

	ENTITY/HOSPITAL	NUMBER
	INTEGRIS Health	SYS-HR-210
	MANUAL	EFFECTIVE DATE
	System HR Policy	9/76, 4/06 as System
	SUBJECT	REVISED
	Leaves of Absence	4/06, 10/07, 3/08, 1/09, 5/09, 06/13; 5/16; 8/16

1.0 PURPOSE

This policy is established to provide the employees of INTEGRIS Health, Inc. (“INTEGRIS”) with leave benefits enabling them to balance the needs of the workplace with the personal needs of their families. This policy is structured to comply with the requirements of the Family and Medical Leave Act (“FMLA”), the Americans with Disabilities Act (“ADA”), the Uniformed Services Employment and Reemployment Rights Act (“USERRA”), and the Oklahoma Workers’ Compensation Act.

2.0 POLICY

- 2.1 Leaves of absence are divided into four primary categories: (1) Family and Medical; (2) Personal; (3) Uniformed Services; and (4) Military Caregiver Leave.
- 2.2 To the extent available, employees must use Paid Personal Leave (“PPL”) and the Extended Illness Accrual Bank (“EIAB”), whichever is applicable, concurrently with any authorized Family and Medical, Personal, or Military Caregiver Leave, unless otherwise provided in this policy.
- 2.3 The following actions by an employee on leave will be deemed to be a voluntary resignation: (1) acceptance of employment with an employer other than INTEGRIS where the essential functions of such employment conflict with an employee’s stated reasons for leave; or (2) failure to return to work on or before the expiration date of leave (unless an approved extension of leave is obtained).

3.0 FAMILY AND MEDICAL LEAVE

- 3.1 Eligibility: For Family and Medical Leave, employees may be eligible to take up to a total of 12 weeks of Family and Medical Leave within a rolling 12-month period and be restored to the same or an Equivalent Position upon returning to work, provided that
 - 3.1.1 (1) The employee has worked for INTEGRIS for 12 months either as an INTEGRIS employee or at INTEGRIS through a staffing agency, except that time worked prior to a break in service of more than 7 years will not be counted toward this 12-month requirement, unless the break in service was occasioned by service in the Uniformed Services; and,
 - 3.1.2 (2) The employee has worked at least 1,250 hours in the 12 months immediately preceding the requested commencement date of the leave either as an INTEGRIS employee or at INTEGRIS through a staffing agency.
- 3.2 Leave Year: INTEGRIS will measure the 12-month period referenced in Section 3.1 by using a rolling 12-month period measured backward from the date an employee uses any Family and Medical Leave under this policy. Each time an employee takes leave, INTEGRIS will compute the amount of leave the employee has taken under this policy and subtract it from the 12 weeks of available leave; the balance remaining is the amount

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the employee may be entitled to take at that time. Leaves of absence taken for Family and Medical Leave qualifying events will be combined up to a total of 12 weeks of leave in a 12-month rolling period. The supervisor is responsible for maintaining time and attendance records to designate leave time as FMLA.

3.3 Qualifying Reasons: Employees may take Family and Medical Leave for any of the following reasons.

- 3.3.1 Pregnancy-related conditions, prenatal care, the birth of a Child, and in order to care for such newborn Child.
- 3.3.2 The placement of a Child with the employee for adoption or foster care and other absences required for placement for adoption or foster care to proceed.
- 3.3.3 If the employee is needed to care for a Covered Relation who has a Serious Health Condition, including physical and psychological care or when the employee is needed to fill in for others providing care or to arrange for third-party care of the Covered Relation.
- 3.3.4 For the employee’s own Serious Health Condition, which renders the employee unable to perform the essential functions of his/her job.
- 3.3.5 For Qualifying Exigencies related to the active duty service or call to active duty service of a Covered Military Member who is the Covered Relation of the employee.

3.4 Limitations upon Leave for Birth, Adoption, or Foster Care Placement: Any leaves of absence taken pursuant to sections 3.3.1 or 3.3.2 must be completed within the 12-month period following the date of the birth or placement. Leave taken by an employee pursuant to section 3.3.1 or 3.3.2 to care for a newborn Child or to care for a newly placed Child may only be taken on an intermittent basis with director approval. Where a father and mother both work in the same department, the departmental director will have the discretion to limit them to a combined total of 12 weeks of Family and Medical Leave within a 12-month rolling period, where such leave is sought pursuant to sections 3.3.1 or 3.3.2.

