PURPOSE:

RWJBarnabas Health (RWJBH) understands that personal or family medical and other issues sometimes require employees to take time off from work. This policy outlines the various options available to employees who may need to take leave from their jobs for a temporary period to address certain responsibilities or health issues.

POLICY:

RWJBarnabas Health (RWJBH) understands that personal or family medical and other issues sometimes require employees to take time off from work. Employees who find it necessary to take leave from their jobs for a temporary period to address certain responsibilities or health issues may be entitled to protected leave under the federal Family and Medical Leave Act (FMLA), New Jersey Family Leave Act (NJFLA), New Jersey Security and Financial Empowerment Act (NJSAFE) and/or may have a right to take leave as a reasonable accommodation under the Americans with Disabilities Act (ADA) and/or the New Jersey Law Against Discrimination (NJLAD). In certain situations, personal and/or emergency leave may also be available under this policy. In connection with certain types of leave, employees may be entitled to income replacement in the form of short- or long-term disability, use of applicable PTO, New Jersey Family Leave Insurance benefits and/or may be entitled to unpaid leave. This policy outlines the various leave options and income replacement mechanisms potentially available to its employees.

QUALIFICATIONS: All RWJBarnabas Health (RWJBH) employees.

PROCEDURE:

I. UNDERSTANDING FAMILY MEDICAL LEAVE ACT (FMLA) and NEW JERSEY MEDICAL LEAVE ACT (NJFLA)

A. Family Medical Leave Act (FMLA)

Employees may be entitled to protected leave in accordance with the federal Family and Medical Leave Act (FMLA) and/or the New Jersey Family Leave Act (NJFLA).

Employees, who have been employed for at least a year and worked at least 1,250 hours in the preceding year, are entitled to take up to twelve (12) weeks of protected leave per year for the following qualifying reasons:
1. To care for the employee’s child after birth or placement for adoption or foster care’); (must conclude within the year after the birth or placement for adoption or foster care);
2. To provide care for the employee’s spouse, son or daughter, or parent with a serious health condition;
3. For a serious health condition, including incapacity due to pregnancy and on the job illnesses or injuries that make the employee unable to perform the employee’s job and/or for prenatal medical care or child birth;
4. Because of any qualifying exigency arising out of the fact that the spouse or son, daughter or parent of the employee is a member of the Armed Forces (including the National Guard and Reserves) and who is on covered active duty (or has been notified of an impending call or order to covered active duty For purposes of qualifying exigency leave, an employee’s son or daughter on covered active duty refers to a child of any age. Qualifying exigencies including, but not necessarily limited to addressing issues arising from short-notice deployment, attending certain military events, arranging for alternative child care or school, addressing certain financial and legal arrangements, attending certain counseling sessions, attending post-deployment briefings, arranging for parental care, to spend time with a military member on rest and recuperation leave (up to 15 days), etc.; or
5. To care for the spouse, son, daughter, parent or next of kin who is a covered service member with a serious illness or injury¹.

B. New Jersey Family Leave Act (NJFLA)

1. To care for the employee’s child after birth (including a child of a parent pursuant to a valid written agreement between the parent and a gestational carrier) or placement for adoption or foster care (must commence within the year after the birth or placement for adoption or foster care).

¹ A “covered service member” is 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 or a covered veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness. A “covered veteran” is an individual who was a member of the Armed Forces (including a member of the National Guard or Reserves), and was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran. For an individual who was a member of the Armed Forces (including the National Guard or Reserves) and who was discharged or released under conditions other than dishonorable prior to March 8, 2013, the period between October 28, 2009 and March 8, 2013 shall not count towards the determination of the five-year period for covered veteran status.
2. To provide necessary care for a family member (parent, parent-in-law, sibling, grandparent, grandchild, child (regardless of age), spouse, civil union, domestic partner, or any other individual related by blood to the employee, and any other individual the employee shows to have a close association with the employee which is the equivalent of a family relationship) with a serious health condition.

3. In the event of a state of emergency declared by the Governor, or when indicated to be needed by the Commissioner of Health or other public health authority, an epidemic of a communicable disease, a known or suspected exposure to the communicable disease, or efforts to prevent spread of a communicable disease, which:
   a. requires in-home care or treatment of a child due to the closure of the school or place of care of the child of the employee, by order of a public official due to the epidemic or other public health emergency;
   b. prompts the issuance by a public health authority of a determination, including by mandatory quarantine, requiring or imposing responsive or prophylactic measures as a result of illness caused by an epidemic of a communicable disease or known or suspected exposure to the communicable disease because the presence in the community of a family member in need of care by the employee, would jeopardize the health of others; or
   c. results in the recommendation of a health care provider or public health authority, that a family member in need of care by the employee voluntarily undergo self-quarantine as a result of suspected exposure to a communicable disease because the presence in the community of that family member in need of care by the employee, would jeopardize the health of others.

