



# North Dakota Leave of Absence (LOA) Programs

WELL PEOPLE

WELL PETS

WELL PRACTICE



# Types of Leave & Associated Programs

## STATE OF NORTH DAKOTA

### Pregnancy Leave

Leave Programs Employees MAY be Eligible For

WellHaven Paid Maternity/ Paternity/Adoption/ Foster Leave (MPAFL)

Family Medical Leave Act (FMLA)

Montana Maternity Leave

WellHaven Unpaid Leave

Leave programs may run concurrently



### Paternity/ Adoption/Foster Leave

Leave Programs Employees MAY be Eligible For

WellHaven Paid Maternity/ Paternity/Adoption/ Foster Leave (MPAFL)

Family Medical Leave Act (FMLA)

WellHaven Unpaid Leave

Leave programs may run concurrently



### Employee Medical Leave

Leave Programs Employees MAY be Eligible For

Family Medical Leave Act (FMLA)

WellHaven Unpaid Leave

Leave programs may run concurrently



### Family Member Care Leave

Leave Programs Employees MAY be Eligible For

Family Medical Leave Act (FMLA)

WellHaven Unpaid Leave

Leave programs may run concurrently



### Other

Other Types of Leave (Federal and/or State and/or Local)

- Military/National Guard
- Voting Leave
- Public Investigation, Hearing or Inquiry Leave
- Court Attendance Leave
- Bereavement Leave Up to 3 days paid Leave
  - FT employees

# Programs Eligibility Overview

## STATE OF NORTH DAKOTA

### WellHaven Paid Maternity/Paternity/ Adoption Leave (MPAFL)

#### Employee Eligibility

Eligible as of date of hire

#### Eligible Reasons

- Maternity – giving birth
- Paternity
- Adoption
- Foster child placement

#### Benefit/Allotment

PAID MPAFL entitles eligible employees to receive 2 weeks of paid Leave



### Family Medical Leave Act (FMLA)

#### Employee Eligibility

Worked for WellHaven for at least 12 months

Worked at least 1,250 hours in the last 12 months preceding Leave

(All hospitals are covered by FMLA)

#### Eligible Reasons

Qualifying employee family and medical reasons as outlined in FMLA regulations

### WellHaven Unpaid Leave

#### Employee Eligibility

All employees after 90 days of employment

#### Eligible Reasons

- If employee not eligible for FMLA/State FLA



# Family Medical Leave (FMLA)

## FMLA Program Details – Page 1 of 3

<p><b>Employee Eligibility</b></p>	<p>To be eligible under the FMLA an employee must:</p> <ul style="list-style-type: none"> <li>• Have worked for WellHaven for at least twelve (12) months.             <ul style="list-style-type: none"> <li>○ Non-consecutive</li> <li>○ Prior acquisition seniority applies</li> </ul> </li> <li>• Have worked at least 1,250 hours in the twelve (12) months preceding the Leave.             <ul style="list-style-type: none"> <li>○ “Worked” does not include PTO, Holiday, etc.</li> </ul> </li> </ul> <p>All hospitals are covered by FMLA, regardless of size or location.</p>
<p><b>Eligible Reasons</b></p>	<ul style="list-style-type: none"> <li>• For the birth of a son or daughter, and to bond with the newborn child.</li> <li>• To bond with a newborn, adopted child or foster care placed child.             <ul style="list-style-type: none"> <li>○ Bonding time can be taken up to a year after the birth of a child</li> </ul> </li> <li>• To take medical leave when the employee is unable to work because of a serious health condition.</li> <li>• To care for an immediate family member (spouse, domestic partner, child, or parent – but not a parent “in-law”) with a serious health condition.</li> <li>• For qualifying exigencies arising out of the fact that the employee’s spouse, son, daughter, or parent is on covered active duty or called to covered active duty status as a member of the National Guard, Reserves, or Regular Armed Forces.             <ul style="list-style-type: none"> <li>○ Increases FMLA to 26 weeks</li> </ul> </li> </ul>
<p><b>Leave Allotment/ Increments</b></p>	<ul style="list-style-type: none"> <li>• Up to a maximum of twelve (12) weeks of job-protected, unpaid Leave in a specified 12-month period.             <ul style="list-style-type: none"> <li>○ Specified period: a “rolling” 12-month period measured backward from the date any FMLA Leave usage.</li> </ul> </li> </ul>
<p><b>Allotment/ Increments: Pregnancy</b></p>	<ul style="list-style-type: none"> <li>• FMLA will run from the first absence, due to pregnancy, through the end of the mother’s pregnancy disability, and continue during time bonding with the newborn baby (“Bonding Time Leave”).</li> <li>• Absences Due to Pregnancy - Any absence that pertains to an employee’s pregnancy (doctor’s appointments, morning sickness, etc.) will be tracked as FMLA. It is important for the employee to accurately track pregnancy-related absences such as when reporting a tardy (arriving late), leaving early, or other type of absence.</li> </ul>
<p><b>Leave Allotment/ Increments: Surgery/Other</b></p>	<ul style="list-style-type: none"> <li>• While FMLA will run throughout the surgery disability period (surgery recovery), FMLA is normally triggered prior to the surgery date – doctor’s appointments, diagnostic and testing appointments.</li> <li>• FMLA will continue to run (if time available) after the surgery disability ends – post operative doctor appointments and physical therapy appointments.</li> </ul>
<p><b>Paid/Unpaid</b></p>	<p>Unpaid</p>

