

**Section 300 – Benefits and Leaves
from the**

EMPLOYEE HANDBOOK

**PRESBYTERIAN CHURCH (U.S.A.), A
CORPORATION**

**Administrative Services Group
Office of the General Assembly
Presbyterian Mission Agency**



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300. BENEFITS AND LEAVES

301. Benefits Eligibility

Eligible employees are provided with a wide range of benefits through the BOP and other providers and information on those benefits are provided to employees at hire and annually during open enrollment: Each year, HR in conjunction with the BOP will provide detailed information about the insurance plans and other benefits and the cost for those plans and benefits. Please contact HR with any questions.

Regular full-time and part-time employees whose regular work schedule is twenty (20) hours or more a week are eligible for most benefits other than short-term disability. See Section 310 for more information. Benefits for eligible part-time employees will be prorated based on the percentage of time worked. Term employees who routinely work more than twenty (20) hours a week may be eligible for certain benefits. See Section 202, Employment Classifications, for "Term" Status. Temporary agency workers, independent contractors, and volunteers are not eligible for benefits.

The following programs and leaves are administered in a manner prescribed by applicable laws: Social Security, worker's compensation, jury duty, voting leave, breaks and lunch, family and medical leaves, and military leave. Detailed information on benefits may be obtained from HR or, regarding benefits offered through the BOP, from the Regional Representative of the BOP. Some insurance plans and other benefits require contributions from the employee; however, others are paid for by the Employer. Please contact HR for information.

Employees may or may not be eligible for or covered by state unemployment insurance programs based on applicable state laws and the options of the Employer. Employees in Kentucky are not eligible for or covered by the state unemployment insurance program.

302. Vacation

The Employer provides paid vacation to eligible employees. Vacation is intended to provide employees with paid time off for rest, relaxation, and personal pursuits. Employees are encouraged to use their vacation.

The established year for taking vacation is the calendar year, January 1 through December 31, each year. Unused vacation may not be carried over to the next calendar year and must be used no later than close of business on December 31 regardless of whether December 31 is a paid holiday. (*OGA employees may carryover up to 40 hours of vacation time.*) Vacation time cannot be used on a paid holiday. An employee will not be paid for any unused vacation the employee does not use by December 31st of each year.

- **Usage and Approval – Employees must have prior approval of their supervisor to use vacation.** Eligible employees have vacation available on their first day of employment. No more than the equivalent of the employee's regularly scheduled daily hours may be recorded as vacation for any one (1) working day. Employees must exhaust vacation before moving into any unpaid leave status except military and parental. See Section 300.
- **Eligibility** – Paid vacation is available to all regular full-time and part-time employees whose regular work schedule is twenty (20) hours or more a week and may be available to term employees who consistently work twenty (20) or more hours per week. Leave for eligible part-time employees is prorated in the payroll system automatically based on the percentage of time worked. Temporary agency workers and independent contractors are not eligible for leave paid by Employer.

On January 1 of each year, exempt employees are eligible for annual vacation according to the following credited service schedule (prorated for eligible part-time):

| | |
|--|---------|
| Up to one year through twenty-five years | 22 Days |
| Twenty-six years and over | 27 Days |

On January 1 of each year, non-exempt employees are eligible for annual vacation leave according to the following service schedule (prorated for part-time):

| | |
|---------------------------|---------|
| Up to one year | 11 Days |
| Two to five years | 15 Days |
| Six to twenty-five years | 22 Days |
| Twenty-six years and over | 27 Days |

Determination of the amount of vacation to which the employee is entitled is based on the employee's total credited service. See Section 215, Credited Service. The accrual rate for vacation will change on January 1 of the applicable year of service listed above.

During the first year of employment, vacation will be prorated according to the following schedule ("First Year Vacation Chart").

| Month Employed | 11-Day Based | 15-Day Based | 22-Day Based | 27-Day Based |
|-----------------------|---------------------|---------------------|---------------------|---------------------|
| January | 11 Days | 15 Days | 22 Days | 27 Days |
| February | 10 Days | 13 Days | 20 Days | 25 Days |
| March | 9 Days | 12 Days | 18 Days | 23 Days |
| April | 8 Days | 11 Days | 17 Days | 22 Days |
| May | 7 Days | 10 Days | 15 Days | 20 Days |
| June | 6 Days | 8 Days | 13Days | 18 Days |
| July | 5 Days | 7 Days | 11 Days | 16 Days |
| August | 4 Days | 6 Days | 9 Days | 15 Days |
| September | 3 Days | 5 Days | 7 Days | 12 Days |
| October | 2 Days | 3 Days | 6 Days | 11 Days |
| November | 1 Days | 2 Days | 4 Days | 9 Days |
| December | 0 Days | 1 Days | 2 Days | 7 Days |

- Payment at Separation/Year One - Employees in their first year of employment whose employment ends for any reason will be paid unused vacation that they have accrued in the months of their employment as set forth in First Year Vacation Chart. For example, if a ten (10) day based employee is in the fifth (5) month of the first year of employment when that employee is separated from employment, that employee is entitled to three (3) days of pay in their final paycheck for accrued vacation, but if any of the three (3) days have been used in those five (5) months, the final paycheck will not include pay for that used vacation day.
- Payment at Separation – Employees who have worked for more than one (1) year and whose employment ends for any reason will be paid unused vacation, prorated based upon the percentage of the year worked, according to the following schedule, less any vacation hours used in that calendar year:

| Month of Employment Termination | 11-Day Based | 15-Day Based | 22-Day Based | 27-Day Based |
|---------------------------------|--------------|--------------|--------------|--------------|
| January | 0 Days | 1 Days | 2 Days | 7 Days |
| February | 1 Days | 2 Days | 4 Days | 9 Days |
| March | 2 Days | 3 Days | 6 Days | 11 Days |
| April | 3 Days | 5 Days | 7 Days | 12 Days |
| May | 4 Days | 6 Days | 9 Days | 15 Days |
| June | 5 Days | 7 Days | 11 Days | 16 Days |
| July | 6 Days | 8 Days | 13 Days | 18 Days |
| August | 7 Days | 10 Days | 15 Days | 20 Days |
| September | 8 Days | 11 Days | 17 Days | 22 Days |
| October | 9 Days | 12 Days | 18 Days | 23 Days |
| November | 10 Days | 13 Days | 20 Days | 25 Days |
| December | 11 Days | 15 Days | 22 Days | 27 Days |

