

# Leave of Absence Policy

## Product Applicability:

<input checked="" type="checkbox"/> Commercial	<input checked="" type="checkbox"/> Medicaid	<input checked="" type="checkbox"/> Medicare	<input checked="" type="checkbox"/> Part C	<input checked="" type="checkbox"/> Part D
--	--	--	--	--

## Business Division and Entity Applicability:

<b>Magellan Healthcare</b>							
<input checked="" type="checkbox"/> Magellan Healthcare(B)	<input checked="" type="checkbox"/> Magellan Complete Care(C)	<input checked="" type="checkbox"/> Magellan Healthcare Provider	<input checked="" type="checkbox"/> AlphaCare of New York(L)				
<b>NIA Magellan</b>							
<input checked="" type="checkbox"/> National Imaging Associates (N)							
<b>Magellan Rx Management</b>							
<input checked="" type="checkbox"/> Magellan Rx Pharmacy(I)	<input checked="" type="checkbox"/> MMA(A)	<input checked="" type="checkbox"/> MPS(S)	<input type="checkbox"/> Partners Rx(X)	<input checked="" type="checkbox"/> CDMI(D)	<input type="checkbox"/> Magellan Rx Management(R)	<input checked="" type="checkbox"/> Magellan Administrative Services(O)	<input checked="" type="checkbox"/> Magellan Rx Medicare(K)

## Corporate Policy:

<b>Policy Number:</b>	<b>Corporate Compliance will assign</b>		
<b>Policy Name:</b>	<b>Leave of Absence Policy</b>		
<b>Date of Inception:</b> 7/1/2015	<b>Previous Annual Review Date:</b>	<b>Current Annual Review Date:</b>	
<b>Review Type:</b>	<input checked="" type="checkbox"/> New Policy	<input type="checkbox"/> No Changes	<input type="checkbox"/> Non-substantive
			<input type="checkbox"/> Substantive (material changes or initial documentation of current processes)
<b>Previous Corporate Approval Date:</b>	<b>Current Corporate Approval Date:</b>	<b>Unit Effective Date:</b>	

## Corporate Policy Approvals:

Caskie Lewis-Clapper	<i>Approval on file</i>	
Executive Vice President,		Date
John J. DiBernardi, Jr., Esq.	<i>Approval on file</i>	
Magellan Health, Senior Vice President & Corporate Compliance Officer		Date
Dan Gregoire, Esq.	<i>Approval on file</i>	
Magellan Health, Executive Vice President, General Counsel		Date

## Cross Reference(s)

Employee Handbook and HR Policies: Attendance and Punctuality

## LEAVE OF ABSENCE

### Policy Statement

Magellan Health, Inc., its subsidiaries and affiliates, (Magellan) recognizes that employees may need to be absent from work for periods of time for various reasons beyond their paid time off allowance. Leaves of absence have been developed to accommodate this needed time-off.

### Purpose

To provide clear guidelines that comply with federal and state regulations for employees requesting leave, for managers of employees on a leave, and for Human Resources staff who administer leave programs.

### Scope

<input checked="" type="checkbox"/> Account Management	<input checked="" type="checkbox"/> Claims (Service Ops)	<input checked="" type="checkbox"/> Clinical Operations
<input checked="" type="checkbox"/> Compliance	<input checked="" type="checkbox"/> Credentialing/Recred	<input checked="" type="checkbox"/> EAP
<input checked="" type="checkbox"/> Federal and State Affairs	<input checked="" type="checkbox"/> Finance	<input checked="" type="checkbox"/> Human Resources
<input checked="" type="checkbox"/> Information Technology	<input checked="" type="checkbox"/> Legal	<input checked="" type="checkbox"/> Marketing/Comm/Sales
<input checked="" type="checkbox"/> Network	<input checked="" type="checkbox"/> Operations (Member Services)	<input checked="" type="checkbox"/> Quality Improvement
<input checked="" type="checkbox"/> Security	<input checked="" type="checkbox"/> Special Investigations Unit	

### Key Terms

ADA – Americans with Disabilities Act of 1990 and the Americans with Disabilities Act Amended Act of 2008 (together “ADA”) are federal laws that prohibit discrimination based on disability.

