOT REQUIRED TO PAY AN EMPLOYEE WHILE ON A TWO WEEK MILITARY RESERVE TRAINING PROGRAM (APPROXIMATELY 21% OF ALL SMALL FIRMS AND 53% OF ALL MEDIUM & LARGE FIRMS PAY THE DIFFERENCE BETWEEN MILITARY PAY AND THE EMPLOYEE'S SALARY FOR UP TO TEN DAYS). YOU ARE REQUIRED UNDER FEDERAL LAW TO REINSTATE AN EMPLOYEE WHO WAS CONSCRIPTED OR WHO ENLISTED IN ACCORDANCE WITH THE CONDITIONS LISTED IN THE POLICY ABOVE.

- **Leave of Absence.** Upon written request, the **Organization** may grant you a leave of absence without pay for a specified period of time. You must have one year of service and have worked 1,250 hours to be considered for a leave of absence. The request should be made in advance whenever possible. Leave requests exceeding 30 calendar days (approximately 22 working days) require the approval of the president, in consultation with the vice president and department director. A leave request of less than 30 days may be granted by a department director and the vice president.

If your leave request is for your own serious health condition, or that of a family member, medical certification will be required within 15 days from the start of the absence. Periodic recertifications may also be required. A leave of absence for certain health conditions may qualify as a Family Medical Leave Act (FMLA) absence (**This is only true, of course, if your organization is covered by the FMLA, which applies to employers with 50 or more employees**). Check with Human Resources to determine if the leave qualifies as an FMLA absence.

If you are on an approved leave of absence, you can continue health insurance coverage by arranging to pay an amount equal to the administrative cost of insurance coverage (**or whatever arrangement your organization chooses**) to the **Organization**. You do not earn annual leave during an unpaid leave.

If a leave of absence is less than 30 days, you will be reinstated to your former position upon returning to work. If a leave of absence is greater than 30 days, you will be reinstated to your former position upon your return if it is still open, or considered for a comparable available position at the same rate of pay. If no comparable position is available, your employment will be terminated. You can arrange to be considered for any future openings that might arise by remaining in contact with the Human Resources Department.

NOTE: A LEAVE OF ABSENCE IS NOT NECESSARY FOR AN ORGANIZATION THAT IS SUBJECT TO THE FAMILY MEDICAL LEAVE ACT. THE PRIMARY DIFFERENCE BETWEEN THIS LEAVE OF ABSENCE POLICY AND THE FMLA POLICY CONTAINED IN THIS SECTION IS THAT THE LEAVE OF ABSENCE POLICY DOES NOT GUARANTEE THE EMPLOYEE THAT HE OR SHE CAN RETURN TO THE FORMER JOB IF HIS OR HER ABSENCE IS GREATER THAN 30 DAYS. FURTHERMORE,

GRANTING A LEAVE OF ABSENCE IS DISCRETIONARY WHILE APPROVAL OF FMLA LEAVE IS GENERALLY NOT A DISCRETIONARY MATTER.

- **Bereavement Leave.** Full-time, full-year and part-time, full-year employees are granted up to three days of paid leave at full salary for a death in their immediate family, which includes the employee's spouse, life partner, children, parents, siblings, and grandparents, and a spouse's parents and siblings. Please notify your supervisor when you will be absent.

NOTE: MOST EMPLOYERS GRANT THREE DAYS OFF FOR BEREAVEMENT LEAVE. YOU CAN DECIDE TO GIVE MORE OR LESS, OR FEWER DAYS FOR RELATIVES WHO ARE NOT MEMBERS OF THE IMMEDIATE FAMILY.

- **Voting.** Nonprofit Organization encourages all employees to exercise their right to vote. With approval of your supervisor, up to two hours of paid leave will be granted if voting conflicts with your work schedule.

NOTE: OHIO LAW STATES THAT EMPLOYEES MAY BE ALLOWED A REASONABLE AMOUNT OF TIME FOR VOTING ON ELECTION DAY BUT DOES NOT MANDATE THE AMOUNT OF TIME.

