

## Frequently Asked Questions about FMLA, Leave Transition and Short Term Disability

### Family Medical Leave Act (FMLA)

#### **What is FMLA?**

The Family Medical Leave Act allows eligible employees to take up to 12 workweeks of unpaid leave during a rolling 12-month period for one or more of the following reasons: birth and care of a newborn child of the employee; placement with the employee a child for foster care or adoption; to care for an immediate family member's (spouse, child or parent) serious illness; or unable to work due to the employee's serious health condition. SCG authorizes paid leave consistent with SCG procedures & guidelines.

#### **How can I apply for FMLA?**

You can apply for FMLA and inquire about Short-term Disability (STD) coverage by contacting Sun Life at 1-877- Sun-FMLA (786-3652).

#### **Do I need to do anything after I place the call to Sun Life?**

Sun Life will send you a packet in the mail containing both FMLA and STD (if applicable) paperwork. You will need to follow the instructions and return the requested documentation to apply. For any workplace absence you must contact your supervisor in accordance with the applicable Sarasota County Government Human Resources Procedures and Guidelines and/or applicable collective bargaining agreement.

#### **What if I am currently on FMLA or have an already approved intermittent FMLA?**

If you have been approved for a current FMLA leave your approval has been communicated to Sun Life. If you require any extensions to your FMLA event please contact Sun Life directly.

#### **Who does this FMLA change in administrator apply to?**

All BCC employees including bargaining unit employees as well as employees of the Clerk of the Court and the Supervisor of Elections.

### Short Term Disability (STD)

#### **What is the Short Term Disability (STD) program?**

Short Term Disability replaces 70% of your income (up to \$3,000 bi-weekly) for up to 83 days (90 days less the waiting period) should you be unable to work as a result of an approved off duty illness or disability.

#### **When is the STD program effective?**

STD will become effective on 09/13/08 for all full-time, BCC non-bargaining, Clerk of the Circuit Court and Supervisor of Elections employees who are actively at work on the effective date. If 09/13/08 is not your regularly scheduled work day (see language I used in the articulate presentation) you will need to be actively at work on your regularly scheduled work day prior to and after 09/13/2008.

**Who is eligible for STD and what are the premiums?**

BCC non-bargaining employees, Clerk of the Circuit Court and Supervisor of Elections employees will have this new county-paid benefit. There is no cost to the employee for this benefit.

**How do I apply for STD?**

You can apply for STD and/or FMLA by contacting Sun Life at 1-877- Sun-FMLA (786-3652).

**How will I receive benefits if approved?**

Your approval will be communicated to payroll and your benefits will be received in your regular paycheck, coded as short-term disability.

**Can I apply if I am currently out of work due to an illness or injury on 09/13/2008?**

No. You will not be eligible for STD coverage until you return to work. FMLA may or may not apply depending on your circumstances.

**Are Workers' Compensation injuries covered under STD?**

Workers' Compensation claims are not covered under STD and the two programs cannot be used in combination.

**What is the waiting period before STD benefits begin?**

The waiting period is the first 7 calendar days of your leave. During this time benefits are not payable.

**Can I use leave time during the waiting period and while receiving benefits to make up the difference between the benefit and my full salary?**

Yes, you can use leave time to cover the waiting period and to make up the difference between the STD benefits and your full salary. For example if you work 8 hours a day, you would receive 5.6 hours of STD benefits if approved. You could then supplement 2.4 hours of your leave time to get paid for a full 8 hour day. Leave time used along with the STD benefits will be approved based on Sarasota County Government Human Resources Procedures and Guidelines.

**What happens if my leave exceeds the STD maximum of 83 days?**

In addition to STD, Sun Life also administers the county's Long Term Disability (LTD) program. Sun Life will assist you in applying for LTD benefits.

**Sick Pool**

**I'm a Sick Pool member - what happens to the 40 hours I donated to join?**

If you are an active member of the sick leave pool (non-bargaining unit employees) and have not previously exhausted your benefits prior to the effective date of 9/13/08, you will have the 40 hours that you previously donated to join the pool credited to Bank B (Extended Illness Bank).

**What happens if I am receiving Sick Pool benefits on 09/13/08 when the STD plan begins?  
Will my benefits be converted to STD?**

No. Remaining eligible sick pool benefits will be paid out according to the policy. Upon returning to work, you will be eligible to participate in the STD program and no longer eligible for future Sick Leave Pool benefits.