303. Sick Leave

Paid sick leave for illnesses or absences that qualify as Family and Medical Leave Act (FMLA) leave will run concurrently with the FMLA leave. See Section 311, Family and Medical Leave Act.

- **Eligibility** – Paid sick leave is available to all regular full-time and part-time employees whose regular work schedule is twenty (20) hours or more a week and may be available to term employees. Sick leave for part-time employees is prorated based on the percentage of time worked. Temporary agency workers, volunteers, and independent contractors are not eligible for paid sick leave. Employees whose employment ends for any reason shall have no claim for pay in lieu of unused sick leave.
- **Accrual** – Sick Leave is available to eligible employees at the rate of ten (10) working days per calendar year. In the first year of employment, sick leave will be prorated according to the following schedule:

| Month Employed | Prorated Sick Leave |
|----------------|---------------------|
| January | 10 days |
| February | 9 days |
| March | 8 days |
| April | 7 days |
| May | 6 days |
| June | 5 days |
| July | 4 days |
| August | 3 days |
| September | 2 days |
| October | 1 day |
| November | 0 days |
| December | 0 days |

Sick leave does not increase with length of service. Unused sick leave may accumulate with no maximum limit.

- **Usage** – Employees have sick leave available on their first day of employment. Employees can use no more hours of sick leave for a work day than the normal number of hours for which the employee was scheduled to work on that particular day. Employees must exhaust all accrued sick and vacation leave before moving into unpaid status, except as specifically provided in other policies such as military leave and parental leave. For example, if an employee exhausts sick leave benefits, the employee must use vacation leave before moving into unpaid status, unless approved in advance in writing by the Executive.
- **Approval – Use of sick leave must be approved in advance, if possible, by the employee’s immediate supervisor.** An employee who cannot report to work for medical reasons must notify the employee’s supervisor as soon as possible. A physician’s statement may be required for any absence at the discretion of the supervisor. For absences of three (3) days or more an employee may be asked to provide to HR a physician’s statement.

304. Emergency Leave

The Employer provides three (3) emergency days per year to regular full-time and regular part-time employees and eligible term employees whose regular work schedule is twenty (20) hours or more a week to be used for personal or family emergencies. Temporary agency workers and independent contractors are not eligible for emergency leave.

In the first year of employment, emergency leave will be prorated according to the following schedule:

| <u>Employment Month</u> | <u>Leave Credit</u> |
|-------------------------|---------------------|
| January through March | 3 Emergency Days |
| April through June | 2 Emergency Days |
| July through September | 1 Emergency Day |

If employment with the Employer is ended for any reason, the employee shall have no claim for pay in lieu of unused emergency leave.

305. Holidays

The following paid holiday time off is granted to regular full-time and regular part-time employees (part-time employees receive holiday time off on a prorated basis at the rate of one fifth of their normal scheduled weekly hours) on the holidays listed below:

| | |
|-------------------------------|-----------------------------|
| New Year’s Day | January 1 |
| Martin Luther King Jr. Day | Third Monday in January |
| President’s Day | Third Monday in February |
| Good Friday | As announced |
| Memorial Day | Last Monday in May |
| Independence Day | July 4 |
| Labor Day | First Monday in September |
| Thanksgiving Day | Fourth Thursday in November |
| Friday after Thanksgiving Day | Fourth Friday in November |
| Christmas Eve | December 24 |
| Christmas Day | December 25 |
| Three Floating Holidays | As announced |

There are three (3) floating holidays available to be granted to employees annually. One (1), two (2) or three (3) days may be designated by the Director of HR as additional days to be celebrated as holidays for that

calendar year. Any undesignated floating holidays may be used at the discretion of the employee and then only as full days off and cannot be carried over into the next calendar year.

306. Bereavement Leave

Regular full-time and part-time employees who work twenty (20) or more hours a week are eligible for up to four (4) days of paid leave following the death of a member of their immediate family. There is no limit to the number of leaves that may be taken if an employee has several "immediate family" members pass away in a calendar year. "Immediate family" is defined, in general, as: spouse,¹ child, parent, stepparent, parent-in-law, sibling (including step and half), grandparent, grandchild, father-in-law, mother-in-law, sister-in-law, brother-in-law, son-in-law, and daughter-in-law. Additional time off may be authorized by the immediate supervisor but will be charged against available sick leave or vacation. Bereavement leave is prorated for eligible part-time employees at the rate of one fifth of their normal scheduled weekly hours.

307. Jury Duty or Court Leave

Regular full-time and part-time employees are eligible for up to two (2) weeks of paid leave when summoned for jury duty. In unusual circumstances, supervisors, in consultation with HR, may extend the period of time eligible for paid jury duty leave. Employees subpoenaed as witnesses for cases related to work are also eligible for paid court leave. Court leave may not be used for personal business or because of alleged violation of the law by the employee. Employees who are compensated by a party to court action to serve as "expert" witnesses are not eligible for court leave. Employees are required to submit appropriate documentation to HR concerning jury duty and work-related court leave to be placed in their personnel file. **Employees who are excused from jury duty for an entire day or who are excused with four (4) or more hours remaining in their regularly scheduled work hours must return to work.**

308. Time Off to Vote

All employees are eligible for time off with pay to vote as required in the state in which they are employed.