C. FMLA and NJFLA Eligibility Requirements

Employees are eligible to receive up to 12 weeks of unpaid family/medical/service member exigency leave for reasons 1, 2, 3, and 4 under the FMLA and 26 weeks for reason 5 under the FMLA in a 12-month period, if they have been employed for at least 12 months, and have worked at least 1,250 hours during the preceding twelve-month period. Employees may receive up to 12 weeks of leave in a 24-month period for reasons 1 and 2 listed under the NJFLA if they have been employed and worked at least 1,000 hours in the preceding 12-month period. FMLA and NJFLA leave will run concurrently to the maximum extent applicable and permissible by law.

The 12-month FMLA period and 24-month NJFLA period begins to run with the commencement of any applicable period of leave. The 12 and 24 month period is calculated on a rolling basis from the first day that the employee uses applicable FMLA and/or NJFLA leave.
LEAVE OF ABSENCE

Under the “rolling” 12-month calculation method, each time an employee takes FMLA leave, the remaining leave entitlement would be the balance of the 12 weeks, which has not been used during the preceding 12 months. For example, if an employee requests three weeks of FMLA leave to begin on July 31, RWJBH looks back 12 months (from July 31st back to the previous August 1) to see if any FMLA leave had been used. If the employee had not taken any FMLA leave in that period, the employee is entitled to the three weeks requested and has an additional 9 weeks available. If, however, the employee had taken 4 weeks of leave in March and 4 weeks of leave in April, the employee would still be entitled to the requested 3 weeks of leave in July, but would not have additional available FMLA leave until March of the following year, when the employee’s first 4 weeks of FMLA leave will start to “roll off.”

D. FMLA Leave for Employed Spouses

Spouses who are married to other employees may be jointly entitled to a combined total of 12 work-weeks of family leave for the birth and care of the newborn child, for placement of a child for adoption or foster care, or to care for a parent who has a serious health condition.²

Accordingly, employees whose spouses are also employees who are contemplating taking leave are encouraged to contact ReedGroup or Human Resources for further information and to better understand their specific situation and joint entitlement.

E. TYPES OF FMLA and NJFLA

FMLA and NJFLA leave may be taken consecutively in periods of time up to the employees’ entire leave entitlement, intermittently (in separate blocks of time), or on a reduced schedule (fewer hours in a day or days in a week) when medically necessary.

Employees are not entitled to take FMLA leave intermittently or on a reduced leave schedule for the care of a healthy newborn or for the adoption or foster placement of a child; unless employee is taking such intermittent leave concurrently with available NJFLA intermittent leave.

NJFLA leave may be taken in connection with the birth or placement of a child for adoption or foster care intermittently, however, such intermittent leave must be scheduled so as not to unduly disrupt operations and, if possible, prior to the commencement of the intermittent leave, the employee should provide RWJBH with a regular schedule of the days or days of the week on which the intermittent leave will be taken.

² In the case of military caregiver leave, spouses who are married to other employees are jointly entitled to a combined total of 26 weeks of such FMLA leave.
When intermittent or reduced schedule FMLA leave is for purposes of planned medical treatment, employees must attempt to schedule such intermittent or reduced schedule leave so as not to unduly disrupt operations. In conjunction with foreseeable planned medical treatment, employees may be temporarily transferred to an alternative position better suited for intermittent or reduced leave at the same level of benefits.

F. Procedure for Requesting Leave

All requests for family/medical/service member medical/service member exigency leave must be completed by the employee in advance as outlined below.

Any manager or supervisor who becomes aware of an employee’s potential need for FMLA and/or NJFLA leave and/or who receives a request for leave should immediately notify Human Resources.

