

POLICY



Effective Date: 07/07/2017

Title: ATTENDANCE: FAMILY CARE AND MEDICAL LEAVE OF ABSENCE POLICY: HUMAN RESOURCES/ORGANIZATION DEVELOPMENT

Home Department: Human Resources/Organization Development

IMPORTANT NOTICE:

The official version of this Policy is contained in the Policy and Procedure Manager (PPM) and may have been revised since the document was printed.

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Cedars-Sinai Medical Center ("Cedars-Sinai") provides leave for eligible employees under this Family Care and Medical Leave of Absence ("FCML") policy in accordance with the federal Family and Medical Leave Act ("FMLA") and the California Family Rights Act ("CFRA").

Eligibility for FCML

In order to be eligible for FCML, an employee must have:

- completed at least 12 months of service, including time spent working at Cedars-Sinai in a temporary assignment, whether directly or through an agency or registry, and
- worked at least 1250 hours during the 12-month period immediately preceding the date the leave is to begin

Eligibility Exception for Military Members

For an employee who is a military member:

- all periods of absence from work due to or necessitated by covered military service are counted in determining an employee's eligibility for FCML
- eligibility hours are calculated based on the employee's regular schedule immediately prior to the period of absence for military service

Collective Bargaining Unit Employees

Employees covered by a collective bargaining agreement ("CBA") should refer to the CBA for information regarding their family and medical leave rights. In the event of a conflict between this policy and the applicable CBA, the CBA controls.

Definitions of Key Terms and Concepts

Term / Concept	Definition
Allotment	The number of SICA or ALP hours provided annually
ALP	Approved Leave Pay provided for eligible employees in accordance with Cedars-Sinai's policy
Benefit waiting period	Period of continuous leave before State Disability Insurance ("SDI"), Paid Family Leave ("PFL") and Workers' Compensation ("WC") payments begin
Child	A biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis

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Covered active duty	<p>In the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country; and</p> <p>In the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty during a war or during a national emergency declared by the President or Congress</p>
Covered service member	<p>A current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list for a serious injury or illness incurred in the line of duty on active duty; or</p> <p>A veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness and who was a member of the Armed Forces, including a member of the National Guard or Reserves, who was discharged or released for reasons other than dishonorable discharge at any time during the five (5)-year period of five (5) years preceding the first date on which the eligible employee begins FCML to care for the covered veteran. The period between October 28, 2009 and March 8, 2013 will not be counted toward this five (5)-year period</p>
Domestic partners	Individuals who share a committed relationship, living together, with joint responsibility for each other, and who consider each other partners in life (specifically excludes roommates and other non-committed relationships)
Parent	A biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the employee when he or she was a minor
Integration of pay	Refers to the use of an employee's SICA, ALP, or VHT to pay the difference between state benefits and normal weekly pay
Key employee	A salaried employee who is among the highest paid 10% of all Cedars-Sinai staff
LDM system	Cedars-Sinai's web-based leave of absence and disability management system
Military member	The employee's spouse, son, daughter or parent on covered active duty or call to covered active duty status as a member of a

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Serious illness or injury (for purposes of military service member care):	An injury or illness incurred by a covered service member in the line of duty while on active duty, or that existed before the beginning of the member's active duty and was aggravated by service in the line of duty while on active duty, that may render the service member medically unfit to perform the duties of his or her office, grade, rank or rating; and In the case of a veteran who was a member of the Armed Forces, including a member of the National Guard or Reserves, at any time as defined above, means a qualifying injury or illness that was incurred by the member in the line of duty while on active duty, or existed before the beginning of the member's active duty and was aggravated by service in the line of duty while on active duty, and that manifested itself before or after the member became a veteran.
SICA	Sick Pay provided for employees in accordance with Cedars-Sinai's policy
Spouse	A husband or a wife as defined or recognized under California law
VHT	Vacation and Holiday time provided for eligible employees in accordance with Cedars-Sinai's policy

Entitlement to FCML

13-Week FCML Entitlement

An eligible employee may take a total of up to 13 weeks of FCML within a 12-month period ("standard FCML year") for the following reasons:

- The birth of the employee's child and to care for the newborn child;
- The placement of a child with the employee for adoption or foster care;
- To care for the employee's spouse, domestic partner, child or parent with a serious health condition;
- The employee's own serious health condition, including any related to industrial illness or injury, that renders the employee unable to perform the essential functions of his or her job; or
- A "qualifying exigency" arising out of the fact that the employee's spouse, parent or child is a military member on covered active duty, or has been notified of an impending call or order to covered active duty, in support of a contingency operation.

The standard FCML year for the above reasons is calculated using a "rolling" 12-month period measured backward from the date the employee uses or seeks to use any FCML.