309. Leave Without Pay

Upon request by an employee, **up to four (4) consecutive weeks** of leave without pay may be available to the employee when, in the sole determination of the Employer, work situations permit, all paid time off and FMLA leave has been exhausted and the leave requested is not FMLA leave. Employees who wish to request leave without pay should consult their supervisor and HR to determine if the employee is eligible for such leave.

310. Shared Sick Leave Bank

To help employees who may be facing loss of income during times of family medical emergencies when no other paid leave is available to them, the A Corporation has established a Shared Sick Leave Bank. Staff may donate a portion of their accumulated sick leave to the Bank, where it may be drawn upon by employees who face their own, or an immediate family member's, serious medical emergency.

Donations

- Employees may donate up to a total of 40 hours per year (non-refundable) of their annual medical leave to the Shared Medical Leave Bank.
- Donations may not be designated for a specific employee.

¹ Spouse means a husband or wife as defined or recognized in the state where the individual was married and includes individuals in a same-sex marriage or common law marriage. Spouse also includes a husband or wife in a marriage that was validly entered into outside of the United States if the marriage could have been entered into in at least one state.

- Donations will remain in the Sick Leave Bank until used. Any time remaining in the Bank at the end of each year will carry over to the next year.

Withdrawal

- Benefits-eligible employees may apply for time from the Shared Sick Leave Bank by completing a “Shared Sick Leave Form” and returning it to Human Resources.
- Eligible employees must have exhausted all paid leave before requesting a withdrawal from the Bank
- Withdrawal requests will be reviewed by Human Resources in the order in which they are received. Withdrawals are subject to the availability of donated time in the Bank.
- Request for a withdrawal may be submitted for an employee’s or an immediate family member’s (defined below) medical condition that is likely to require the employee’s absence from work for at least 10 days and for which the employee has no paid time, including short term disability, available to them for pay continuation.
- Employees may withdraw up to a maximum of 30 days annually of regular pay from the Shared Sick Leave Bank.
- Time from the Bank may not be used to on an intermittent basis. The need must be for consecutive days, typically an extended period.

Approval Criteria

- Employee must be benefits eligible with at least 12 months of consecutive employment.
- Employee must consult with Human Resources about leave options and must have followed established policies and procedures, including the completion of the Shared Sick Leave Form, Request for Leave Form and Family Medical Leave forms, if applicable.
- The request must be for leave for the employee or to care for an immediate family member, which is defined as spouse (see footnote 3 for definition), child (biological, adopted, foster or step child, a legal ward or child of a person standing loco parentis who is under the age of 18 or over the age of 18 but is incapable of self-care because of a mental or physical disability at the time leave is to commence), parent (biological, adoptive, step or foster father or mother or anyone who stood in loco parentis to the employee when the employee was a child; this does not include in-laws), or grandparent.
- Consideration will be given to the urgency of the request, the number of times the employees has previously withdrawn from the Bank, and the availability of time in the Bank.

Examples

An employee needs surgery for a medical condition. The employee has exhausted all paid time off due to other medical emergencies. The employee applies for a withdrawal from the Bank. After review, an approval for 7 days may be given to cover the first 7 days of pay while the employee waits to begin short-term disability.

An employee’s parent has been in a serious car accident. The employee only has 5 days of paid time off available for the balance of the year; however, their parent lives in another state and is expected to be in the hospital for several weeks with life threatening injuries. The employee must complete all request forms and use their remaining 5 days of paid time off. An approval for up to 30 days of shared sick leave time may be granted.

311. Short-Term Disability Leave and Long-Term Disability Insurance

Short-Term Disability Leave - The Employer’s short-term disability benefit provides income replacement at 60% of an eligible employee’s weekly salary for a limited period of time.

Eligibility – Employees are eligible for short-term disability leave if they have been employed more than twelve (12) months, have worked at least 1,250 hours in the previous twelve (12) months and have exhausted their paid leave benefit. (An employee may hold a maximum of 10 vacation days). In order to demonstrate eligibility for short-term disability benefits, an employee must deliver to HR a medical certification from a licensed physician showing that the employee is/was disabled as of the first day of the ninety (90) days of leave for which the employee seeks benefits. Term employees are not eligible for short-term disability leave.

Benefits – Eligible employees may receive sixty percent (60%) reduced pay short-term disability benefits for up to ninety (90) calendar days after certification of disability from a physician, subject to a seven (7) calendar-day waiting period.

If the eligible employee does not have paid leave available to cover the seven (7) calendar-day waiting period, the waiting period is unpaid. Sixty percent (60%) reduced pay benefits for an employee with insufficient paid leave to cover the waiting period will begin on the 8th calendar day and for up to the 90th calendar day from the onset of their short-term disability.

Pay During Short-Term Disability – The eligible employee may receive 100% of the employee's regular pay (after taxes) for up to four (4) weeks of short-term disability once in a rolling 12-month period. Next the eligible employee will be required to utilize their available paid benefit hours (sick, vacation or emergency leave, and/or floating holiday). If the eligible employee has benefits hours (sick, vacation, emergency, and/or floating holiday), they are to be used first. (An employee may hold a maximum of 10 vacation days.) When all available benefit hours have been utilized, the remaining time off will be paid at 60% of the regular pay for up to the 90th calendar day from the onset of their short-term disability (excluding the 7 calendar-day waiting period).

