

Notice of Rights & Responsibilities Under the Family and Medical Leave Act (FMLA)

RIGHTS If your leave does qualify as FMLA, you will have the following rights while on FMLA leave:

- You have a right under the FMLA to take unpaid, job-protected FMLA leave in a 12-month period for certain family and medical reasons, including up to 12 weeks of unpaid leave in a 12-month period for the birth of a child or placement of a child for adoption or foster care, for leave related to your own or a family member's serious health condition, or for certain qualifying exigencies related to the deployment of a military member to covered active duty. You also have a right under the FMLA to take up to 26 weeks of unpaid, job-protected FMLA leave in a single 12-month period to care for a covered service member with a serious injury or illness (Military Caregiver Leave). The 12-month period is calculated as:
 - **Employees not working in Wisconsin:** "rolling" 12-month period measured backwards from the date of any FMLA usage.
 - **Employees working in Wisconsin:** calendar year from January 1 through December 31.
- You have a right for up to 26 weeks of unpaid leave in a single 12-month period to provide care because you are the spouse, child, parent or next of kin of a covered service member with a serious injury or illness.
- Your health benefits must be maintained during any period of unpaid leave under the same conditions as if you continued to work and you must be reinstated to the same or an equivalent job with the same pay, benefits and terms and conditions of employment on your return from leave.
 - If you do not return to work following FMLA leave for a reason other than: 1) the continuation, recurrence or onset of a serious health condition which would entitle you to FMLA leave; or 2) other circumstance beyond your control, you may be required to reimburse us for our share of health insurance premiums paid on your behalf during your FMLA leave.
- You must be reinstated to the same or an equivalent job with the same pay, benefits, and terms and conditions of employment on your return from FMLA-protected leave.
 - If your leave extends beyond the end of your FMLA entitlement, you do not have return rights under FMLA.
- Special rules apply to employees who are considered a "key employee" under §825.217 of the FMLA Regulations.
 - A "key employee" is defined as a salaried, eligible employee who is among the highest paid ten percent of employees within 75 miles of the work site.
 - If you are a "key employee," restoration to employment may be denied following FMLA leave on the grounds that such restoration will cause substantial and grievous economic injury to us as discussed in §825.218.

RESPONSIBILITIES If your leave does qualify as FMLA, you will have the following responsibilities while on FMLA leave:

- If you are currently enrolled in the health and/or dental insurance plans, Mayo Clinic will continue to contribute its portion of the premiums for up to 3 months while you are on an approved family or medical leave.
 - The organization's contribution may be extended beyond 3 months if the leave is covered under Federal FMLA.
 - If the leave of absence extends beyond a 3-month period and is not covered by Federal FMLA, you may continue insurance coverage by electing continuation coverage (COBRA) and paying the full monthly premium.
 - You are responsible for paying your portion of the premiums.
 - If you are in a paid status (using Paid Time Off [PTO] or Short Term Disability [STD]) the premium will continue to be deducted through payroll deduction as usual.
 - If you do not have sufficient earnings to pay your benefit premiums, you will receive a monthly invoice at your home address for the missed premium amounts.
- If eligible per Mayo Clinic policy, you may elect to substitute PTO and/or STD for unpaid FMLA leave.
 - Please note any paid leave taken for this reason will count against your FMLA leave entitlement.
- You are not a "key employee" as described in §825.217 of the FMLA regulations.
- You must report on the status of your leave and your intent to return to work after each update with the health care provider or every 30 days (whichever is less) or whenever circumstances of your leave change.
 - We may also require re-certification of a serious health condition.
 - If you are able to return to work earlier than the date indicated, we request that you notify us at least 2 workdays prior to the date you intend to report for work.
 - If you do not return from leave as scheduled, you may be terminated from employment.
- In some cases, a medical release may be required before you return to work after FMLA leave for your own serious health condition.