1. Notice Requirements

Employees seeking to take FMLA leave should provide ReedGroup as much notice as possible of their need for leave and must provide notice at least 30 days prior to the commencement of the FMLA leave. In the case of unforeseeable leave, or for any service member medical leave or service member exigency leave, the employee must provide such notice of the need for leave as soon as practicable. ReedGroup is a company contracted by RWJBH to support the administration of leaves for employees. Employees may contact ReedGroup via the following options:

a. Website: RWJBH@myleaveproservice.com 
b. Email: RWJBH@reedgroup.com 
c. Telephone: 1.866.678.7120

An employee must provide fifteen (15) days’ notice of intermittent NJFLA leave; unless an emergency or other unforeseen circumstance precludes prior notice. An employee must provide thirty (30) days’ notice of continuous NJFLA leave in connection with the birth or placement of a child for foster care or adoption and prior notice in a reasonable and practicable manner in connection with the care of a family member with a serious health condition.

Employees are recommended to promptly notify their supervisor as soon as they learn of the need for leave and contact ReedGroup via options above to initiate the leave of absence process. In the case of extreme medical emergencies, employees are expected to call to
advise their supervisor as soon as they know of the need for and expected duration of their leave.

In the event of extreme medical emergencies, the employee or family member should contact the Human Resources department in regards to the type of leave needed and the duration of the leave. Emergent requests for leave should then be submitted as soon as practicable to ReedGroup. Absent good cause or medical emergencies, written requests for leave should be submitted within three business days after oral request is made.

Failure to report to work when leave has been denied may be treated as a voluntary resignation and subject to disciplinary action.

Upon receiving a request for leave, ReedGroup and RWJBH will review the request and respond in writing to the employee in accordance with the applicable time frames set forth by law. The employee will be provided information regarding benefit continuation while on leave. If additional information is required from the employee, it will be requested in this letter. Employees shall be provided at the time leave is requested with an indication of the number of hours, days or weeks of leave that will be counted as FMLA and/or NJFLA leave if known at the time leave is provided. Upon receipt of requested Certification supporting need for leave, employees will be notified of the leave designation.

2. Certification of Need for Leave

Employees requesting FMLA and/or NJFLA leave will be requested to provide an appropriate Certification to support the need for leave in accordance with applicable law. Certifications must be submitted within 15 days of the request. In the event that the requested certification is incomplete, the employee shall be provided written notice of the deficiency and shall be allowed 7 days to cure any defects. Failure to provide a supporting Certification in a timely manner and/or failure to cure any defects may result in the delay or denial of a leave.

As appropriate and permissible by law, employees may be required to provide recertification of need for ongoing leave. RWJBH reserves the right to require employees to obtain second or third medical opinions, at its expense, in appropriate circumstances to the extent permissible by law.

G. Periodic Reporting

Employees on leave may be required to report information to ReedGroup or Human Resources regarding their absence and return to work status to the extent necessary and permissible by law.
H. Use of Paid Time

FMLA and NJFLA leaves are generally without pay, unless an employee has applicable paid time off available. Depending upon the circumstances, employees taking medical leave may also be eligible to receive short-term disability or workers' compensation benefits during a period of FMLA leave. Employees may supplement Workers' Compensation or NJ Temporary Disability Pay with accrued sick time. To prevent any delay in receiving pay during an employee’s leave of absence (LOA), RWJBH will provide supplemental pay on the employee’s behalf based on the type of leave requested and the accrued time available at the start of the leave (i.e. Sick, PTO, etc.). Once sick time is exhausted, vacation/paid time off (PTO) time may be utilized for this purpose. The combination of payments may not exceed the employee's weekly maximum pay. Use of sick time or vacation/paid time off (PTO) will not extend the length of any leave. If an employee does not wish to utilize their accrued time during the LOA period, notification should be provided to the LOA team at HRLOA@rwjbh.org or fax notification to 732-937-8774.

The N.J. Paid Family Leave Benefit (NJFLI) allows eligible employees to receive up to twelve (12) weeks of paid family leave continuously or up to eight (8) weeks intermittently in connection with leave associated with the birth or placement of child for adoption or foster care or to care for a family member (parent, parent-in law, sibling, grandparent, grandchild, child (regardless of age), spouse, civil union, domestic partner, or any other individual related by blood to the employee, and any other individual the employee shows to have a close association with the employee which is the equivalent of a family relationship) with a serious health condition. Employees must apply for this benefit through the State of New Jersey. RWJBH will provide supplemental pay on the employee’s behalf based on the accrued time available at the start of the leave (i.e. vacation/PTO). If an employee does not wish to utilize their accrued time during the LOA period, notification should be provided to the LOA team at HRLOA@rwjbh.org or fax notification to 732-937-8774.