# Family Medical Leave (FMLA)

## FMLA Program Details – Page 2 of 3

<p><b>Paid Time Off</b></p>	<ul style="list-style-type: none"> <li>• Employees may choose to use PTO and Floating Holidays in conjunction with FMLA.</li> <li>• Employees will not accrue PTO while on a continuous FMLA Leave.</li> <li>• Employees will not accrue Floating Holidays or be paid for Company recognized holidays while on a continuous FMLA Leave.</li> <li>• Employees out on intermittent FMLA will continue to accrue PTO and be eligible for Holiday Pay.</li> </ul>
<p><b>Concurrent Leaves</b></p>	<p>FMLA may run concurrently with State Leaves (see specific State Leave for details).</p> <ul style="list-style-type: none"> <li>• Note: some State Leaves cover family members not covered under FMLA.</li> </ul>
<p><b>Notice and Medical Certification</b></p>	<p>Notice</p> <ul style="list-style-type: none"> <li>• When foreseeable, employees are to provide at least thirty (30) days’ notice.</li> <li>• When unforeseeable, employees are to give as much notice as possible.</li> </ul> <p>Certification:</p> <ul style="list-style-type: none"> <li>• Employees will need to submit proper documentation which may include a Certification of Healthcare Provider Form as part of their Leave Application process.</li> </ul>
<p><b>WellHaven FMLA Designation</b></p>	<p>WellHaven may designate FMLA, as appropriate, when the Company becomes aware that an employee’s absence would normally trigger FMLA such as a Workers’ Compensation injury or illness.</p>
<p><b>Continuation of Company Sponsored Benefits Plan</b></p>	<p>While on FMLA, WellHaven will continue to pay the regular employer-sponsored portion of the employee’s health benefits, as applicable, during the time the employee is on FMLA. Employees are required to continue to make normal healthcare payroll contributions.</p> <p>Failure to pay the employee’s share of the health insurance premiums may result in a loss of coverage. Employees who do not return to work at the end of the FMLA Leave may be required to reimburse WellHaven for the employer share of health insurance premiums paid on behalf of the employee during FMLA. This may be waived if an employee does not return to work due to a serious health condition, which prevents the employee from performing their job, or circumstances beyond their control.</p> <p>Coverage will continue through the end of the month in which FMLA ends.</p> <ul style="list-style-type: none"> <li>• An employee who continues Leave through a specific State Leave (such as in the case of Bonding Time Leave), they will be eligible to continue benefit coverage under COBRA.</li> <li>• An employee will be eligible to re-enroll in the Company-sponsored group benefits plan on the first of the month following employee’s return to work from approved FMLA.</li> </ul>

# Family Medical Leave (FMLA)

## FMLA Program Details – Page 3 of 3

<p><b>Return to Work – Job Restoration</b></p>	<p>Upon timely return from FMLA, an employee will return to the same or equivalent position he/she had prior to taking FMLA.</p> <ul style="list-style-type: none"> <li>• If an employee was on FMLA due to their own serious health condition, prior to returning, the employee will need to submit a Return-to-Work Authorization Form at the end of their Leave.</li> </ul>
<p><b>Returning to Work - Disability Accommodation</b></p>	<p>WellHaven will make reasonable accommodations for qualified employees, as required by applicable law. This includes reasonable accommodations for pregnancy and health conditions related to pregnancy or childbirth. Employees requesting a reasonable accommodation should speak with their Hospital Practice Manager or Principal Doctor or WellHaven’s Human Resources Department.</p> <p>Requests for reasonable accommodations will be evaluated on a case-by-case basis and will require medical certification. WellHaven will determine if an accommodation is reasonable and does not create an undue hardship.</p>