3.5 Notice of Leave: Where possible, an employee should provide 30-days advance notice of the need for leave to the employee’s respective department director. If 30-days prior notice is not possible, the employee must give as much notice as practical to his/her department director.

- 3.5.1 Employees requesting leave are required to complete a written application available through the Leave Administrator.
- 3.5.2 In the event an employee contacts the department director or supervisor by telephone, the director or supervisor should contact the Leave Administrator, or

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designee, to request that information be sent to the employee. The Leave Administrator, or designee, will send appropriate forms and documents to the employee, including a leave application and, if necessary, a medical certification form. The employee shall then be responsible for completing and returning all forms to the Leave Administrator, or designee. With the exception of the medical certification form, the leave application should be returned to the Leave Administrator, or designee, within 3 business days. The medical certification form should be returned within 15 calendar days, unless extenuating circumstances exist. Failure to provide timely notice of leave may result in denial of leave until written notice and the required documents are provided and received.

- 3.5.3 All requests for leave are subject to review by the Leave Administrator, or designee, before final approval or denial. Within 5 days of receipt of the application and, if necessary, the medical certification form, the Leave Administrator, or designee, will inform the employee if he or she is eligible to take the leave requested. Any notice of ineligibility sent by the Leave Administrator will state at least one reason why the employee is not eligible for the leave requested.
- 3.5.4 INTEGRIS reserves the right, as appropriate, to designate an employee's leave as Family and Medical Leave either prospectively or retroactively even if the employee has not requested it be designated as Family and Medical Leave, as long as the leave is necessitated by a Family and Medical Leave-qualifying event and the employee is an eligible employee. Should INTEGRIS exercise this right, the Leave Administrator will provide appropriate notice to the employee.
- 3.5.5 Calling in "sick" without providing further information is not sufficient notice to indicate to a supervisor or director that the employee has a condition that qualifies for Family and Medical Leave.
- 3.5.6 An employee's failure to request leave in a timely fashion may result in delaying eligibility for the requested leave until 30 days after the date the employee provides notice.

3.6 Medical Certification: An employee requesting Family and Medical leave because of his/her own or a Covered Relation's Serious Health Condition must provide medical certification regarding the facts and circumstances necessitating the need for leave from a Health Care Provider on forms provided. Occupational injuries/illnesses of INTEGRIS employees that constitute a Serious Health Condition are immediately reviewed for eligibility and may also require medical certification.

- 3.6.1 At the expense of INTEGRIS, the Leave Administrator, or designee, may require an examination by a second Health Care Provider designated by INTEGRIS. If the evaluation of the second Health Care Provider, designated by INTEGRIS, conflicts with the original medical certification provided by the employee,

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INTEGRIS may, at its expense, require that a third, mutually agreeable Health Care Provider conduct an examination and provide a final and binding opinion.

- 3.6.2 Follow-up medical recertification may be required up to every 30 days, depending upon the duration of the employee's or the Covered Relation's serious health condition as set forth in the medical certification form. The medical recertification form is to be submitted to the Leave Administrator, or designee, on the date(s) requested by him or her.
- 3.6.3 Failure to provide medical certification or recertification in a timely manner may result in denial of leave until such certification is provided.
- 3.7 Military Orders: Employees requesting Family and Medical Leave due to a Qualifying Exigency must provide to the Leave Administrator, or designee, a copy of the Covered Military Member's active duty orders or other documentation issued by the military that indicates that the Covered Military Member is on active duty or call to active duty status.
- 3.8 Reporting While on Leave:
 - 3.8.1 An employee taking Family and Medical Leave must report to his/her supervisor by telephone or in writing the first business day of each month regarding his/her status and intent to return to work.
 - 3.8.2 If an employee gives unequivocal notice of his or her intent not to return to work during his/her Family and Medical Leave, the employee will be deemed to have voluntarily resigned his/her employment at that time.
- 3.9 Unpaid Time: When all eligible paid time off has been exhausted, the approved leave that extends beyond payment of those benefits will be without pay, except that workers' compensation disability payments will be made in accordance with applicable state law.
- 3.10 Intermittent and Reduced Work Schedule: Family and Medical Leave because of a Serious Health Condition of the employee or a Covered Relation or for a Qualifying Exigency may be taken intermittently (in separate blocks of time) or on a reduced leave schedule (reducing the usual number of hours worked per week or per work day), subject to the certification and documentation requirements of this Policy.
 - 3.10.1 An employee's use of Family and Medical Leave on an intermittent basis will be measured for timekeeping purposes in the shortest increment currently used in INTEGRIS' timekeeping system.
 - 3.10.2 A reduced workweek schedule or intermittent leave will result in the use of PPL for the hours reduced providing there is enough accrual to pay for the time off. Intermittent or reduced workweek schedule leave will be unpaid if there is insufficient PPL accrual. EIAB may not be used when an employee is on an intermittent or reduced workweek schedule.