Time away from work under short-term disability and any paid leave preceding it runs concurrently with any leave for which an employee is eligible under the Family and Medical Leave Act (“FMLA”) policy, Section 311. The ninety (90) day limit is for each unrelated disability. A new benefits period will begin if the employee has returned to work for forty-five (45) calendar days or more even though it may relate to the initial disability. If the return-to-work period is less than forty-five calendar (45) days and the disability is related to the initial disability, the disability is considered continuous unless all ninety (90) days were previously exhausted. In that event, the disabled employee may apply for long-term disability insurance benefits through the BOP.

During short-term disability leave, service credit and benefits coverage, (except vacation and sick leave accrual) continue with the cost of benefits paid by the Employer. Any salary increases the employee would have received during the short-term disability leave will be effective upon the employee's return to employment (rather than January 1 and will not be retroactive to January 1).

Long-Term Disability Insurance – Long-term disability insurance benefits are provided through the BOP. In the event the disabled employee for medical reasons exhausts ninety (90) days of paid and/or disability leave (see definition above), that employee may apply for long-term disability benefits through the BOP. Short-term disability leave and sick leave need not be exhausted prior to applying for long-term disability insurance benefits through the BOP.

If approved, the long-term disability benefits will be 60% of the employee's effective salary, offset by any social security benefits, on the date disability began. If the employee applies for and is given long-term disability insurance benefits through the BOP and has unused accumulated sick leave, the payment of long-

term disability benefits will be deferred by BOP until accumulated sick leave is exhausted. The employee will receive long-term disability payment directly from the BOP.

Generally, employed status ends on the later of: 1) the date of exhaustion of all paid leaves and unpaid FMLA leave; or 2) the date of commencement of long-term disability benefits. If the employee has applied for and been given long-term disability insurance benefits through the BOP, employed status will end unless the twelve (12) week FMLA leave period has not been exhausted, in which case employed status ends on the date the twelve (12) week FMLA leave period ends.

Return to Work After Short-Term or Long-Term Disability – Employees returning from short-term or long-term disability must submit a doctor's statement certifying their ability to perform the essential functions of their position and indicating any restrictions or requested accommodations. The Employer will comply with applicable disability laws, including the Americans with Disabilities Act.

Upon completion of the employee's short-term or long-term disability absence, if the employee has not exhausted the twelve (12) weeks of FMLA leave, the employee must be returned to the same or equivalent position. Otherwise, the employee may be returned to that employee's position, unless the Employer found it necessary, for business reasons, to fill the position during the employee's absence. In that situation, the employee will be given an opportunity to apply for a vacant position or may be offered a different but comparable position, if available, which the employee is free to accept or decline without prejudice.

312. Family and Medical Leave Act

It is the policy of the Employer to grant up to twelve (12) weeks of leave during any twelve (12) month period to eligible employees in accordance with the Family and Medical Leave Act ("FMLA") and the exigency provisions of the National Defense Authorization Act ("NDAA") and up to twenty-six (26) weeks of leave in any twelve (12) month period in compliance with certain provisions of the NDAA.

The Employer's existing policies on sick leave, parental leave, and other paid and unpaid leave generally provide employees with benefits and rights superior to those required by the FMLA. To the extent that coverage provided under this policy overlaps the coverage provided in other Employer policies, this policy establishes the minimum benefits offered.

Employee Eligibility

To qualify to take leave under this policy, employees must meet **all** of the following conditions:

The employee must have worked for Employer for twelve (12) months or fifty-two (52) weeks. The twelve (12) months or fifty-two (52) weeks need not have been consecutive.

The employee must have worked at least 1,250 hours during the 12-month period immediately before the date when the leave is requested to commence.

The employee must work in a location where fifty (50) or more employees are employed by Employer within seventy-five (75) miles of that location.

Type of FMLA Leave Permitted (Including Non-Servicemember and Servicemember)

Eligible employees can use FMLA leave for one of the following reasons:

- a. The birth of a child and in order to care for that child.
- b. The placement of a child for adoption or foster care and to care for the newly placed child.

[NOTE: Leave for birth, adoption or foster care of a child must be taken within one (1) year of the birth or placement of the child.]