## Paternity Related Leave Specifications

<p><b>Eligible Reasons</b></p>	<p>FMLA can be used:</p> <ul style="list-style-type: none"> <li>• To care for employee’s spouse who is pregnant (and experiencing complications requiring care) prior to birth.</li> <li>• To care for spouse after birth during the pregnancy disability recovery period.</li> <li>• After birth to bond with the newborn baby (“Bonding Time Leave”).</li> </ul>
--------------------------------	--

## Spouses Both Working for WellHaven

<p><b>When Leave Is and Is Not Combined</b></p>	<p>Eligible spouses who work for the same employer are limited to a combined total of 12 work weeks of Leave in a 12-month period for the following FMLA-qualifying reasons:</p> <ul style="list-style-type: none"> <li>• The birth of a son or daughter and bonding with the newborn child.</li> <li>• The placement of a son or daughter with the employee for adoption or foster care and bonding with the newly-placed child.</li> <li>• The care of a parent with a serious health condition.</li> </ul> <p>Eligible spouses who work for the same employer are each entitled to up to 12 workweeks of FMLA Leave in a 12-month period, without regard to the amount of Leave their spouses use, for the following FMLA-qualifying Leave reasons:</p> <ul style="list-style-type: none"> <li>• If one of the spouses is not eligible for FMLA Leave, these limitations on the combined amount of Leave do not apply. The spouse that is eligible for FMLA Leave is entitled to the full amount of Leave.</li> <li>• The care of a spouse or son or daughter with a serious health condition.</li> <li>• A serious health condition that makes the employee unable to perform the essential functions of his or her job.</li> <li>• Any qualifying exigency arising out of the fact that the employee’s spouse, son, daughter, or parent is a military member on “covered active duty.”</li> </ul>
---	--

# WellHaven Paid Maternity/Paternity/Adoption/Foster Leave (MPAFL)

## MPAFL Program Details

Employee Eligibility	<p>To be eligible under the PAID MPAFL an employee must have:</p> <ul style="list-style-type: none"> <li>• Employees classified as Full Time or Part Time</li> <li>• Eligible as of date of hire</li> </ul>
Eligible Reasons	<p>Reason for Leave – Reasons for PAID MPAFL include:</p> <ul style="list-style-type: none"> <li>• Maternity – giving birth</li> <li>• Paternity</li> <li>• Adoption</li> <li>• Foster child placement</li> </ul>
Leave Allotment	<p>Leave Allotment – PAID MPAFL entitles eligible employees up to a maximum of two (2) weeks of PAID Leave.</p>
PAID MPAFL Timing and Rate	<p>PAID MPAFL entitles eligible employees to receive 2 weeks of paid Leave calculated by:</p> <ul style="list-style-type: none"> <li>• Full-Time Classified Employees receive 80.00 hours paid at regular base rate.</li> <li>• Part-Time Classified Employees receive an average (based on working hours) of 2 weeks paid at regular base rate.</li> </ul> <p>Note for Doctors – we use base rate + production average over 6-month lookback.</p>
Notice and Medical Certification	<p>Notice and Medical Certification will coincide with the FMLA process.</p>
WellHaven PAID MPAFL Designation	<ul style="list-style-type: none"> <li>• WellHaven may designate PAID MPAFL, as appropriate.</li> <li>• Paid MPAFL does not run concurrent with FMLA.</li> </ul>