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- 3.10.3 A reduced workweek schedule or intermittent leave should be scheduled by the employee so as not to disrupt INTEGRIS' operations, if possible. An employee using Family and Medical Leave intermittently will be expected to comply with policies and departmental guidelines regarding appropriate call-in procedures.
- 3.10.4 INTEGRIS may temporarily transfer an employee on an approved intermittent/reduced work schedule leave to an alternative position which better accommodates the recurring leave and which has equivalent pay and benefits.
- 3.10.5 When providing notice to his or her supervisor, an employee using Family and Medical on an intermittent or reduced work schedule basis, the employee must specifically reference the qualifying reason for leave or the need for Family and Medical Leave. Should an employee fail to provide sufficient information, the supervisor shall have the right to inquire further to determine if the employee is seeking to use previously granted Family and Medical Leave.

3.11 Returning from Leave:

- 3.11.1 An employee who takes approved Family and Medical Leave because of the employee's own Serious Health Condition will be required to provide medical certification of fitness for return to duty to Employee Health prior to returning to work. Employees will not be permitted to resume work until a fitness for return to work duty medical certification is provided. Forms may be obtained in person or by mail from the Leave Administrator, or designee. For leaves of absence other than those related to an employee's own serious health condition, the employee needs simply to coordinate with his or her manager regarding return to work.
- 3.11.2 Employees who return to work as scheduled from an approved Family and Medical Leave within a 12-week period will be restored to the same or an Equivalent Position they held when their leave commenced. Upon return from leave, INTEGRIS will consider an employee's request to be restored to a different shift, schedule, or position that better suits the employee's personal needs, subject to INTEGRIS' normal policies and procedures regarding shift changes, scheduling changes, and transfers.
- 3.11.3 Employees will be deemed to have voluntarily terminated if they do not return to work on the originally scheduled return date or notify the Leave Administrator, or designee, of their need for additional Personal Leave.

4.0 PERSONAL LEAVE OF ABSENCE

- 4.1 Personal Leave may be requested for a variety of reasons such as to continue education on a full time basis or as an extension of previously granted Family and Medical or Military Caregiver Leave.

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- 4.1.1 As a general rule, Personal Leave should be limited to a maximum of 12 weeks of leave, unless additional leave is necessary as a reasonable accommodation for a disability or unless exceptional circumstances are present.
- 4.1.2 Approval of Personal Leave beyond 12 weeks as a reasonable accommodation will be assessed on a case-by-case basis.
- 4.1.3 The determination of whether exceptional circumstances exist is the decision of the appropriate Hospital President or Managing Director. The President or Managing Director will exercise such discretion fairly and will treat similarly situated employees consistently.
- 4.2 Notice and a written request must be made to the employee’s respective department director for approval and forwarded to the Leave Administrator, or designee, for approval. Request forms may be obtained from the Leave Administrator.
- 4.3 During Personal Leave, there is no guarantee of reinstatement of employment.
- 4.4 Employees who have received formal corrective action for excessive absences pursuant to the system Attendance Policy within the 12 months prior to the requested leave are not eligible for Personal Leave, unless the leave is necessary as a reasonable accommodation for a disability.
- 4.5 Employees taking Personal Leave must report to their supervisors by telephone or in writing the first business day of each month regarding their status and/or their intent to return to work. Failure to report by an employee taking Personal Leave may be considered a voluntary resignation of employment with INTEGRIS.
- 4.6 Non-exempt employees may use personal leave on an intermittent or reduced schedule basis. Due to federal regulations, exempt employees may not use personal leave on an intermittent or reduced schedule basis. Instead, when necessary to reasonably accommodate an employee’s disability, leaders should use flexible scheduling options for exempt employees. Leaders are also encouraged to utilize flexible scheduling options under other circumstances, where possible, to best balance the needs of individual employees and the department.

