

Employee Policy #352 Non-FMLA Leaves of Absence

Purpose:

The purpose of a non-FMLA leave of absence is to enable employees to receive extended time away from work to recover from non-work illness or injury, or handle compelling personal business. An employee may be eligible for leave under the Family and Medical Leave Act and/or USERRA. When an employee is eligible for leave under the FMLA and or USERRA Policies, this policy will not apply.

SusQ-Cyber Charter School may at its own option, grant a leave of absence without pay, provided such time off does not affect the normal business operations and SusQ-Cyber Charter School deems the leave appropriate. Factors that may be considered in reviewing a request for leave include job performance, business needs, and any other relevant factors. SusQ-Cyber Charter School may not hold an employee's job open during a non-FMLA Leave of Absence or guarantee any position to an employee returning from a non-FMLA Leave of Absence.

Guidelines:

- Requests Each leave of absence must be requested on a Leave of Absence Form and given to the Chief Executive Office for consideration. The request for leave must be for a specified period of time, not to exceed twelve (12) workweeks. Advance requests for leaves with documentation supporting the leave will be given priority status in determining leave time available and approval.
- Accrued Paid Time Off Employees must use all accrued paid time off during an otherwise unpaid non-FMLA Leave of Absence. This will include any sick or vacation days that have accrued. No paid time off or other benefits accrue during a non-FMLA Leave of Absence.
- Employees may take up to **12 workweeks** of leave in a 12-month period for one or more of the following reasons:
 - The birth of a son or daughter or placement of a son or daughter with the employee for adoption or foster care;
 - To care for a spouse, son, daughter, or parent who has a serious health condition;
 - For a serious health condition that makes the employee unable to perform the essential functions of his or her job
- Health Insurance Health insurance will remain in effect while the employee is on non-FMLA Leave of Absence. If after the non-FMLA Leave of Absence has ended and the employee does not return to full-time employment, health insurance will be terminated. Employees may be eligible to continue health benefits under COBRA. Information will be provided to employees eligible for COBRA benefits.

- The life insurance policy SusQ-Cyber Charter School provides will remain in effect until the end of the non-FMLA Leave of Absence. If after the non-FMLA Leave of Absence has ended and the employee does not return to full-time employment, the life insurance policy will be terminated. At that time a notice of right to convert group term life insurance will be provided to the employee.
- All leave requests should be accompanied by documentation supporting the necessity for the leave *except where this would cause an undue hardship on either the school or the employee*. In latter cases, documentation verification must be provided within a reasonable time period following the request. In emergency circumstances, an employee may submit a request for leave under this policy without supporting documentation; however, documented leave requests will receive priority attention in advance of undocumented leave requests.
- An employee will be denied leave to care for an immediate family member (spouse, child, parent) with a serious health condition, or if the employee has a serious health condition when:
 - The employee fails to establish, through medical certification, that there is a medical need for such a leave (as distinguished from voluntary treatments and procedures)

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS CONTROL. THIS POLICY IS NOT INTENDED TO CONFLICT WITH CHARTER REQUIREMENT.