# WellHaven Unpaid Leave (WHUPL)

## WHUPL Program Details

<p>Employee Eligibility</p>	<p>To be eligible under WellHaven Unpaid Leave (WHUPL) an employee must have:</p> <ul style="list-style-type: none"> <li>• Worked (90) days at WellHaven.</li> <li>• Prior Acquisition Seniority applies.</li> <li>• All full-time and part-time employees are eligible</li> </ul>
<p>Eligible Reasons</p>	<p>Reasons for Unpaid WHUPL</p> <ul style="list-style-type: none"> <li>• Employee is not eligible for, or has exhausted, other types of Leave (such as FMLA)</li> <li>• Birth/paternity/adoption/foster child placement</li> <li>• Serious health condition for employee or family member</li> <li>• Personal Reasons – reviewed on case-by-case basis</li> </ul>
<p>Leave Allotment</p>	<p>Subject to approval,</p> <ul style="list-style-type: none"> <li>• Up to a maximum of four (4) weeks of job-protected, unpaid Leave in a specified 12-month period.             <ul style="list-style-type: none"> <li>○ Specified period: a “rolling” 12-month period measured backward from the date of WHUPL usage.</li> </ul> </li> </ul> <p>WHUPL may be used,</p> <ul style="list-style-type: none"> <li>• Minimum of seven (7) day period for each event</li> <li>• Maximum of two (2) separate events per rolling 12-month period</li> </ul>
<p>Unpaid vs Paid WHUPL</p>	<ul style="list-style-type: none"> <li>• Unpaid</li> </ul>
<p>Notice and Medical Certification</p>	<p>WHUPL – Medical Reasons:</p> <ul style="list-style-type: none"> <li>• Notice and Medical Certification will coincide with the FMLA process. (see above).</li> </ul> <p>WHUPL – Non Medical Reasons:</p> <ul style="list-style-type: none"> <li>• Appropriate documentation will be required</li> <li>• Appropriate documentation will be determined based on the reason for Leave</li> </ul>



# WellHaven Bereavement Leave

## Program Details

<b>Employee Eligibility</b>	<p>To be eligible under Bereavement Leave an employee must have:</p> <ul style="list-style-type: none"> <li>• Fulltime employees that have worked for WellHaven for at least six (6) months. <ul style="list-style-type: none"> <li>○ prior acquisition seniority applies</li> </ul> </li> </ul>		
<b>Eligible Reasons</b>	<p>Taken for at time of death for:</p> <ul style="list-style-type: none"> <li>• Making funeral arrangements</li> <li>• Attending the funeral and burial</li> <li>• Paying respects to the family at a wake or memorial</li> </ul>	<p><b>Immediate family members</b></p> <ul style="list-style-type: none"> <li>• Spouse or domestic partner</li> </ul> <p><b>First line relatives</b></p> <ul style="list-style-type: none"> <li>• Parents and Spouse/Domestic Partner Parents, <ul style="list-style-type: none"> <li>○ Step Parents, Adopted Parents, Legal Guardians (“locum parentheses”) who raised employee as a child,</li> </ul> </li> <li>• Siblings and Spouse/Domestic Partner Siblings <ul style="list-style-type: none"> <li>○ Step Siblings, Adopted Siblings, Half Siblings</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• <b>Children and Spouse/Domestic Partner Children</b> <ul style="list-style-type: none"> <li>○ Step Children, Adopted Children, Half Children</li> </ul> </li> <li>• <b>Grandparents and Spouse/Domestic Partner Grandparents</b> <ul style="list-style-type: none"> <li>○ Step Grandparents, Adopted Grandparents</li> </ul> </li> <li>• <b>Grandchild and Spouse/Domestic Partner Grandchild</b> <ul style="list-style-type: none"> <li>○ Step Grandchild, Adopted Grandchild</li> </ul> </li> </ul>
<b>Leave Allotment</b>	<p><b>Paid Benefit</b></p> <ul style="list-style-type: none"> <li>• Three (3) days = 24 hours</li> <li>• Paid eight (8) hours per day at the employee’s current base rate</li> </ul> <p><b>Unpaid Benefit</b></p> <ul style="list-style-type: none"> <li>• Additional two (2) days</li> </ul>		
<b>Additional Time Off</b>	<p>Additional time off may be arranged with hospital leadership.</p> <ul style="list-style-type: none"> <li>• PTO</li> <li>• FMLA if appropriate</li> </ul>		
<b>Notice and Medical Certification</b>	<p><b>Required Documentation</b></p> <ul style="list-style-type: none"> <li>• Death certificate</li> <li>• Funeral service announcement</li> <li>• Celebration of Life internet link</li> <li>• Obituary</li> <li>• Other similar documentation may be accepted</li> </ul>		

# Benefits Overview

## Continuation of Benefits

While on FMLA (or FMLA-qualifying WellHaven Leave):

- Employee is responsible to continue paying employee portion of benefits contributions during Leave
- WellHaven continues to pay the employer portion of benefits contributions during Leave



## HSA Contributions

While on FMLA (or FMLA-qualifying WellHaven Leave), the employee has the following options for HSA contributions:

- Prepay
- Catch up
- Stop participation



## Adding a Newborn, Adopted or Foster Child to Benefits

Having a baby, adopting a child or foster child placement is considered a **Qualified Life Event (QLE)** which allows the employee to make a mid-year change to his/her healthcare benefit elections.