- **School Visitation Leave.** All full-time and part-time employees are entitled to six (6) hours per child per year of leave to visit the school of the employee's child.

NOTE: SCHOOL VISITATION LEAVE IS NOT YET REQUIRED BY LAW.

- **Weather-Related Closures.** The **Nonprofit Organization** is concerned about the safety and well-being of all its employees. At the same time, the **Organization** is responsible for conducting quality programs and serving its clients. In adverse weather conditions, the **Organization** will determine whether to close the office or grant liberal leave in conjunction with the state (**or federal or local school district's**) government's decision and subsequent announcements in the local media. State (**or federal or local school district**) government work status is usually announced by 6:00 a.m. Further instructions will be available on **Nonprofit Organization** voice mail after 7:30 a.m. If you do not have voice mail, contact your supervisor.

If the federal government closes with essential personnel required to report, the **Nonprofit Organization** office will close and only essential personnel are required to report. No annual leave will be charged to employees who do not report. Up to eight hours of equivalent compensatory time will be granted to essential personnel who report to work. You may not combine compensatory time with the actual hours worked in qualifying for overtime compensation.

If the federal government announces that a liberal leave policy is in effect, the Nonprofit Organization office will open for business as usual. Essential personnel are required to report. Employees not reporting to work during liberal leave status will be charged annual leave. For the purposes of this policy, the term *essential personnel* is defined as those

employees who have program-related responsibilities deemed necessary to serve our clients on a daily basis.

Liberal leave is defined as an employee's ability, in the event of special environmental circumstances, to take annual leave without requiring prior authorization from a supervisor.

- **Emergency Closures.** In the event of other emergency closings, such as electrical outages or flooding, **Nonprofit Organization** will use telephone trees and voice mail to announce a **Nonprofit Organization** closure or liberal leave status as determined by the Senior Management Team.
- **Procedure for Marking Your Timesheet.** If the **Nonprofit Organization** office is closed, you should mark your timesheet as follows:
 - *If you do not report to work during an office closure, record the time under "other."
 - *If you are an essential employee who reported to work during an office closure, note eight hours of compensatory time on your timesheet when the time is taken.
 - *During liberal leave status, all employees who do not report to work should record leave taken as annual leave on their timesheets.

LEAVE REQUESTS

All requests for leave require prior approval, except in those cases where approval is not feasible (for example, in the case of an unexpected illness).

To complete a leave request, you must fill in the date(s) and type(s) of leave requested in the "leave" block of the Employee Timesheet and submit it to your department director for verification of your current leave balance.

After leave time has been verified, submit the timesheet to your supervisor for approval. Approved timesheets are then submitted to Payroll for the pay period during which the leave is taken.

HOLIDAYS

Each year the Senior Management Team approves a holiday schedule that includes the holidays listed below and may include additional days.

New Year's Day
Martin Luther King, Jr.'s Birthday
President's Day
Memorial Day
Independence Day
Labor Day

Veteran's Day
Thanksgiving Day
Christmas Day

The number of holidays and the schedule are subject to change without notice. Additional holidays may be established annually by the Senior Management Team.

The **Nonprofit Organization** observes holidays falling on a Saturday on the preceding Friday. The **Organization** observes holidays occurring on a Sunday on the following Monday.

All full-time employees receive eight paid hours for a holiday. Part-time employees will be granted time off if the holiday corresponds to his or her normally scheduled period of work (**or, will be paid on a prorated basis for the holiday in accordance with the number of hours the employee is scheduled to work each week**). You must be in an active pay status both the day before and the day after a **Nonprofit** holiday in order to be paid for the holiday. An employee on an unpaid leave of absence, or on disability, does not receive holiday pay.

Absences for religious holidays or other personal reasons may be charged to annual and sick leave (**or vacation leave**) with approval of your supervisor, unless you take the day as a floating holiday.