**I am in a bargaining unit - what will happen to my Sick Pool contributions?**

Sick Leave Pool benefits will remain in effect for members of the bargaining units until such times as the STD benefit is negotiated with the union and included into the collective bargaining agreements. Please review your collective bargaining agreement or speak with your representative for specific details.

Traditional Leave to Universal Leave

**What is happening to Traditional Leave and who will be affected?**

All non-bargaining BCC and Supervisor of Elections employees will be converted to Universal Leave effective 09/13/2008. All annual (vacation) leave balances, and up to 40 hours of sick leave, will be transferred to Universal Bank A. Employees with at least 10 years of service have the option of taking a one-time, 50% cash payout of the remaining Sick Leave balance or transferring remaining balance into Bank B (please note that Bank B balances are not eligible for a cash payout upon separation of service).

**How is it possible for County to be able to afford this when we have budget issues?**

The county has reserved funds for the sick leave liability for each employee in anticipation of payment at separation.

**When will the 40 hours of sick leave be transferred to Universal Bank A?**

If available, up to 40 hours of sick leave will be transferred to Universal Bank A first, then 50% of the remaining sick leave hours will be paid out.

**What if I previously transferred to Universal Leave and have a Bank C balance?**

If you have at least 10 years of service, you have the option of taking a one-time, 50% cash payout of your Bank C balance or you may transfer the entire Bank C balance into Bank B (please note that Bank B balances are not eligible for a cash payout upon separation of service). If you have less than 10 years of service you may elect either of the above options upon reaching 10 years of service.

**What is Universal Bank B and when can it be used?**

Bank B is an extended illness account that can be used for illnesses that extend beyond five days or begin with admission to a hospital or outpatient facility. Bank B can also be used to supplement the Short Term Disability benefits. Please review the Sarasota County Government Human Resources Procedures and Guidelines for a complete definition.

**Is a form required to complete the leave transition process?**

Yes, the form is available on the TPM website at <http://tpm.scgov.net/LeaveandDisability.aspx>. The completed form is due **no later than** September 1, 2008.

**Can I change my withholding before the payout to reduce the amount of taxes withheld?**

Yes. Withholding change forms must be submitted to Payroll prior to September 10, 2008 for the change to be effective before the payout.

**If I turn in my form before September 1, 2008 can I get my payout earlier than September?**

No. All payouts will be processed with the September 19, 2008 paycheck.

**Is this cash payout going to be reported so that my FRS Average Final Compensation (AFC) will be increased?**

No. Per FRS rules, sick leave payouts do not add to AFC, only vacation payouts.

**Can I have my leave payout put in my 457 deferred comp plan?**

Yes you will need to complete a form and return it to payroll by September 1<sup>st</sup> to ensure your request is processed. Deferred Compensation providers will be available to assist with paperwork for those interested in contributing all, or a portion of their payout to a 457 plan within the annual allowed limits. Meet with Deferred Comp representatives on any of the dates below:

- August 7 - 1301 Cattleman Rd., Conference Room A 2nd Floor - 10:30 a.m. - 12:30 p.m.
- August 7 - BOB (1001 Sarasota Center Blvd), Conference Room 8 - 2:00 p.m. - 4:00 p.m.
- August 14- RL Anderson (4000 S. Tamiami Trail) SC Chambers 9:00 a.m. -11:00 a.m.
- August 27 - Administration Center (1660 Ringling Blvd), 2nd Floor A/B conference Room - 3:00 p.m. - 5:00 p.m.

**Can I cash out my Bank B in the future?**

Bank B hours are not available for payout in connection with leave transition or upon separation from employment.

**How do I know what leave plan I am on?**

Non-bargaining employees hired on 01/01/1999 or later are in the Universal Leave program. Employees hired prior to 1999 may be participating in the Traditional Leave program. ATU, IAFF and Teamster employees should refer to your collective bargaining agreement for leave plan information. If you are not sure what leave program you are in please contact your TPM service Advisor at 861-5353 or [Asktpm@scgov.net](mailto:Asktpm@scgov.net)

**When will my transferred hours show up in Kronos?**

Transferred time will begin showing up during the last pay period of September.