

DIOCESE OF ALLENTOWN

Family and Medical Leave

The Diocese is committed to full compliance with all the requirements of the Family and Medical Leave Act ("FMLA"). Employees who have been employed by the Diocese for at least twelve (12) months and have worked at least 1,250 hours during the preceding twelve (12) month period are eligible for up to twelve (12) weeks of unpaid leave due to the birth or adoption of a child or the "serious health condition" of the employee or the employee's spouse, child, or parent. An eligible employee's FMLA leave entitlement is limited to a total of twelve (12) weeks of unpaid leave during any twelve (12) month period.

In addition, eligible employees are entitled to up to twelve (12) weeks of leave because of any "qualifying exigency" arising out of the fact that the spouse, son, daughter, or parent of the employee is on active duty or has been notified of an impending call to active-duty status with the National Guard or the Reserves in support of a contingency operation. A "qualifying exigency" arises when the military member is on active duty or is called to active duty status and includes the following: (1) short-notice deployment; (2) military events and related activities; (3) childcare and school activities; (4) financial and legal arrangements; (5) counseling; (6) rest and recuperation; (7) post-deployment activities; and (8) additional activities that are agreed upon by the Diocese and the employee.

Further, an eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered service member who is recovering from a serious illness or injury sustained in the line of duty on active duty is entitled to up to 26 weeks of leave in a single 12-month period to care for the service member. This military caregiver leave is available during "a single 12-month period" during which an eligible employee is entitled to a combined total of 26 weeks of all types of FMLA leave.

Eligible employees who need to take FMLA leave must provide the Diocese with at least thirty (30) days advance notice before the leave is to begin if the need for the leave is foreseeable based upon an expected birth, placement for adoption or foster care, or planned medical treatment for a serious health condition. If thirty (30) days' notice is not possible, due to lack of knowledge of approximately when the leave will be required, a change in circumstances, or a medical emergency, notice must be given as soon as practicable. When an employee fails to give the requisite notice for FMLA leave, the commencement of such leave may be delayed.

An eligible employee may elect, or the Diocese may require the employee to substitute paid leave (e.g. vacation) for FMLA leave for any part of such leave. For example, if an employee takes paid vacation leave because of a serious medical condition or pregnancy, the Diocese may designate this leave toward the employee's yearly FMLA entitlement.

For eligible employees who are covered under the Diocese's health insurance plan, the Diocese will continue to make its contribution toward the employee's health insurance coverage while the employee is on FMLA leave. In order for such coverage to continue, however, employees on FMLA leave must continue to pay their share of the premium payment.

Administrative Leave of Absence

Employees, who are not eligible for FMLA, may be granted administrative leave at the sole discretion of the Diocese. The amount of leave granted by the Diocese, if any, will depend upon the particular facts and circumstances of each request.

An employee on Administrative Leave must first use all sick days, personal days, vacation days or any other paid leave available. Otherwise, this leave is unpaid. Depending upon the length of the leave, an employee may be required to pay the full cost of his or her health care coverage in order to continue such coverage during the period of the leave.

In addition, at the discretion of the Diocese, other employee fringe benefits may be suspended or limited due to the duration of the leave.

An employee on Administrative Leave, who engages in other employment or who does not return to work on the date the leave of absence expires, will be deemed by the Diocese to have voluntarily resigned from his or her employment as of the date the leave began.