FMLA – Family & Medical Leave Act is a United States federal law requiring employers to provide employees job-protected leave for qualified medical and family reasons. The FMLA does not provide income replacement. Magellan requires the use of available paid time off (all but two (2) days) before leave without pay is allowed.

Leave of Absence (LOA) – refers to a period of time during which an employee is not performing their job duties, but maintains their status as an employee. Leaves of absence may be paid, or unpaid.

Long Term Disability Insurance – provides an income replacement benefit for eligible employees that are unable to work due to a medical condition once the short term disability coverage is exhausted.

Short Term Disability Insurance - provides an income replacement benefit for eligible employees that are unable to work due to a medical condition for a short period of time.

Additional:

Policy Terms & Definitions are available should the reader need to inquire as to the definition of a term used in this policy.

To access the Policy Terms & Definitions Glossary in MagNet, click on the below link: (internal link(s) available to Magellan Health employees only)

## LEAVE OF ABSENCE

### [Policy Terms & Definitions Glossary](#)

#### I. Standards

A “leave of absence” refers to a period of time away from work that allows an employee to maintain his/her employee status. Employees are considered to be on a leave of absence (LOA) after an unplanned absence of three (3) or more business days. See Magellan’s Attendance and Punctuality policy in the Employee Handbook and HR Policies document for guidelines regarding unplanned absences from work.

Magellan follows federal regulations for Family Medical Leave Act (FMLA), which entitles eligible employees to job-protected leave for specified family and medical reasons. In addition, Magellan recognizes and provides for other types of state-mandated leaves of absence.

Short Term Disability (STD) and Long Term Disability (LTD) benefits are provided to eligible employees through Magellan’s Leave Administrator.

##### A. Prior to Leave

1. Employees are expected to make a reasonable effort to avoid unduly disrupting Magellan’s business operations and must notify their manager as soon as the need for leave becomes known.
2. Employees are responsible for knowing and understanding the policies and procedures associated with the type of leave being requested or taken. Failure to comply with the policies and procedures may result in the leave being denied, or delayed.
3. Any absence or leave that is not approved will be handled in accordance with Magellan’s Attendance and Punctuality policy.

##### B. During Leave

1. While on a leave of absence, it is the employee’s responsibility to keep his/her manager updated in regards to the extent of leave needed.
2. Employees must contact their direct manager by phone or email to communicate an estimated return to work date. The frequency of contact should be mutually agreed upon in advance.
  - a) If the leave is expected to last less than thirty (30) days, the employee must contact his/her manager no less than once every two weeks.
  - b) If the leave is expected to last more than thirty (30) days, the employee must contact his/her manager at least once every thirty (30) days.
3. Failure to notify the direct manager of a need to extend the leave, or not returning to work on or before the specified return date, may be considered voluntary job abandonment and result in termination per Magellan’s Attendance and Punctuality policy.
4. An employee who decides during the leave of absence to not return to work must immediately notify his/her direct manager by phone and in writing.
5. Employees may be asked or required to provide documentation in support of the leave request.
6. An employee will be subject to discipline, up to and including employment termination, for any type of deception or dishonesty, including falsification of timekeeping or any other Company records.

## LEAVE OF ABSENCE

### Health Benefits during Leave

1. During an approved leave of absence under the FMLA, benefits coverage is generally continued for the employee and eligible dependents subject to requirements set forth in the Magellan Health and Welfare Benefits Plan Document and the Magellan Health Retirement Savings Plan Document.
  - a. If the employee continues to receive pay from Magellan while on an FMLA-approved leave of absence, benefit premiums will continue to be withheld from the pay issued by Magellan.
  - b. If an employee ceases to be paid by Magellan while on an FMLA-approved leave, the employee must remit payment for the premiums within thirty (30) days upon Magellan's initial request, or the benefits may be terminated at the end of the month following the last date that premiums were paid.
2. If the employee returns to work and has not paid for missed benefit premiums, the missed premiums will be deducted from the employee's next paycheck(s).
3. Life and Accidental Death & Dismemberment (AD&D) coverage during an approved leave of absence will not continue beyond three (3) months. If the leave is due to a disability, coverage will not continue beyond six (6) months.

### Compensation during Leave

1. With the exception of sales commissions, salary increases and bonuses will not be paid out to employees while absent from work on a leave of absence.
2. The changes and/or payments will be applied with an effective date corresponding to the return to work date within one or two pay periods following the employee's return to work.