5.0 UNIFORMED SERVICES LEAVE OF ABSENCE

- 5.1 Leaves of absence without pay are granted for employees who present orders to their respective department directors for service in the Uniformed Services. Such orders should be forwarded to the Leave Administrator.
- 5.2 Reserve and National Guard participants shall be granted time off without pay for weekend duty and annual training requirements. Notice of need for leave should be provided 30 days prior to the date of anticipate leave or as soon as practicable, whichever period is shorter. Employees should provide their training schedule to their

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immediate supervisors as soon as possible for departmental staff scheduling requirements. Employees who cannot provide their schedule in advance should provide to their immediate supervisor the name and phone number of their Commanding Officer for confirmation of the training schedule.

- 5.3 Employees may elect to use accrued PPL while performing service in the Uniformed Services.
- 5.4 Employees who volunteer or are called to military service may have reinstatement rights to their employment upon their discharge from active service or their return from short-term assignments, such as weekly drills, weekend drills, summer encampments, or cruises, consistent with USERRA.

6.0 MILITARY CAREGIVER LEAVE

- 6.1 Employees who are the Covered Relation or Next of Kin of a Covered Servicemember and are needed to provide care for that Covered Servicemember may be eligible to take up to a total of 26 weeks of Military Caregiver Leave within a single 12-month period and be restored to the same or an Equivalent Position upon returning to work, provided that the employee meets the eligibility requirements set forth in section 3.1.
- 6.2 Care for a Covered Servicemember encompasses physical and psychological care or when the employee is needed to fill in for others providing care or to arrange for third-party care of the Covered Servicemember.
- 6.3 During the single 12-month period when an eligible employee utilizes Military Caregiver Leave, he or she will be limited to a combined total of 26 weeks of Family and Medical and Military Caregiver Leave.
- 6.4 If an eligible employee does not take all of his or her 26 weeks of Military Caregiver Leave during the single 12-month period, the remaining part of his or her 26 weeks of Military Caregiver Leave to care for the Covered Servicemember and serious injury or illness in question will be forfeited.
- 6.5 An eligible employee's use of Military Caregiver Leave shall be subject to the provisions and procedures set forth in sections 3.5, 3.6, 3.8, 3.9, 3.10, 3.11, and 3.12 of this Policy, in the same manner as these sections are applied to Family and Medical Leave.

7.0 MEDICAL AND OTHER BENEFITS WHILE ON LEAVE

- 7.1 During an approved leave, INTEGRIS will maintain its share of the employee's health, life, dental, and other health plan benefits as if active employment continued.
- 7.2 If paid time is available during the approved leave, INTEGRIS will deduct the employee's portion from the employee's paycheck, if any, of the health, dental, life, and other benefits that the employee selected during the benefit enrollment period. Other voluntary payroll

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deductions previously elected by the employee will also continue. It is the employee's responsibility to provide written notification to the appropriate INTEGRIS entity regarding any changes to voluntary payroll deductions.

- 7.3 During any unpaid portion of an approved leave, the employee is responsible for maintaining and arranging for payment of their portion, if any, of health and welfare benefits with Human Resources. Health and welfare benefits will cease if the employee's portion of the premium is more than 30 days late. The Human Resources representative will notify the employee about the amount and due date(s) of the health plan premiums as soon as practical after the leave is approved but not later than 15 days prior to any potential date of health coverage cancellation. Human Resources will also be responsible for notifying the employee when and if the employee may exercise COBRA rights to continuing coverage.
- 7.4 Employees electing not to return to work at the end of an approved leave, or who fail to work for at least 30 calendar days from the end of an approved leave, shall be responsible for reimbursing INTEGRIS the cost of company-paid health plan premiums for coverage during the employee's unpaid leave, as calculated under COBRA, unless the failure to return to active employment was due to the Serious Health Condition of the employee or the employee's Covered Relation or other circumstances beyond the employee's control. INTEGRIS may request that the employee furnish a medical certification form from the Health Care Provider of the employee or the employee's Covered Relation to support the employee's claim.
- 7.5 If an employee's health, dental, life, and other benefits cease as a result of a failure to pay, upon return to work the employee's prior coverage and benefits will be restored on a forward-going basis.
- 7.6 When paid time off benefits have been exhausted, accrual of any further paid time off benefits will cease and not begin again until the employee returns to active employment and meets the eligibility requirements for those benefits. Leaves of absence of 12 weeks or less will have no effect on service date, anniversary date, or performance review date.