Time out on workers' compensation, temporary disability and New Jersey Paid Family Leave shall run concurrently where appropriate and to the extent permissible by law with an employee’s FMLA and/or NJFLA leave entitlement. Employees with questions should contact ReedGroup or the Human Resources Leave of Absence (LOA) Coordinator.

I. Maintenance of Health Benefits

RWJBH will maintain an employee's coverage under its health plans for the duration of the approved FMLA/NJFLA leave, at a level and under the conditions that coverage would have been provided but for the leave. The employee is required to continue to pay the employee's portion of any health insurance premiums normally deducted from the employee's paycheck if the employee is still
receiving pay through RWJBH during the leave of absence. If the employee is not receiving pay from RWJBH or the employee transitions to an unpaid leave of absence, the employee shall pay such amounts monthly by tendering a check payable to RWJBH. If the employee fails to make the required payments for health coverage within 30 days of the date that such payments are due, health coverage will be discontinued.

RWJBH reserves the right to seek reimbursement of its portion of benefit premiums paid for employees who fail to return from their leave for a reason other than their own serious health condition or other situation beyond their control.

J. Other Benefits

Employment benefits (i.e. Paid Time Off (PTO) or vacation, sick, holiday, personal time) will not continue to accrue during periods of FMLA and/or NJFLA leave except that such time will count as continued service under any pension or benefit plans, unless the employee is utilizing accrued paid time off concurrently with such FMLA and/or NJFLA leave.

K. Reinstatement

At the end of FMLA and/or NJFLA leave, RWJBH will reinstate employees to their same or an equivalent position, with no loss in salary, benefits, or other terms and conditions of employment. Employees who would have been terminated (e.g., for poor performance or affected by a reduction in force or layoff) had they not taken leave, or who are considered "key" to the organization and whose leave/reinstatement would result in grievous economic harm to RWJBH, may not be entitled to leave and/or reinstatement.

L. Return to Work from Employee's Own Illness

For those employees returning from a leave for their own serious health condition, RWJBH will require a Medical Leave of Absence Return to Work Certification form to be presented to Employee Health/Corporate Care prior to their return to work. This certification must indicate that they may perform the essential functions of their position with or without reasonable accommodation.

Employee Health/Corporate Care will inform Human Resources and the employee's supervisor of the employee's return to work status. Employees are requested to provide fitness for duty certifications not more than 3 days before or less than 1 day prior to their anticipated return to work, absent extenuating circumstances.
M. Failure to Return to Work

Employees who fail to return to work within two (2) working days following the expiration of FMLA and/or NJFLA leave and who did not receive an approved extension of a leave may be considered to have voluntarily resigned from their employment. Employees who give unequivocal notice that they do not intend to return to work lose their entitlement to family and medical leave.

N. Rights and Obligations

This policy supersedes all prior policies regarding FMLA and NJFLA leave and is intended to comply with the FMLA, NJFLA and all other applicable laws. As such, this policy shall be construed in all cases consistent with such statutory requirements. RWJBH reserves the right to amend any portion of this policy at its sole discretion, and to apply all provisions and defenses set forth in applicable law, whether or not specifically set forth in this policy. Any employee who falsely or fraudulently requests a leave of absence for which he is not entitled or provides false documentation suggesting eligibility for any leave stated in this policy is subject to disciplinary action including termination of employment.

O. Communication

Notices of an employee's rights and obligations under the FMLA, NJFLA and the New Jersey Paid Family Leave Act, will be available on the intranet and notices provided to employees in accordance with applicable law. Employees will be provided information of the policy via the RWJBH intranet, during the new employee onboarding; and through discussions with their Supervisors and/or Department Head.

Again, employees contemplating taking or in need of FMLA and/or NJFLA are encouraged to contact Human Resources for further information regarding their rights, obligations and these applicable procedural requirements.

II. OTHER LEAVE OF ABSENCES

Employees should contact ReedGroup or Human Resources for additional information regarding other types of leaves of absence not addressed within this policy, or to request such a leave of absence.