### C. Returning from Leave

1. All employees on a leave of absence due to their own health condition must submit a release to return to work from the employee's treating physician before being allowed to return to work.
  - a. It is the employee's responsibility to ensure the release is received by the Leave of Absence Specialist at least two business days prior to the return to work date.
  - b. If a release is not provided at least one business day prior, the employee may not be allowed to work, which could be classified as an absence per Magellan's Attendance and Punctuality policy.
2. If the release to return to work involves a recommendation for restricted duty or a request for an accommodation, Magellan's Human Resources department requires additional time to review and make a determination.
  - a. It is the employee's responsibility to ensure Magellan is made aware of the recommendation or request as soon as possible.
  - b. Insufficient notice may result in a delay of the return to work date and may impact pay.

## II. Short-term Disability

- A. Full-time employees who regularly work 30 hours or more per calendar week are eligible to receive Short Term Disability (STD) insurance coverage beginning on the first day of the month following six (6) calendar months of employment. The STD benefit pays the employee 60% of his/her regular salary.

## LEAVE OF ABSENCE

- a. For employees who reside in a state where there is a state-sponsored STD income replacement or income supplement benefit, Magellan's Leave Administrator coordinates benefits between the state's benefit and Magellan's benefit.
- B. STD income replacement starts on the sixth (6th) business day of leave and continues until the employee is medically released, or until the employee has exhausted the benefit, which is twenty-six (26) calendar weeks.
- C. As soon as an employee becomes aware of any need to be absent from work due to medical disability (either planned or unplanned) he/she must notify his/her immediate manager.
  - a. If an employee develops a medical disability anticipated to last fewer than five (5) consecutive business days, the employee has the option to use accrued PTO time (Emergency Sick, Floating Holiday, PTO) instead of STD benefits.
  - b. If employee expects to be absent from work for more than ten (10) consecutive business days, the employee must apply for STD benefits with Magellan's Leave Administrator.
- D. Once the employee applies for short term disability, Magellan's Leave Administrator will determine the employee's eligibility for STD benefits and eligibility for leave under the Family and Medical Leave Act (FMLA) (see FMLA section, below).
- E. Magellan's Leave Administrator will send a packet of information and instructions to the employee that includes the Request for Leave of Absence Short Term Disability form and a request for medical documentation.
  - a. STD benefits will not be approved or paid until the completed certification has been submitted by the employee's physician and received by Magellan's Leave Administrator.
  - b. It is the employee's responsibility to follow up with his/her physician to ensure this is completed in a timely manner.
- F. There is a five (5) business day waiting period prior to the start of STD benefits. Emergency Sick, Floating Holidays and/or Paid Time Off (PTO) time must be used to cover the waiting period.
  - a. If the employee does not have enough accrued time to cover the waiting period, the balance of the waiting period will be unpaid.
- G. Two (2) days of PTO time will be preserved for the employee's use upon return from leave unless the employee elects to use all of his/her remaining balances.
  - a. The employee must indicate his/her intent to use all of his/her PTO time on the Request for Leave of Absence Short Term Disability form.
- H. Employees have the option of subsidizing the STD benefit with Emergency Sick, Floating Holiday, and/or PTO time beyond the waiting period in order to receive 100% of their salary.
  - a. Emergency Sick time is used first, followed by Floating Holidays, and then PTO.
- I. Employees who are approved for STD benefits and return to work but within the next two (2) calendar weeks have a need for time off for the same medical disability, do not have to satisfy another five (5) day waiting period.
  - a. Upon receipt of a physician's statement and approval of the claim, the STD benefit would immediately resume.
  - b. It is the employee's responsibility to ensure the documentation is complete and submitted to Magellan's Leave Administrator within the required time periods.
- J. If an employee reaches the maximum approved STD benefit and remains unable to return to work, his/her employment status will be reviewed (unless a review has already been completed) in accordance with Magellan's reasonable accommodation process under the Americans with Disabilities Act (ADA).
  - a. If the employee's condition is not covered under the ADA, employment will be terminated.
  - b. If an accommodation is not requested or cannot be provided, employment will be terminated.
- K. Terminated employees who have used PTO in excess of what was accrued are required to repay Magellan for the excess PTO used. This repayment provision does not apply to employees who transition from STD to Long Term Disability (LTD).

