

INSTRUCTIONS

Family and Medical Leave Act (FMLA)

Morneau Shapell/Morningstar Health is our third party administrator who will determine your FMLA eligibility and approval. You are required to give at least 30-days advance notice or call as soon as you know you will need time off work. You may report your absence up to 45 days in advance. Please note: You must continue to comply with your department call-in procedures. To apply for FMLA, you must follow the steps below.

WHAT DO I NEED TO DO?

1. Request for Leave of Absence (scroll down for form)
 - You must complete this form and **return** it to your **department**
2. Contact Morneau Shapell/Morningstar Health (scroll down for instruction sheet) Your reporting options are:
 - Call In
 - Online
 - Mobile App
 - If you need additional assistance, Morneau Shapell/Morningstar Health Customer Service can be reached between 8:00 am and 7:00 pm, Monday – Friday, at 888-674-3652

ADDITIONAL INFORMATION

For Bargaining Unit Employees Only:

Please refer to your union contract if you are interested in retaining banked leave time. The details can be found under the FMLA section at this link:

https://www.accesskent.com/Departments/HumanResources/bargaining_unit_contracts.htm.

Such request must be made in writing prior to commencement of the FML leave or as soon as possible if your leave was unforeseeable. You can write this request on your Request for Leave of Absence form or attach a separate sheet of paper if this is something you elect to do.

KENT COUNTY RETURN TO WORK POLICY

If your absence qualifies you for FMLA, then Morneau Shapell/Morningstar Health will approve your disability for a specific period of time. If you are unable to return on that date, you are reminded to comply with Section 7(c)(iv) of the Human Resources Policy & Procedures which states:

An employee is required to communicate promptly regarding any changes in the duration or status of a medical leave to the department director or designee. An employee must return to work at such time as the healthcare provider releases him/her to do so, and provide a medical release to return to work. If an employee receives a conditional release to return to work, with physical restrictions, the department director, in consultation with the Human Resources Director, will review and may approve a restricted work assignment. Failure of the employee to immediately return to work upon medical certification of his/her ability to do so (with or without restrictions) is deemed to have resigned from County employment.

GINA NOTICE

The Genetic Information Non-Discrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, we are asking that you **not** provide any genetic information when responding to this request for medical information. Genetic information as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services

REQUEST FOR LEAVE OF ABSENCE

Employee Name: _____ Employee Number: _____

Department: _____

Type of Leave Requested: (Check all that apply)

- Medical* Personal Educational Military
 Family & Medical Leave Worker's Compensation* Other

**Considered as FMLA up to the first twelve weeks of the leave if eligibility requirements/qualifications are met.
Family and Medical Leave (FMLA) runs concurrent with medical/worker's compensation leaves of absence.*

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Reason for Leave: _____

- Continuous Leave Intermittent Leave

Date leave is requested to begin: _____

Expected return to work date (if unknown, "pending medical certification"): _____

I understand that if this leave is a personal leave or a leave granted under the provisions of the Family and Medical Leave Act, any sick, vacation or holiday hours I am eligible to take and have available will be utilized from the start of the leave until the hours have been depleted, unless otherwise stated in my union contract or policies and procedures. I also understand that if my leave has been granted under the provisions of the Family and Medical Leave Act and I do not return to work, I am obligated to repay Kent County the entire cost of the health care premiums for the period of the unpaid leave and/or have the amount owed deducted from my last pay check or any monies received from the County.

I also understand if this leave request is approved, I must return to employment at the expiration of the leave of absence, unless I have made prior arrangements to have the leave extended, or my employment will be terminated.

Employee Signature: _____ Date: _____

This leave of absence request is: Approved Denied

Leave will begin: _____ Expected return to work date: _____

If unknown, "pending medical certification"

Employee has has no re-employment rights.

Remarks: _____

Department Director/Judiciary or Designee: _____ Date: _____

LOA

Human Resources Director/Designee: _____ Date: _____

FMLA

Family and Medical Leave Act (FMLA) Approved Denied N/A

HR Director/Designee Initials: _____ Copy to employee: _____


Employee Section

Department Section

HR Section

How to report an absence including Family & Medical Leave Act (FMLA) or Sickness and Accident/Short Term Disability (STD)



It's simple! Login to the Kent County Absence and Leave Reporting System through the iOS/Android mobile application “**MSH Online**”  or <https://mshonline.net> and enter **8883495917**. If you do not have access to the internet call the automated system at **888.349.5917**.

When should I report my absence?

Login or call the Kent County Absence and Leave Reporting System as soon as you know you will be absent from work for an FMLA qualifying event or to request a Short Term Disability (STD) claim. If your need for leave is in the future, you must report your absence and request FML at least 30 days in advance. If your need for leave is less than 30 days in advance, you must report your absence and request FML on the same or next day that you learned you would need time off from work (e.g., doctor's appointment for a serious health condition, physical therapy, etc.).