- c. To care for a spouse, child or parent with a serious health condition.
- d. An employee may take leave because of a serious health condition that makes the employee unable to perform the functions of the employee's position.
- e. A covered family member's active duty or call to active duty in the Armed Forces. An employee whose spouse, son, daughter or parent either has been notified of an impending call or order to covered active military duty (which requires deployment to a foreign country) or who is already on active duty may take up to twelve (12) weeks of leave for reasons related to or affected by the family member's call-up or service. Reasons related to the call-up or service include helping the family member prepare for the departure or caring for children of the servicemember and care for a military member's parent who is incapable of self-care when the care is necessitated by the member's covered active duty. The leave may commence as soon as the individual receives the call-up notice. Son or daughter for this type of FMLA leave is defined the same as for child for other types of FMLA leave, except that the person does not have to be a minor. This type of leave would be counted toward the employee's twelve (12) week maximum of FMLA leave in a twelve (12) month period. Employees requesting this type of FMLA leave must provide proof of the qualifying family member's call-up or active military service before leave is granted.
- f. To care for an injured or ill servicemember. This leave may extend up to twenty-six (26) weeks in a twelve (12) month period for an employee whose spouse, son, daughter, parent or next-of-kin is injured or recovering from an injury suffered while on active military duty and who is unable to perform the duties of the servicemember's office, grade, rank or rating. "Next-of-kin" is defined as the closest blood relative of the injured or recovering servicemember. An employee is also eligible for this type of leave when the family servicemember or veteran is receiving medical treatment, recuperation or therapy, even if the servicemember is on temporary disability retired list. Employees requesting this type of FMLA leave must provide certification of the family member or next-of-kin's injury, recovery or need for care. This certification is not tied to a serious health condition as for other types of FMLA leave. This is the only type of FMLA leave that may extend an employee's leave entitlement beyond twelve (12) weeks to twenty-six (26) weeks. Other types of FMLA leave are included with this type of leave totaling the twenty-six (26) weeks.
- g. Rolling 12-Month Period Applies. An eligible employee can take up to twelve (12) weeks (or up to 26 weeks of leave to care for an injured or ill servicemember) of FMLA leave during any twelve (12) month period. Employer will measure the twelve (12) month period as a rolling twelve (12) month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, Employer will compute the amount of leave the employee has taken under this policy in the last twelve (12) months and subtract it from the twelve (12) weeks (26 weeks for the care of an injured or ill servicemember) of available leave, with the balance remaining being the amount the employee is entitled to take at that time.
- h. Spouses who both work for Employer and FMLA Leave. Eligible spouses who both work for Employer who wish to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (but not a parent-in-law) with a serious health condition may only take a combined total of twelve (12) weeks of leave. Eligible spouses who both work for Employer who wish to take leave to care for a covered injured or ill servicemember may only take a combined total of twenty-six (26) weeks of leave.

Serious Health Condition

A serious health condition is a condition that requires inpatient care at a hospital, hospice or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such

inpatient care or a condition that requires continuing care by a licensed health care provider. This policy covers illnesses of a serious and long-term nature, resulting in recurring or lengthy absences. Generally, a chronic or long-term health condition, which, if left untreated, would result in a period of incapacity of more than three (3) days, would be considered a serious health condition. If you have questions, consult with HR.

Procedure for Requesting Non-Servicemember FMLA Leave

All employees requesting this type of FMLA leave must provide at least verbal notice with an explanation of the reason(s) for the needed leave **to their immediate supervisor or HR**. If the leave is foreseeable, the immediate supervisor will require the employee to provide a written request for leave and reason(s) with a copy to HR.

Employer will provide individual notice of rights and obligations to each employee requesting leave within five (5) business days or as soon as practicable, after which the employee will submit a certification form, as described below.

When an employee plans to take leave under this policy, the employee must give Employer thirty (30) days' notice. If it is not possible to give thirty (30) days' notice, the employee must give as much notice as is practicable. An employee who is to undergo planned medical treatment is required to make a reasonable effort to schedule the treatment in order to minimize disruptions to Employer's operations.

If an employee fails to provide thirty (30) days' notice for foreseeable leave with no reasonable excuse for the delay, the leave request may be denied until at least thirty (30) days from the date Employer received notice. While on leave, employees are requested to report periodically to Employer regarding the status of the medical condition and their intent to return to work.

Procedure for Requesting Servicemember FMLA Leave

All employees requesting this type of FMLA leave must provide at least verbal notice with an explanation of the reason(s) for the needed leave **to their immediate supervisor or HR**. Leave may commence as soon as the individual receives the call-up notice. If the leave is foreseeable, the immediate supervisor will require the employee to provide a written request for leave and reason(s) with a copy to HR. Employer will provide individual notice of rights and obligations to each employee requesting leave within five (5) business days or as soon as practicable.

Documentation of the Covered Family Member's Active Duty or Call to Active Duty in the Armed Forces: Employees requesting this type of servicemember FMLA leave must provide proof of the qualifying family member's call-up or active military service. This documentation may be a copy of the military orders or other official Armed Forces communication.

Documentation of the Need for Servicemember FMLA Leave to Care for an Injured or Ill Servicemember: Employees requesting this type of Servicemember FMLA leave must provide documentation of the family member's or next-of-kin's injury, recovery or need for care. This documentation may be a copy of the military medical information, orders for treatment, or other official Armed Forces communication pertaining to the servicemember's injury or illness incurred on active military duty that renders the member medically unfit to perform his or her military duties.

Certification of Health Care Provider

Employees seeking FMLA must provide Employer with a certification from a health care provider of the serious health condition. The employee ordinarily must respond to such a request within fifteen (15) days of the request. Failure to provide certification may result in a denial of continuation of leave. Medical certification should be provided by using the form provided by HR. Request for a medical certificate must be made in writing as part of Employer response to employee request for leave.

Certification of the serious health condition shall include the date when the condition began, its expected duration and a brief statement of treatment. For medical leave for the employee's own medical condition, the certification must also include a statement that the employee is unable to perform work of any kind or a statement that the employee is unable to perform the essential functions of the employee's position. For a family member who is seriously ill, the certification must include a statement that the patient, the family member, requires assistance and that the employee's presence would be beneficial or desirable.

If the employee plans to take intermittent leave or work a reduced schedule, the certification must also include dates and the duration of treatment as well as a statement of medical necessity for taking intermittent leave or working a reduced schedule.

Employee Status and Benefits During Leave

Employer will continue an employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work. If an employee chooses not to return to work for reasons other than a continued serious health condition of the employee or the employee's family member or a circumstance beyond the employee's control, Employer will require the employee to reimburse Employer the amount it paid for the employee's health insurance premium during the leave period. For optional benefits such as dental, flexible spending account, etc., deductions will continue to be taken from employee's pay during any paid FMLA leave or for unpaid leave. Employer will advance the employee portion of the cost for these benefits. On return to work, Employer will agree with employee on repayment of these advanced costs, in full, through payroll deduction.