## LEAVE OF ABSENCE

### III. Long-term Disability

- A. An employee who remains on approved STD beyond twenty-six (26) calendar weeks may be eligible for Long Term Disability (LTD) benefits, which are paid directly by Magellan's LTD Administrator.
- B. Benefits are contingent upon the employee being totally disabled from any occupation and under a physician's care. Once approved, the LTD benefit replaces 50% of an employee's monthly earnings to a maximum benefit payable of \$3,000 per month (unless the employee purchased upgraded coverage).
- C. It is the employee's responsibility to ensure the proper documentation is complete and submitted to Magellan's Leave Administrator within the required time periods.
- D. Unless an accommodation(s) under the ADA is requested and provided by Magellan, employment is terminated upon transition to LTD.

### IV. Family and Medical Leave (FMLA)

- A. Employees who have worked for Magellan for at least one (1) year and worked 1250 hours in the past calendar year may be eligible for an unpaid leave of absence up to twelve (12) calendar weeks under the Family and Medical Leave Act (FMLA).
  - a. The Family & Medical Leave Act is a United States federal law requiring employers to provide employees unpaid job-protected leave for qualified medical and family reasons.
  - b. Magellan employees are required to use all available paid time off, except two (2) days during the period of FMLA leave.
- B. Employees are eligible for leaves of absence under FMLA for the following:
  - a. The birth of a child and to care for the newborn child within one (1) year of birth
  - b. The placement with the employee of a child for adoption or foster care and to care for the newly placed child within one (1) year of placement
  - c. To care for the employee's spouse, child, or parent who has a serious health condition
  - d. A serious health condition that makes the employee unable to perform the functions of his or her job
  - e. Any qualifying exigency arising out of the fact that the employee's spouse, son, daughter or parent is a covered military member on "covered active duty"
  - f. To care for a covered service member with a serious injury or illness if the eligible employee is the service member's spouse, son, daughter, parent, or next of kin (up to twenty-six (26) workweeks)
- C. If eligible as described above, all qualifying leave taken counts toward the combined maximum of twelve (12) calendar weeks in a rolling twelve (12) month period.
  - a. Employees may not waive leave under FMLA if the absence meets the eligibility criteria.
  - b. Where applicable, Magellan may count any leave time as FMLA leave for eligible employees who are absent from work for a period of at least three (3) consecutive business days.
  - c. All qualifying leaves that meet the definition and eligibility requirements are to be designated as FMLA.
- D. Employees utilizing leave under the FMLA must inform their manager as soon as the need becomes known.
  - a. It is the employee's responsibility to make sure his/her manager knows prior to the time being taken, unless unusual circumstances arise.
- E. If the absence is expected to last three (3) business days or longer, the employee must apply for leave under the FMLA by contacting Magellan's Leave Administrator. Magellan's Leave Administrator will send a packet of information and instructions to the employee.
  - a. The employee must complete and return the necessary forms included in the packet, as well as provide any requested clarification or additional information, by the communicated deadlines.

## LEAVE OF ABSENCE

- b. Late or incomplete paperwork may result in the leave under the FMLA leave being denied and/or the employee may be considered on an unapproved leave of absence per Magellan's Attendance and Punctuality policy, which may result in termination.
- F. If the employee is unable to return to work after the FMLA leave period is exhausted, his/her position may need to be filled even if the employee receives Short Term Disability (STD) payments, which may extend longer than the FMLA maximum allotments.
- G. If a Family Medical Leave (FML) extends beyond Short Term Disability or Worker's Compensation benefits, the employee must first use all Emergency Sick and Paid Time Off (PTO) time prior to entering an unpaid leave status.
  - a. The employee must use all time (including unearned time) except for two (2) PTO days. These two (2) days are kept in reserve for use following the employee's return to work.
  - b. Employees have the option of using the two (2) reserve days while on leave; however they must designate this election on the Request for Leave of Absence Short Term Disability form.