NOTE: YOU MAY WANT TO CONSIDER PAYING A NONEXEMPT EMPLOYEE DOUBLETIME IF S/HE HAS TO WORK ON A HOLIDAY OR GRANTING AN EXEMPT EMPLOYEE ANOTHER DAY OFF IF S/HE HAS TO WORK ON A HOLIDAY.

FLOATING HOLIDAY

In addition, to the above holidays, employees shall be entitled to two additional days off with pay for the observance of religious holidays including but not limited to: Good Friday, Rosh Hashanah, Yom Kippur, or for such other use as the employee desires. You must obtain approval from your supervisor prior to taking a floating holiday.

COMPENSATORY TIME

Compensatory time is granted to exempt employees for work efforts and time commitments that regularly extend beyond the normal work period, or for efforts that require additional responsibilities beyond your normal job duties. Only your supervisor, manager, or director can request comp time. The president (**or vice president/associate director**) must approve comp time. Comp time cannot be accumulated, carried over, or compensated upon termination.

NOTE: COMP TIME IS NOT REQUIRED BY LAW. GENERALLY, YOU CANNOT AWARD COMP TIME TO A NONEXEMPT EMPLOYEE IN LIEU OF OVERTIME PAY.

THE FAMILY AND MEDICAL LEAVE ACT (FMLA)

The FMLA entitles eligible employees to take up to 12 workweeks of unpaid, job-protected leave each FMLA year (as defined below) for any of the following:

- The birth of your child, and to care for the child
- The placement of a child with you for adoption or foster care
- To care for your spouse, parent, or child with a serious health condition
- For your own serious health condition that makes you unable to perform the functions of your job

FMLA leave may be taken consecutively or intermittently (where medically necessary) by agreement with the **Organization**. To be eligible for FMLA leave, you must have worked for the **Nonprofit Organization** for 12 months and 1,250 hours.

During FMLA leave, you are required to use all applicable paid leave, including disability benefits when available, concurrently with any portion of FMLA leave. Leave taken for birth, adoption, or foster care must conclude within 12 months.

A **Nonprofit Organization** “FMLA year” is defined as the 12-month period measured backward from the date of each day of any FMLA leave (**An FMLA Year can be defined in a number of ways-see NOTES below**). All FMLA absences during the previous 12 months will be counted toward your 12-workweek FMLA entitlement.

If you are seeking to use this leave, you will be required to provide:

∂ Thirty days advance notice of the need to take FMLA leave when the need is foreseeable; when the need is unforeseeable, notice should be given as soon as practical;

- A completed Request for FMLA Absence form; and
- ÷ Upon request, medical certification supporting the need for leave if the reason for the leave request is due to a “serious health condition” (as defined by the FMLA) affecting the employee or an immediate family member, to be provided within 15 days of the start of the FMLA absence.

You may also be asked to provide:

≠ Second or third medical opinions (at the employer’s expense), as well as periodic recertifications; and

≡ Periodic reports during FMLA leave regarding your status and intent to return to work.

For absences involving your own serious health condition that lasts four workweeks or longer, you will be required to provide a fitness for duty certificate from a health care provider before

returning to work. The **Nonprofit Organization** may delay restoration to employment until you provide a fitness for duty certificate.

If you are granted leave under this policy, you will retain group medical insurance coverage at the same cost as what you paid for such coverage prior to taking leave. You must arrange for payment through the Human Resources Department. If you fail to return to work at the completion of the 12-workweek FMLA entitlement period, the **Nonprofit Organization** may terminate you and recover from you the cost of any insurance coverage or health premiums it paid during your FMLA leave. You may be entitled to continue your insurance coverage under COBRA if you terminate your employment. **(If your organization is subject to COBRA).**

On or before the expiration of your 12-workweek leave entitlement, you are guaranteed reemployment with equal pay to the same or a comparable job.