8.0 DEFINITIONS. [The following definitions are intended to be consistent with and identical to the exact terms as defined in the FMLA or USERRA. Any inconsistencies will be resolved by INTEGRIS in favor of the definitions contained in the applicable statutes and regulations.]

- 8.1 Child:
 - 8.1.1 For purposes of Family and Medical Leave, a child is a biological, adopted, or foster child, a stepchild, a legal ward of an employee, or a child for whom an employee acts in the capacity of a parent, who is either under age 18; age 18 or older and incapable of self-care because of a mental or physical disability; or a Covered Military Member.

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- 8.1.2 For purposes of Military Caregiver Leave, a child is a biological, adopted, or foster child, a stepchild, a legal ward of a Covered Servicemember, or a child for whom the Covered Servicemember acted in the capacity of a parent while that child was under age 18.
- 8.2 Covered Military Member: An employee's Spouse, Child, or Parent who is a member of the Uniformed Services.
- 8.3 Covered Relation: a Spouse, Child, or Parent of the individual in question.
- 8.4 Covered Servicemember: a member of the Uniformed Services (excluding the commissioned corps of the Public Health Service) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retirement list for an injury or illness incurred by the Uniformed Services member in the line of duty on active duty in the Uniformed Services that may render the member medically unfit to perform the duties of the members' office, grade, rank, or rating.
- 8.5 Equivalent Position: a position that is virtually identical to the employee's former position in terms of pay, benefits, and working conditions, including the same or substantially similar duties entailing substantially equivalent skill, effort, responsibility, and authority.
- 8.6 Health Care Provider: a doctor of medicine or osteopathy; podiatrist; dentist; clinical psychologist; optometrist; chiropractor (limited to treatment consisting of manual manipulation of the spine to correct a subluxation shown by x-ray to exist); nurse practitioner; nurse-midwife; clinical social worker; or physician assistant, if such provider is authorized under Oklahoma law to diagnose and treat physical or mental health conditions and is performing within the scope of practice as defined by law; or Christian Science practitioner listed as a First Science practitioner with the First Church of Christ Scientist in Boston, Massachusetts.
- 8.7 Next of Kin: the nearest blood relative of a Covered Servicemember other than the Covered Servicemember's Spouse, Parent, or Child.
- 8.8 Parent: a biological, adoptive, step, or foster parent and/or an individual who acted as a parent to the individual in question while the individual was a minor. "Parent" does not include parents-in-law.
- 8.9 Qualifying Exigency includes addressing any issue that arises from the fact that a Covered Military Member is notified of an impending call or order to active duty less than seven days prior to deployment; attending military events and activities related to the Covered Military Member's active duty service; arranging for childcare and school activities disrupted by a Covered Military Member's call to active duty service; making or updating financial or legal arrangements to address the Covered Military Member's absence while on active duty status; attending counseling by a non-health care provider arising out of the Covered Military Member's active duty service; spending up to five days

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resting and recuperating with a Covered Military Member who is on short-term, temporary, rest and recuperation leave during the period of deployment; attending arrival ceremonies, reintegration briefings and events, and other official ceremonies or programs sponsored by the military for a period of 90 days following the termination of the Covered Military Member’s active duty status; addressing issues that arise from the death of the Covered Military Member; and addressing any other matter that arises out of the active duty status of a Covered Military Member, provided that INTEGRIS and the employee agree that such an issue is an exigency.

- 8.10 Serious Health Condition : an illness, injury, impairment, or physical or mental condition that involves: (i) an incapacity or treatment requiring inpatient overnight care in a hospital, hospice, or residential medical care facility, including any subsequent treatment or period of incapacity; or (ii) a period of incapacity of more than 3 consecutive full calendar days and any subsequent continuing treatment by a Health Care Provider, as defined in the Code of Federal Regulations.
- 8.11 Spouse : a husband or wife as defined or recognized under Oklahoma state law, including a common law husband or wife.
- 8.12 Terminal Stage : the end stage of a disease or illness where the Health Care Provider’s prognosis is that the patient is within 6 months of death.
- 8.13 Uniformed Services : the Armed Forces, the Army National Guard and the Air National Guard, the commissioned corps of the Public Health Service, and any other category of persons designated by the President in time of war or national emergency.

3.0 SCOPE

This policy applies to all personnel and organizations within INTEGRIS Health, Inc.

4.0 ADDITIONAL RESOURCES

[FMLA Poster: Employee Rights Under the Family and Medical Leave Act](#)