### V. Intermittent FMLA

- A. Time taken under the FMLA leave may be taken on an intermittent or reduced work schedule if medically necessary.
  - a. This time is reported by the quarter-hour with the maximum allotment of 480 hours in a rolling twelve (12) month period for employees who work forty (40) hours per week
- B. Employees utilizing intermittent leave under the FMLA must inform their manager as soon as the need becomes known.
  - a. It is the employee's responsibility to make sure his/her manager knows prior to the time being taken, unless unusual circumstances arise.
- C. Employees must report to Magellan's Leave Administrator the amount of time used under the FMLA within seven (7) calendar days of the time being used.
  - a. Failure to report the time needed within seven (7) calendar days may result in the time taken not being approved for leave under the FMLA and the time off being applied to Magellan's Attendance and Punctuality policy.

### VI. Military Family Leave

The FMLA includes two types of leave that specifically address the needs of employees whose family members are part of the U.S. Armed Forces: military caregiver leave and qualifying exigency leave.

Employees are asked to make a reasonable effort to avoid unduly disrupting Magellan's business operations and are expected to notify their manager as soon as they become aware of the need for time away from work.

- A. Military Caregiver Leave:
  - a. Up to twenty-six (26) weeks of unpaid leave during a single twelve (12) month period is available for employees who need time off from work to care for a covered service member or veteran who has a serious illness or injury.
  - b. Military Caregiver Leave may be taken intermittently or on a reduced leave schedule. An employee who is taking this type of leave must use all accrued PTO time less two (2) days prior to being placed on an unpaid leave status.
  - c. Magellan's Leave Administrator may require the employee to provide medical certification for the covered service member, statement of facts regarding service member's health condition, estimates for the period and dates of treatment or recovery needed, if care is needed intermittently or on a reduced schedule.
  - d. Magellan complies with government regulations for qualified military family leave which can be found on the Department of Labor/Wage and Hour Division website: <http://www.dol.gov/whd/fmla/MilitaryFLProvisions.htm>.

## LEAVE OF ABSENCE

### B. Qualifying Exigency Leave:

- a. Up to twelve (12) weeks of unpaid leave is available for employees who have a spouse, son, daughter, or parent on “covered active duty.”
- b. For members of the Regular Armed Forces, “covered active duty” is duty during deployment of the member with the Armed Forces to a foreign country. For members of the Reserve components of the Armed Forces (members of the National Guard and Reserves), “covered active duty” is duty during deployment of the member with the Armed Forces to a foreign country under a call or order to active duty in a contingency operation.
- c. “Qualifying exigencies” include:
  - i. Short notice deployment - Up to seven (7) calendar days of leave beginning on the day the military member receives notice of deployment, to deal with issues arising from a covered military member’s short-notice deployment (deployment on seven or fewer days notice);
  - ii. Rest and recuperation - Leave of up to fifteen (15) calendar days to spend time with a military member who is on short-term, temporary, rest and recuperation leave during the period of deployment;
  - iii. Military events and related activities - Attendance at official ceremonies, programs, or events sponsored by the military or family support or assistance programs and informational briefings that are related to the military member’s covered active duty;
  - iv. Other qualifying exigencies: Childcare and school activities, making or updating financial and legal arrangements, attending counseling sessions, post-deployment activities within 90 days of the termination of the military member’s covered active duty, addressing issues arising from the death of a military member; activities related to the care of the military member’s parent who is incapable of self care, and any other additional activities that the employer and employee agree is a qualifying exigency.
- d. Magellan reserves the right to request supporting documentation of the service member’s active duty orders or other documentation provided by the military within five (5) days of being notified of the need for leave. Additionally, the employee may be asked to provide the following information: type of qualifying exigency, approximate dates, estimated frequency and duration of leave, and contact information if the leave involved meeting with a third party.
- e. Qualifying exigency leave may be taken intermittently or on a reduced leave schedule. An employee who is taking this type of Exigency Leave must use all accrued PTO time less two (2) days prior to being placed on an unpaid leave status.
- f. Magellan complies with government regulations for qualified exigency leave which can be found on the Department of Labor/Wage and Hour Division website:  
<http://www.dol.gov/whd/fmla/MilitaryFLProvisions.htm>

### VII. First Year Medical Leave of Absence (Non-FMLA)

An employee with a self-qualifying serious medical condition as defined under the FMLA, who is in his or her first year of employment, may request a leave of absence in the event he/she needs to be out of work for five (5) consecutive business days. Employees may take up to eight (8) weeks of leave within their first year of employment.