Please note: You must continue to comply with your department call-in procedures.

You may qualify for Family & Medical Leave

If you have a serious health condition that makes you unable to perform the functions of your job and expect to be absent from work for:

- ~ More than 3 consecutive calendar days,
- ~ Intermittent periods of time (non-consecutive hours or days away from work), or
- ~ Overnight stay in a hospital, hospice or residential care facility for any amount of time

Or for one of the following:

- ~ Birth of a child and care of a newborn child
- ~ Placement of a child with you for adoption or foster care
- ~ Care for a spouse, child or parent with a serious health condition
- ~ Qualifying Exigency reason(s) arising from your family member's military deployment
- ~ Care for a family member who incurred a serious injury or illness in the line of active military duty

The following reasons are available to request FMLA paperwork, a STD Claim form or report an absence related to a previously approved FMLA and/or a Short Term Disability leave.

- *Illness, Injury, FMLA or STD*

If the absence is reported for yourself, you will be asked if you would like to file a Sickness and Accident/Short Term Disability claim.

- *Pregnancy*
- *Military FMLA*
- *Care of a New Child*

What information will I need to report my absence?

- Your Employee ID
- Your PIN (employee's birth day MMDD)
- The date of your absence
- The type of absence
 - Full day
 - Arrive late
 - Mid-day absence
 - Leave early
- Your expected return to work date
- Who is the absence related to (yourself or a family member)?
- Is this absence related to a Sickness and Accident/Short Term Disability (STD) claim?
- Is this absence related to a Workers' Compensation claim?

What happens next?

- You will receive a confirmation number when your absence is reported successfully. Please wait until you receive your confirmation number.
- Your immediate supervisor will receive a notification of your absence.

For Family & Medical Leaves

(Not related to Sickness and Accident/Short Term Disability (STD))

- Within a few days, you will receive a package from MorningStar Health which will include information about your eligibility for Family & Medical Leave and your rights under FMLA, as well as further instructions regarding any paperwork you must provide. If you do not receive your packet within 7 days, contact MorningStar Health for assistance.
 - Take the entire packet to your health care provider for completion.
 - Please remember that it is **YOUR** responsibility to make sure the forms are completed and returned to MorningStar Health **by the due date** listed.

For Sickness and Accident/Short Term Disability Leaves

If you indicate that you would like to file a Short Term Disability claim, you will have the option of receiving claim forms by mail, or completing the application online:

- By Mail: You will receive a packet from MorningStar Health which includes: A claim form with required sections for you, your employer and your health care provider to complete, and a notice of eligibility for FMLA. Please have this form completed and return to MorningStar Health as instructed.
- Online Application: You must complete every section in its entirety and receive a claim number for your application to be submitted. You will have options of how to receive the health care provider statement, and you can upload documents applicable to your claim.

What happens if my Sickness and Accident/Short Term Disability claim is approved?

- You will receive an Explanation of Benefits (EOB) listing the dates that you are approved for benefits and an Extension form for your doctor to complete if you are unable to return to work at the expiration of your leave.
- MorningStar Health will notify your employer's Human Resources (HR) Department of your disability claim approval and your anticipated return to work date.

What happens if my Sickness and Accident/Short Term Disability claim is denied?

- You will receive an Explanation of Benefits (EOB) listing the reason for the denial of disability benefits and an explanation of how to appeal the decision if desired. Upon receipt of the EOB, you should contact your doctor and your supervisor or HR Department to schedule your return to work date.
- You may still be eligible for leave under FMLA. Additional information may be required for approval of FMLA. MorningStar Health will inform you of the process based on individual situations.
- MorningStar Health will notify your HR Department that your disability benefits have been denied.

Return to Work

What can I expect while I am out on disability?

The goal of your employer and MorningStar Health is to help you get well and return to work as quickly and safely as possible. During your disability, your employer may be able to accommodate your work restrictions. This could include job modifications or a reduced work schedule. MorningStar Health will help coordinate your return to work with your health care provider and HR Department.

What should I do when it's time to return to work from a disability or extended Family Medical Leave for my own serious health condition?

- Contact your HR Department or supervisor to let him/her know the date you will be returning to work.
- You will be required to obtain an authorization from your health care provider to return to work. If you still have work restrictions present, please contact MorningStar Health immediately to coordinate your return.
- Based on your company's policy, please bring this authorization to your supervisor, Human Resource or Medical department on your first day back to work.

What if I feel that I cannot return to work on the date my Sickness and Accident/Short Term Disability is expected to end?

- You will need to submit to MorningStar Health a completed Short Term Disability Extension form. Please feel free to contact MorningStar Health to discuss your situation. MorningStar Health may be able to contact your health care provider for an update on your medical condition.
- You must also contact your HR Department or supervisor to keep them informed of your progress and intent to return to work.