Use of Paid and Unpaid Leave

An employee who is eligible for FMLA leave may also be eligible to receive 100% of the employee's regular pay (after taxes) for up to four (4) weeks once in a rolling 12-month period. Then the employee must use all paid sick, vacation leave, and emergency leave, but an employee may hold back ten (10) vacation days prior to being eligible for unpaid leave. Paid leave will be counted toward the FMLA leave entitlement.

Disability leave for the birth of the child and for an employee's serious health condition, including worker's compensation leave (to the extent that it qualifies), will be designated as FMLA leave and will run concurrently with FMLA.

Amount of Leave/Intermittent Leave

An employee may take FMLA leave in twelve (12) consecutive weeks, or may use the leave intermittently (take a day(s) periodically when needed over the year). In all cases, the leave may not exceed a total of twelve (12) work weeks (or 26 work weeks to care for an injured or ill servicemember over a 12-month period). If an employee requires additional non-FMLA leave as an accommodation under the Americans with Disabilities Act, the employee should contact HR, preferably a week or more before FMLA leave is exhausted. Employer may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule, in

instances of when leave for the employee or employee's family member is foreseeable and for planned medical treatment, including recovery from a serious health condition or to care for a child after birth, or placement for adoption or foster care.

If the employee is taking leave for a serious health condition or because of the serious health condition of a family member, the employee should try to reach agreement with Employer before taking intermittent leave or working a reduced hour schedule. If this is not possible, then the employee must prove that the use of the leave is medically necessary. Employer may require certification of the medical necessity as discussed above.

Recertification

Employer may request recertification for the serious health condition of the employee or the employee's family member every thirty (30) days when circumstances have changed significantly or if the Employer receives information casting doubt on the reason given for the absence or if the employee seeks an extension of his or her leave. Otherwise, the Employer may request recertification for the serious health condition of the employee or the employee's family member every six (6) months in connection with an FMLA absence. Employer may provide the employee's health care provider with the employee's attendance records and ask whether need for leave is consistent with the employee's serious health condition.

Employee Status After Leave

An employee who takes leave under this policy will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. Employer may choose to exempt certain key employees from this requirement and not return them to the same or similar position.

Employees returning from FMLA leave (except intermittent or reduced schedule leave) must comply with Employer policy concerning the submission of return to work certification from their health care provider.

Questions/Information

If you have questions about any of the information in this policy or your rights under the FMLA or you need additional information, please contact HR.

313. Parental Leave

Pursuant to Section 311, the FMLA policy, eligible new parents are entitled to take unpaid leaves of absence for the birth of a child or for the placement of a child for adoption or foster care. Employees who are eligible for leave under Section 311 are required to comply with the FMLA policy's notice, use of paid leave, and other provisions that apply to parental leave to receive the benefits described in this policy and the other provisions of the FMLA policy that apply to parental leave in Section 311. Pursuant to KRS 337.015, employees in Kentucky who are not eligible for FMLA leave, but who are adopting a child under the age of seven (7), are eligible for up to six (6) weeks of personal leave to receive an adoptive child. Employees who seek leave under KRS 337.015 must submit a written request for leave to their supervisor and to HR, preferably fourteen (14) days in advance of the leave, if practicable.

Eligibility for Parental Leave Benefits – As provided for in the FMLA policy, employees must have worked for the Employer for a minimum of twelve (12) months and must have actually worked 1,250 hours in that twelve (12) month period prior to the date when leave is to commence in order to be eligible for parental leave benefits. Term employees are not eligible for Parental Leave benefits.

All forms of Parental Leave run concurrently with FMLA leave if the parent is eligible for FMLA leave. See Section 311, Family and Medical Leave Act. If the parent is not eligible for FMLA leave, the parent is not eligible for Parental Leave benefits.

To assist new parents who are eligible for Parental Leave benefits, the Employer provides benefits which run concurrent with FMLA leaves of absence, as follows:

Leave for Prenatal Care and for Birth – Eligible employees who are entitled to FMLA leave for prenatal care and/or who give birth by normal delivery or C-section or with whom a child is placed for adoption or foster care may be eligible to receive 100% of their regular pay (after taxes) for up to four (4) weeks once in a rolling 12-month period. Employees are then required by the FMLA policy to use available benefit hours during their leave for prenatal care and child birth but may withhold up to ten (10) days of vacation from paid leave benefits. When all available benefit hours have been exhausted (except vacation days held back), the balance of leave is unpaid unless the employee is eligible to receive 60% of regular pay during parental leave and for the balance of the FMLA leave to which the employee is entitled pertaining to the birth of a child or children. No benefit hours may be accrued during the reduced pay portion of the leave.

Example: Jane is eligible for twelve (12) weeks of FMLA leave when she becomes pregnant. She is entitled to take and chooses to use six (6) weeks of parental leave/FMLA leave after the birth of the child. Jane has not used any FMLA paid leave within the previous 12 months, so she receives four (4) weeks of 100% pay. Then she uses her paid leave benefits of 5 days and holds back 10 days of vacation. During the remaining one (1) week of FMLA leave Jane can receive 60% of her regular pay during Parental Leave.

Parental Leave for Non-Birth Parent, Adoptions, Foster Care Placement - Eligible employees who are entitled to FMLA leave following the birth of a child or for placement of a child for adoption or foster care may also receive parental leave benefits. If the parents are both on staff of the Employer and wish to take parental leave to care for their newborn child, their aggregate leave is limited to twelve (12) weeks, as per the FMLA policy. This leave must be taken within twelve (12) months of the birth or placement of a child. Intermittent leave must be approved by the supervisor and is tracked by total hours, not days. Eligible employees who are entitled to FMLA leave for birth or placement of a child are required by the FMLA policy to use available benefit hours during their leave but may withhold up to ten (10) vacation days from paid leave benefits. When all available benefit hours have been exhausted (except vacation days held back), the employee is eligible to receive 60% of regular pay during parental leave for the balance of the FMLA leave to which the employee is entitled. No benefit hours may be accrued during the reduced pay portion of the leave.