A. Unpaid Medical Leave of Absence

Employees who do not otherwise meet requirements under the FMLA or those employees who have exhausted their FMLA leave time may be eligible for a leave of absence by way of reasonable
accommodation pursuant to the Americans with Disabilities Act and/or the New Jersey Law Against Discrimination, to the extent granting such leave does not impose an undue hardship on RWJBH. Sick time, if available, may also be used. The hospital may request that the employee submit a medical certification form for an unpaid medical leave. If leave is approved, employees will be required to periodically provide a health care provider certification of the continued need for leave. Medical benefits will be maintained by RWJBH for the duration of the approved leave, however, benefits such as vacation, sick, and holiday time will not accrue unless the employee is utilizing paid time off concurrently with such leave. All requests shall be submitted to ReedGroup for consideration. Human Resources will then contact the employee and the employee's Department Head regarding the request. A determination of the employee's status or continuing status will be made on case-by-case basis with the Department Head and Vice President/Director. If there is a change, after evaluating all the circumstances, of an employee’s status on unpaid medical leave, that will be communicated to the employee. Working at other employment which is inconsistent with the reason for the unpaid medical leave at RWJBH is grounds for disciplinary action which may include termination of employment.

Post-Accommodation Unprotected Continued Employment Status

In certain circumstances, after an employee has exhausted available protected leave under the FMLA (or is ineligible for FMLA leave) and RWJBH determines that continuing the employee in a protected leave status and holding the disabled employee’s position open creates an undue hardship, RWJBH may nevertheless permit the employee to continue in an unprotected unpaid employment status.

Specifically, to the extent a determination is made that continuing to hold the employee’s position open would constitute an undue hardship and the employee’s total leave of absence has not exceeded 12 months, the employee will be removed from their position so that it may be filled. However, at the sole discretion of RWJBH, the employee may remain employed in an unpaid status for up to 12 months, during which time the employee will continue to be eligible for health benefits, subject to the required employee contribution. If the employee is released to return to work during this 12-month period, Human Resources will assist the employee in identifying open positions for which the employee is qualified. In the event the employee is unable to return to work at the end of 12 months or is released to return within 12 months but is unable to secure an open position within 30 days of the employee being released to return to work, the employee will be separated and offered COBRA benefits at that time.
This policy applies only to situations in which RWJBH has determined that continuing to hold the employee’s position open during the employee’s leave of absence by way of a reasonable accommodation under the ADA and/or the NJLAD creates an undue hardship. Such determinations are made on a case by case basis in accordance with the RWJBH Reasonable Accommodation Policy. No definitive timelines for reasonable accommodation and/or post accommodation separation apply. RWJBH retains the right to amend or terminate this policy at any time.

B. Emergency or Personal Leave of Absence

Full time and part time employees who have completed one year of service are eligible to apply for a temporary unprotected unpaid leave of absence for up to thirty (30) days for an emergency or personal reason. Employees should contact ReedGroup to request this leave of absence and must provide documentation in regard to the reason for leave, length of leave approved, and any other pertinent information. Depending on the nature of the leave, medical certification of family member illness may be requested. See notice requirements below. An employee may, by written request, apply for an additional extension in thirty (30) day increments. Accrued benefits (i.e., Paid Time Off (PTO), vacation, holiday sick or personal) will not accrue during an unpaid emergency or personal leave of absence. Medical benefits will be maintained by the hospital for the (30) day period and continued in the event of an additional thirty (30) day extension. Emergency and personal leaves of absence shall not exceed sixty (60) days. A determination of the employee's status will be made on a case-by-case basis by the Department Head and/or Vice President. Employees returning from an unprotected unpaid leave of absence are not guaranteed a position or comparable job status, position or shift assignments.

C. Military Leave

RWJBH supports those employees who meet their military obligations by granting an unpaid leave of absence, together with re-employment rights, as provided by applicable law. A copy of the military orders must accompany a request for a Military Leave of Absence. The employee is expected to notify ReedGroup of the dates he/she will be on duty as soon as practicable. All employees are eligible for an unpaid Military Leave of Absence. However, full-time and part-time employees who have completed one (1) year of service are also eligible for a Paid Military Leave of Absence. Leave with partial pay not to exceed ten (10) working days will be granted for those eligible persons attending only required annual training. Only one Paid Military Leave of Absence will be granted in a calendar year. The Hospital will pay the difference between the employee's total military pay including all allowances, and
his/her regular pay. In order to receive the supplemental pay, the employee will be required to present proof regarding time spent on active duty and pay received. Accrued benefits (i.e. Paid Time Off (PTO), vacation, holiday, sick or personal,) will accrue only during a Paid Military Leave of absence. Medical benefits will be maintained by the Hospital for the leave period.

D. The New Jersey Security and Financial Empowerment Act/New Jersey Safe Act (NJSAFE)

The New Jersey Security and Financial Empowerment Act, commonly known as the NJSAFE Act, allows an eligible employee to take up to 20 days of unpaid leave during a 12-month period in the event the employee or the employee's child, parent, spouse, domestic partner or civil union partner is a victim of domestic violence or a sexually violent offense. Employees may be entitled to NJFLI benefits during a period of NJSAFE leave. To the extent such benefits are not available, and/or by way of supplementation of such benefits, an employee may utilize available PTO time.