During periods of paid short-term disability, long-term disability, and unpaid FMLA leave, you will not accrue annual and sick leave. However, such leave or disability periods will not constitute a break in service for purposes of determining eligibility for, and vesting in, the **Organization's** 403(b) Retirement Plan. If you are on paid short-term disability or paid FMLA leave, you may continue to contribute to the 403(b) Plan and you will receive a matching contribution. You cannot make contributions to the 403(b) Plan when on long-term disability, nor will the **Nonprofit Organization** make matching contributions during this period.

For more detailed information on Family and Medical Leave, contact the Human Resources Department.

NOTE: THERE ARE A NUMBER OF CHOICES AN ORGANIZATION MUST MAKE WHEN DRAFTING ITS OWN FMLA POLICY. MOST OF THE CHOICES MADE IN THIS POLICY ARE MORE CONSERVATIVELY COUCHED.

IN THIS POLICY, THE FOLLOWING CHOICES WERE MADE: 1) EMPLOYEES HAVE TO USE FMLA TIME CONCURRENTLY WITH PAID TIME OFF; 2) EMPLOYEES ARE CHARGED FOR THEIR INSURANCE PREMIUMS AT THE SAME RATE THEY WERE PAYING PREVIOUSLY; 3) EMPLOYEES CANNOT ACCUMULATE SICK OR ANNUAL LEAVE DURING AN FMLA LEAVE; 4) THE HIGHEST PAID 10% OF THE WORKFORCE IS AFFORDED FMLA COVERAGE; AND, 5) AN FMLA YEAR IS CALCULATED USING THE ROLLING METHOD OF CALCULATION, THE MOST CONSERVATIVE METHOD. YOU CAN ALSO USE A CALENDAR YEAR METHOD, ANY FIXED YEAR METHOD (SUCH AS AN ANNIVERSARY YEAR OR FISCAL YEAR), OR THE 12 MONTH PERIOD MEASURED FORWARD FROM THE DATE THAT ANY EMPLOYEE'S FIRST FMLA LEAVE BEGINS.

KEEP IN MIND THAT IF YOU EMPLOY A FIXED YEAR METHOD, AN EMPLOYEE COULD TAKE AS MUCH AS 24 WEEKS OF FMLA LEAVE IN A 24 WEEK PERIOD AND STILL BE ENTITLED TO HIS OR HER JOB UPON THEIR RETURN. FOR EXAMPLE, IF YOU DECIDE TO USE A CALENDAR YEAR TO CALCULATE FMLA LEAVE, AN EMPLOYEE COULD TAKE 12 WEEKS OF FMLA LEAVE DURING THE LAST 12 WEEKS OF THE CALENDAR YEAR, AND 12 WEEKS STARTING ON JANUARY 1, FOR A TOTAL OF 24 WEEKS.

DON'T FORGET: THE FMLA ONLY APPLIES TO EMPLOYERS WHO HAVE 50 OR MORE EMPLOYEES WITHIN A 75 MILE RADIUS FROM ONE WORKSITE. HOWEVER, EVEN IF YOU ARE

NOT REQUIRED BY LAW TO ADHERE TO THE FMLA, YOUR ORGANIZATION CAN STILL ADOPT AN FMLA POLICY. YOUR ORGANIZATION WOULD NOT BE SUBJECT TO THE DEPARTMENT OF LABOR'S JURISDICTION IF IT WERE NOT REQUIRED BY LAW TO COMPLY WITH THE FMLA.

ADMINISTRATIVE LEAVE

Administrative leave is a period of time during which an employee is relieved of his or her job while the **Organization** reviews the circumstances and events that led to the administrative leave. An employee on administrative leave is paid for that period away from work. Only the president or vice president can place an employee on administrative leave, except in exigent circumstances, in which case a department director can exercise this authority

NOTE: THIS TYPE OF LEAVE IS ALSO FOUND IN DISCHARGE POLICIES AS PART OF A PROGRESSIVE DISCIPLINE PROGRAM. YOU MAY DECIDE TO INCLUDE THIS POLICY IN THE MISCONDUCT SECTION AND LABEL IT "SUSPENSION WITH PAY".