During parental leave, service credit and benefits coverage (except vacation and sick leave accrual), continue with the cost of benefits paid by the Employer. Any salary increases the employee would have received during the parental leave will be effective upon the employee's return to employment (rather than January 1 and will not be retroactive to January 1).

314. On-The-Job Injuries/Worker's Compensation Leave

If an employee is injured on the job while working at the Center or traveling on business for the Employer, regardless of how insignificant the injury may appear, the employee must notify HR and the employee's supervisor within a reasonable time after the employee realizes the injury, preferably as soon as possible after the injury occurs. The supervisor should confirm that HR has been notified. Such reporting is necessary to comply with laws and to initiate insurance and worker's compensation benefits procedures. Retaliation for good faith reports of injury is prohibited. HR will notify the Risk Manager, so that a First Report of Injury is filed by the insurance company within twenty-four (24) hours of the accident. Determination of worker's

compensation coverage is made by the insurance company. Employees shall be covered by worker's compensation insurance in accordance with the laws of the state in which they are employed. The total benefit payable will usually be that required by the state in which the Employer worksite is located. During this period of absence due to injury or illness, the employee's position may be filled due to business necessity on either a temporary or regular basis, depending upon the business needs of the department. Time off under worker's compensation counts as time off under FMLA if an employee is eligible for FMLA leave. If the employee has not exhausted the twelve (12) weeks of FMLA leave, upon return to work, the employee must be returned to the same or equivalent position. See Section 311, Family and Medical Leave Act.

Neither Employer nor the insurance carrier will be liable for the payment of the worker's compensation benefits for injuries that occur during an employee's voluntary participation in any off-duty recreational, social, or athletic activity sponsored by Employer.

315. Marriage Leave

Regular full-time and part-time employees who work twenty (20) or more hours a week with one (1) or more years of credited service are eligible for up to three (3) days of paid leave for their own marriage (as defined by state law). Marriage leave is prorated for part-time employees at the rate of one fifth (1/5) of their normal scheduled weekly hours.

316. Military Leave

The Employer complies with the Uniformed Services Employment and Reemployment Rights Act and the Veterans' Reemployment Rights statutes. A military leave of absence will be granted to employees who are reservists and who are absent from work because they have been called up for active duty in the United States uniformed services or state National Guard in accordance with federal law. Verbal or written advance notice of military service is required, unless military necessity prevents such notice or it is otherwise impossible or unreasonable.

All employees are eligible annually for up to two (2) weeks of paid leave less the amount of the employee's military pay (unless prohibited by state law) for temporary regular active or inactive duty training as a reservist in the United States uniformed services or state National Guard. After the first two (2) weeks of paid leave, the military leave will be unpaid. However, employees may use any available paid time vacation leave for the absence. Health and pension plan benefits are available as required by law. Benefits accruals, such as vacation, sick leave, and holiday benefits, will be suspended during the leave and will resume upon the employee's return to active employment.

Employees on military leave for up to thirty (30) days are required to return to work for the first regularly scheduled shift after the end of service, allowing reasonable travel time. Employees on longer military leave must apply for reinstatement in accordance with federal law and all applicable state laws. Employees returning from military leave will be reemployed in the same or similar job they left or placed in a position they would have attained had they remained continuously employed or a comparable one, depending on the length of military service in accordance with federal law. They will be treated as though they were continuously employed for purposes of determining benefits based on length of service.

317. Employee Assistance Program

The Employer cares about the health and well-being of its employees and recognizes that a variety of personal problems can disrupt their personal and work lives. Through the BOP's Employee Assistance Program (EAP), the Employer provides free confidential access to professional counseling services for help in confronting such personal problems as alcohol and other substance abuse, marital and family difficulties,

financial or legal problems, and emotional distress. The EAP is available to all employees and offers problem assessment, short-term counseling, and referral to appropriate community and private services.

The EAP is strictly confidential and is designed to safeguard your privacy. Information given to the EAP counselor may be released only if requested by you in writing. Employees should contact HR for information on EAP services or go to the Board of Pensions website at benefits.org.

318. Study Leave for Exempt Employees

If the annual budget has sufficient funds, study leave may be available for eligible exempt employees. The purpose of study leave is to provide a time for intensive education or training that will enhance an exempt employee's work-related mission in the "broad sense" by providing an opportunity to renew and refresh the mind and spirit through the pursuit of life long education. Activities related to study leave may include enrolling in an extended course and/or conference or conducting independent study. For additional information consult your supervisor and the Director of HR.

Annual Study Leave

Up to two (2) weeks annual study leave, with pay, may be granted to exempt employees at the discretion of the employee's Mission Director, Director, head of department or Executive (whoever is the employee's direct report) within the guidelines. Contact HR for information on the guidelines.

319. Other Leaves for Exempt Employees

The Executive may recommend other leaves of absence for exempt employees at full salary, reduced salary, or without salary for the purpose of acceptance of assignment of limited duration with other councils of the church or other churches, universities and colleges, governmental agencies, foreign nations, private foundations, corporations, and similar agencies as a faculty member, expert consultant or in a similar capacity, or for other appropriate purposes consistent with the needs and interest of the A Corporation. Leaves of absence at full or reduced salary pursuant to the provisions of this paragraph must be approved by the Executive.

