General Policy for Leaves of Absence

Boston Children’s Hospital (Boston Children’s Hospital) recognizes that employees may need to take a leave of absence from work for their own needs or that of their families. The Hospital offers a variety of leaves to address a range of circumstances. This LOA General Policy describes each type of Leave offered, as well as information about Leaves of Absence in general. If you are an employee of Boston Children’s Hospital and you need or may need to take a Leave of Absence, review this LOA General Policy carefully. Employee eligibility, usage, terms and benefits vary by Policy so reference the individual Leave Policy for detailed information. If an employee is not certain which Leave of Absence applies to them, or if they have other Leaves of Absence questions, contact the HR Service Center (X57780) or email the HR Service Center.

Types of Leaves

- **Family and Medical Leave Act (FMLA) Policy**
  Covers medical leave for your own serious health condition or the serious health condition of a covered family member. May include leave for work-related injuries.

- **Non FMLA Medical Leave Policy**
  Covers medical leave for your own serious health condition or the serious health condition of a covered family member if you are not eligible for FMLA. May include leave for work-related injuries.

- **Massachusetts Maternity Leave Act Policy**
  Covers family leave for eligible employees under Massachusetts law.

- **Military Leave of Absence Policy**
  Covers leave for military service under federal law, Uniformed Service Employment and Reemployment Rights Act (USERRA). Covers leave for certain family needs arising from military service of your immediate family member or next-of-kin under the amended FMLA.

- **Personal Leave Policy**
  Covers leaves for personal reasons when the reason for leave is not covered by other leave policies.

- **Small Necessities Leave Policy**
  Covers leave to attend school and medical appointments for covered family members.

Income Protection during a Leave

To provide income protection during a leave of absence, the Hospital has the following programs:

- **Short-Term Disability Insurance Program**
  Provides financial support for covered conditions (non-work-related), such as major illnesses, injuries and childbirth. The Hospital pays the full cost of the employee’s participation in the short-term disability insurance benefit program.
**Subsidized Health Insurance Benefits**
A leave may include continuation of subsidized **medical, dental, and vision** insurance benefits for a period of time. The employee remains responsible for all associated cost for their own and family health insurance at the subsidized employee rate.

**Workers’ Compensation Coverage**
Provides partial wage replacement for covered work-related injuries.

**Earned Time (ET)**
A hospital supported benefit that may be available to provide income support during an approved leave of absence.

**Leave of Absence Requests**
The employee must notify the manager of their need for a Leave of Absence, the expected duration of the Leave being requested, and a return to work date as soon as the employee is able. Refer to individual leave policies for detailed information about requesting time off.

Time off requests will be approved or denied depending upon the operating needs of the Hospital, applicable law, policy eligibility and other relevant considerations.

Every effort will be made to accommodate reasonable requests for time off. If, however, the request cannot be granted, the employee is expected to report to work. Employees who do not show up for work or who take an unauthorized leave of absence may be subject to disciplinary action or treated as having voluntarily resigned their employment.

**Important Information about Leaves of Absence**
- Employees who are or will be absent from work for **five or more business days** (excluding approved vacation) are expected to take a Leave of Absence. The employee must apply for the Leave of Absence most appropriate to their circumstance as soon as the need for time off is known.
- The Human Resources Department must approve all Leaves of Absence. The Human Resources Department may request additional information from the employee to process a Leave request. If the employee does not provide complete or timely information necessary to process a Leave request, the leave may be denied.
- Except where required by state or federal disability laws or other legal requirements, **the maximum time that the employee may be out on a single or combined Leave of Absence is 26 weeks in any 12 month period.** Administrative separation of employment will ordinarily occur after 26 weeks of single or combined Leave of Absence. Leaves of Absence can have significant effects on the operation of the Hospital and its departments. For this reason, the Hospital reserves the right to limit the length of a Leave of Absence as necessary to meet the operating needs of the Hospital, subject to compliance with applicable laws. Every effort will be made to balance employee needs with the needs of the Hospital.
- Earned Time does not accrue during an unpaid Leave of Absence. See Personnel Policy: **Earned Time** for more details. Holidays that occur during an unpaid leave of absence are also unpaid.
- A medical leave of absence requires a fitness for duty clearance as a condition of returning to work pursuant to the **Fitness for Work Health Assessments** policy.
- If the employee is on an individual annual merit review date cycle, the annual review date will be extended by the period of time they were on unpaid Leave.
Upon return to work following an approved Leave of Absence, the employee’s salary will be adjusted by any structural or market adjustments given other employees in that job during the employee’s approved Leave of Absence period.

The employee is not expected to perform work for the Hospital during their leave of absence.

Confidential Medical Information

The employee is only required to disclose confidential medical information to Occupational Health and/or Human Resources Leave Administration for purpose of determining leave of absence eligibility. All medical information will remain confidential as required by all applicable laws.

Compliance with Applicable Law

The Boston Children’s Hospital time-off policies are intended to comply with applicable state and federal laws and regulations. All policies will be applied in good faith and in compliance with all applicable laws. On occasion the law may change, although that change may not be reflected in the corresponding policy. To ensure compliance with applicable law, including any changes in law, policy application may vary in particular cases.

Employees who believe that they may not have been provided with a leave protected by state or federal law, or who believe that they have been retaliated against for requesting a leave of absence, are encouraged to bring their concerns forward. Concerns may be brought to the HR Service Center, the HR Consultant assigned to their Department, Employee Relations, the Director of Benefits, the Vice-President of Human Resources, any other manager in Human Resources, the employee’s manager, the Compliance Department or the Office of General Counsel. All concerns will be reviewed and no one will be retaliated against for bringing forward their concerns.

The Boston Children’s Hospital Leave of Absence policies do not create contractual rights or obligations and Boston Children’s Hospital reserves the right to deny a Leave request for business reasons, alter its Leave policies, or deviate from the particular provisions of any Leave policy, consistent with applicable law.

Related Content

Personnel Policies as stated above.

Personnel Policy

- **Earned Time**
- **Hospital Paid Time-Off**
- **Medical, dental, and vision** insurance plans
- **Reasonable Accommodation**
- **Fitness for Work Health Assessments**

Tools

- **Leave of Absence Request Form**
- **US Department of Labor Leave Certification Forms**