## LEAVE OF ABSENCE

Intermittent leave is not covered by this policy but may be provided as part of a response to a reasonable accommodation request related to a disability pursuant to the American's with Disabilities Act (ADA). Requests for disability related accommodations should be made to the Leave (LOA) Specialist via email to HR Service Center at [MyMagellan@MagellanHealth.com](mailto:MyMagellan@MagellanHealth.com).

The employee is expected to provide at least thirty (30) days' notice when requesting First Year Medical Leave of Absence. When an employee becomes aware of a need for leave less than thirty (30) days in advance, the employee must provide notice of the need as soon as reasonably practicable. Leave requests that are not submitted as soon as practicable may be denied.

Requests for leave are submitted to Magellan's Leave Administrator. Medical certification for the employee's health condition is required. The employee must respond to the request for certification within fifteen (15) calendar days. Failure to comply may result in denial of leave or denial of reinstatement from leave, creating an unauthorized leave of absence which may subject the employee to discipline in accordance with Magellan's Attendance and Punctuality policy, up to and including employment termination. Magellan's Leave Administrator reviews all medical certifications.

When the employee is medically unable to request leave, the employee should reach out to his/her manager and LOA Specialist.

If an incomplete medical certification is received, the employee will have seven (7) calendar days to resolve any deficiencies in the medical certification. If, after seven (7) calendar days, the identified deficiencies have not been resolved, the request for leave will be denied.

An employee who is taking First Year Medical Leave must use all accrued PTO time less two (2) days prior to being placed in an unpaid leave status. PTO time does not accrue during leave without pay (LWOP).

Employees who take a First Year Medical Leave do not have job restoration rights unless the leave is also approved as an accommodation under the ADA. However, Magellan will generally make efforts to reinstate the employee to the same position or a position with equivalent status, pay, benefits and other employment terms upon the employee's return before, or at the end of, the approved leave period.

Employees are expected to be able to return to work by the end of their approved leave. Prior to returning from leave, the employee must secure a release from his or her healthcare provider confirming the release to return to work as a condition to return to work and perform regular duties or set forth any restrictions, and submit the release to Magellan's Leave Specialist at least two (2) business days in advance of the expected date of return.

If the employee on leave is released to return to work sooner than the expected date listed on the certification, the employee must notify his/her manager within (2) business days of receiving the release. The employee must also notify Liberty Mutual that he/she has been released to work sooner than expected.

If the employee is released to return to work with restrictions, the employee must contact the Leave Specialist as soon as possible to determine whether the restriction can be reasonably accommodated.

If the employee is not released to return to work at the end of his or her leave and the employee has not been granted any additional leave, unless a continuation of leave has been granted as an accommodation under the ADA, employment ends as "unable to return from leave" effective the last day of the approved leave. Magellan will make every effort to complete accommodation

## LEAVE OF ABSENCE

determinations in a timely manner; however, accommodations which are being evaluated under the ADA may require time without pay until a decision to accommodate has been made.

Any employee who fails to return to work as scheduled after leave or who exceeds his/her leave period without extension(s) of the approved leave under appropriate leave provisions, may be subject to termination of employment pursuant to Magellan's Attendance and Punctuality policy.

Request for extensions should be submitted to Magellan's Leave Administrator before the expiration date of the leave. Medical leave shall be granted based on the statement from a health care provider that the employee continues to be medically unable to return to work. Each request for an extension of medical leave will be assessed individually.

Absences covered under Non-FMLA Medical leave will not be counted as occurrences of absenteeism under Magellan's Attendance and Punctuality policy. An employee may be subject to disciplinary action, up to and including termination, for any type of deception or dishonesty, including falsification of timekeeping or any other Company records.

### VIII. Bereavement Leave

- A. Employees are provided special paid leave in the event of a death in the family. The number of days of paid leave depends on the employee's relationship to the deceased person.
  - a. Immediate Relative is defined as spouse or domestic partner, children, parents, siblings, and others with whom a "child-parent" relationship existed. The guideline amount provided is up to four (4) days.
  - b. Close Relative is defined as grandparents or grandchildren. The guideline amount provided is up to two (2) days.
  - c. Other Relative is defined as aunts, uncles, nieces, nephews, cousins, or other blood relatives living in the employee's home. The guideline amount provided is one (1) day.
  - d. These definitions also apply to relatives of the employee's spouse or domestic partner.
- B. Requests for additional time off should be discussed with the employee's manager.
- C. Bereavement Leave is available to all full-time employees upon date of hire. Part-time employees will be adjusted equitably in proportion to the percentage of full time status worked or the number of days worked per week.
- D. In the event a death in the family occurs during an employee's approved leave, whether paid or unpaid, the employee is ineligible for bereavement leave during the period of approved leave.