320. Volunteer Time Off

The Employer's Volunteer Time Off (VTO) policy provides paid time-off, up to sixteen (16) hours per calendar year for eligible employees to support Employer-approved local non-profit and community organizations. VTO may be taken by a staff work group or individually and it must be with a non-profit organization focusing on dismantling structural racism, eradicating systemic poverty, building vital congregations or other pre-approved purpose. For employees who work in the Louisville area, HR maintains a listing of local non-profits that meet the criteria.

Employees should submit their request for VTO, including the non-profit organization to be served and volunteer work being done, to their supervisor for approval. VTO and the organization with which you volunteer must be pre-approved by your manager and HR. Employees must report the time taken and the non-profit supported and the work done to HR. Approved time should also be entered in ADP time and attendance as Volunteer Time. VTO is tracked separately from sick days or vacation days and may not be accrued or carried over.

321. Employee Development

Employee development through training, continuing education, and professional development programs is encouraged and supported. These programs afford employees the opportunity to acquire new skills and

knowledge and refresh current skills consonant with the needs of the Employer and with their own career goals and objectives. Employee development is available for regular part-time and full-time employees.

The process of employee development is an integral part of the annual performance review. A review of employee development needs and progress should occur at least annually at the performance review. The content of an employee development program will be based upon career and performance goals of the employee as they relate to the needs of the Employer. The employee development plans to meet these needs must have advance approval and are subject to budget availability. Availability of employee development will be administered without discrimination on the basis of race, color, national origin, gender, age, marital status, sexual orientation, gender identity/expression, transgender status, creed, protected disability status, citizenship status, genetic information, uniformed service or status as a veteran, or religious affiliation (except where a category is determined to be a bona fide occupational qualification) or other characteristic protected by law. The types and amounts of funds available for employee development will be established by the Employer during the budgeting process. Employees with questions should contact HR.

Programs of employee development may include, but are not limited to:

- Training – Training is defined as job skills learning through classes, seminars, or conferences and which helps the employee meet current or anticipated job requirements. Participation in training is initiated and paid for by the Employer and is specifically related to the current work responsibilities. Employees are eligible for training from the first day of employment.
- Career Development – The Employer may choose to sponsor a program of career development, which allows employees to pursue or continue general education through degree or specialized programs. Participation in career development is initiated by the employee but reimbursed in part by the Employer after successful completion of course work. The instruction must be related to the current job responsibilities or job-related career objectives. Employees with satisfactory performance are eligible for the career development program after twelve (12) months of full-time employment.
- Professional Development/Continuing Education – Professional development/continuing education is defined as programs of study that relate directly or indirectly to current or anticipated work and which develop the employee's professional expertise. Participation in professional development/continuing education may be initiated by either the Employer or the employee and may include annual study leave or extended study leave as offered by the Employer.
- Application for Employee Development – Employees should discuss with their direct supervisor their request for employee development. If the supervisor agrees, the employee and supervisor should notify HR.

The types and amounts of funds available for employee development will be established each year by each ministry area during the budgeting process based on available resources. All employee development activities are at the discretion of the Employer and availability of funds.

322. Emergency Grants

Employees of the Employer who are not Ministers of Word and Sacrament are eligible to apply for an Emergency Grant, which is a benefit that may be paid to them by the Employer and the Board of Pensions ("BOP"). Emergency Grants may be approved for eligible employees of the Employer who have or are suffering unusual and unforeseeable hardships. Details on the Emergency Grant Policy and an application form can be found in HR.

323. Involuntary Furlough

The Employer may, in its discretion, determine that it is necessary to temporarily suspend all or some of its operations for a set period of time, referred to here as an involuntary “furlough,” which is a temporary non-duty, non-pay status. Employees will be given as much advance notice of a furlough as possible. Employees placed on involuntary furlough will not report to work and are strictly prohibited from performing work of any type during the furlough period, including checking email and voice mail. Involuntary furlough for salaried, exempt employees will be for increments of one (1) or more work weeks.

Employees who are already on approved leave, such as short-term disability and FMLA, will not be considered on furlough and their status will not be affected by a furlough.

324. Retirement

According to the 1975 General Assembly, “Retirement shall mean the discontinuance of the act of service of ministry and/or giving up of a position with attached salary which rendered the retiring member eligible for participation in the benefits plan of the Presbyterian Church (U.S.A.)” This includes persons who choose regular or early retirement. Employees who retire should give one (1) month notice of their intention to retire. Employees must be at least 55 years of age to be eligible for retirement benefits. Employees must be at least 65 years of age to be eligible to retire with full pension benefits through the BOP.

Employees who terminate employment due to retirement receive wages for hours worked plus payment for unused prorated vacation.

Retirement benefits must be coordinated with the BOP. In applying for retirement pension benefits, the member signs a statement agreeing to notify the BOP of any reemployment. It is the member’s responsibility to contact the BOP of re-employment after retirement.

- Post-retirement Service

Re-employment of individuals who have retired with a pension through the Board of Pensions is discouraged due to possible impact on their pension or social security benefits. However, under some circumstances, reemployment may be considered. See HR for more information.

325. Death in Service

Salary Continuation. In the event of the death of an employee, salary will be continued for four (4) weeks from the date on which the death occurs. Because salary continuation is a death benefit, if a beneficiary is not designated by the employee on a form on file with HR, the salary continuation must be paid to the estate of the deceased employee.

Final Pay Check. The final pay check for active service will include unused prorated vacation. If the employee used direct deposit, the final paycheck will be deposited by direct deposit into the employee's designated checking account. If the employee did not use direct deposit, the final paycheck will be made payable to the employee's estate or to the employee, as we are directed by the executor/administrator of the estate.