To be eligible for leave under the NJSAFE Act, an employee must have worked for RWJBH for at least 12 months and have worked 1,000 hours or more during the 12-month period preceding the NJSAFE leave. NJSAFE leave must be taken within one year of the incident of domestic violence or sexually violent offense and may be taken intermittently in intervals of no less than one day. The law permits employees who are victims of sexual abuse or assault or who are caring for family members (child, parent, parent-in-law, spouse, civil union or domestic partner, sibling, grandparent, grandchild, or any individual related by blood to the employee, and any other individual that the employee shows to have a close association with the employee which is the equivalent of a family relationship) who are victims to have time to engage in the following activities associated with the incident:

1. seeking medical attention for, or recovering from, physical or psychological injuries caused by domestic or sexual violence to the employee or the employee's family member;

2. obtaining services from a victim services organization for the employee or the employee's family member;

3. obtaining psychological or other counseling for the employee or the employee's family member;

4. participating in safety planning, temporarily or permanently relocating, or taking other actions to increase the safety of the employee or the employee's family member from future domestic or sexual violence or to ensure economic security;
5. seeking legal assistance or remedies to ensure the health and safety of the employee or the employee's family member, including preparing for, or participating in, any civil or criminal legal proceeding related to or derived from domestic or sexual violence; or

6. attending, participating in, or preparing for a criminal or civil court proceeding relating to an incident of domestic or sexual violence of which the employee or the employee's family member, was a victim.

If the need for leave under the NJSAFE Act is foreseeable, employees are required to notify to ReedGroup as far in advance as is reasonable and practical under the circumstances.

When an employee takes leave for a reason covered by NJSAFE, the leave shall be simultaneously counted against an employee’s entitlement under the FMLA and/or the FLA to the extent applicable and permitted by law. NJSAFE leave will run concurrently with any New Jersey paid Family Leave benefit to which the employee may be entitled. NJSAFE leave may be taken intermittently in increments of not less than one (1) day. Generally upon return from NJSAFE leave, the employee will be restored to his/her original job or to an equivalent job with like seniority, status, employment benefits, pay, and conditions of employment.

The employee will be required to provide documentation to support the incident of domestic violence or sexually violent offense which is the basis for the leave. The employee will be considered to have provided sufficient documentation if the employee provides one (1) or more of the following:

1. a domestic violence restraining order or other documentation of equitable relief issued by a court of competent jurisdiction;

2. a letter or other written documentation from the county or municipal prosecutor documenting the domestic violence or sexually violent offense;

3. documentation of the conviction of a person for the domestic violence or sexually violent offense;

4. medical documentation of the domestic violence or sexually violent offense;

5. certification from a certified Domestic Violence Specialist or the director of a designated domestic violence agency or Rape Crisis Center, that the employee or employee's family
member is a victim of domestic violence or a sexually violent offense; or

6. other documentation or certification of the domestic violence or sexually violent offense provided by a social worker, member of the clergy, shelter worker, or other professional who has assisted the employee or employee's family member in dealing with the domestic violence or sexually violent offenses.

All information provided in connection with NJSAFE leave shall be retained in the strictest confidentiality, unless the disclosure is voluntarily authorized in writing by the employee or is required by State or federal law, rule or regulation.

An employee will not be required to use their accrued paid leave while on NJSAFE leave, although the employee may elect to do so.

During NJSAFE leave, the employee’s health insurance coverage will be maintained under the same terms and conditions as if the employee had continued to work.

III. QUESTIONS AND PROHIBITION ON INTERFERENCE AND RETALIATION

There shall be no retaliation against any employee for exercising his/her rights under the FMLA, NJFLA, NJSAFE, or other applicable law and/or for requesting or taking leave under this policy and no interference with an employee’s FMLA, NJFLA, NJSAFE or other statutory leave entitlements. Any such concerns should be immediately reported to the facility Vice President for Human Resources. Any manager or supervisor receiving such a formal or information report or otherwise aware of such concern shall in turn immediately report same to the facility Vice President for Human Resources.

Contact your site’s Human Resources team, ReedGroup or Leave of Absence (LOA) Management at the RWJBH Service Center if you have questions about and/or need for leave under this policy.