### IX. Jury Duty Leave

- A. Magellan encourages employees to fulfill their civic responsibilities by serving jury duty when required. Regular full-time and part-time employees qualify for jury duty pay.
- B. Unless there are contractual differences or specifications otherwise, jury duty pay will be calculated on the employee's base pay rate multiplied by the number of hours the employee would otherwise have worked on the day of absence.
- C. Jury duty pay may not exceed fifteen (15) business days per calendar year.
- D. Either Magellan or the employee may request an excuse from jury duty if, in Magellan's judgment, the employee's absence would create serious operational difficulties.
- E. Employees are expected to report for work whenever the court schedule permits and to exercise their best efforts to facilitate the continuity of operations.

## LEAVE OF ABSENCE

### X. Military Leave

- A. Magellan will provide up to ten (10) business days paid leave per year at the employee's regular salary for Reserve and National Guard personnel involved in annual training or emergency military service upon receipt of documentation regarding the need for leave.
- B. For mandatory training/activation beyond ten (10) business days and at the employee's request, Magellan will provide for the use of available PTO and/or the use of unpaid leave with reinstatement in compliance with appropriate federal guidelines.
- C. In accordance with federal regulations under Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), an employee will ordinarily be eligible for reinstatement to the same or equivalent position held prior to departure for military service, provided the employee applies for reinstatement into the former position.
  - a. If reinstated to a formerly held position, a returning employee will be entitled to the same seniority, status and pay that would have occurred had military service not been required.
- D. Requests for leave related to providing care for an injured or seriously ill service member or veteran (Military Caregiver Leave) or to address personal matters related to deployment (Qualifying Exigency Leave) are covered under the Family and Medical Leave Act (FMLA). See the Military Family Leave section of this policy for more information.

### XI. Worker's Compensation

- A. Magellan provides a comprehensive Workers' Compensation Insurance program at no cost to employees. This program covers certain injuries or illnesses sustained in the course of employment that require medical, surgical, or hospital treatment. Subject to applicable legal requirements, Workers' Compensation Insurance provides benefits after a short waiting period or, if the employee is hospitalized, immediately.
- B. Employees who sustain work-related injuries or illnesses are required to inform their manager and the Human Resources Department immediately, or as soon as reasonably possible.
- C. In accordance with OSHA regulations, minor injuries not resulting in missed time from the work place must also be reported. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately.
  - a. To report a work related injury or illness, employees should contact the HR Service Center at ext 7MyHR (76947) or 1-888-411-6343.
- D. Work related injuries and illnesses are reported to and managed by a Third Party Administrator.
- E. If a work related injury or illness results in loss of time from work, leave under the FMLA, if applicable, will run concurrently with Worker's Compensation.

### XII. Disability Accommodation Process

- A. Magellan is committed to providing equal opportunity employment to qualified individuals with disabilities. Magellan agrees to employ, advance in employment and otherwise treat qualified individuals without regard to their disability in all recruitment and advertising efforts, hiring, upgrades, demotions, transfers, layoffs, terminations, rates of pay or other forms of compensation, benefits, and selection for training.
- B. As required by the ADA, Magellan provides reasonable accommodation to disabled employees and job applicants to permit them to perform the essential functions of their jobs in a safe and efficient manner. If an employee believes that he/she is in need of an accommodation in order to perform one or more primary functions of a job, it is the employee's responsibility to address the need(s) with his/her immediate manager and/or Human Resources.

**LEAVE OF ABSENCE**

**XIII. Disciplinary Leave of Absence**

- A. Employees may be placed on unpaid leave due to non-compliance with certain mandatory training requirements or, under some circumstances, as part of an investigation into a workplace incident.
- B. In collaboration with Magellan’s Employee Engagement team, the employee’s manager and the business unit leader will determine the length of the suspension and the method of communication to the employee about the suspension.

Associated Corporate Forms & Attachments (internal link(s) available to Magellan Health employees only)

List all corporate cited forms and attachments and italicize the names – write ‘None’ if applicable.

# # #