



THE ROMAN CATHOLIC
ARCHDIOCESE OF NEWARK

Reporting a Family Medical Leave Claim:

1. Report your FMLA qualifying absence to your employer per the normal attendance policy. Failure to contact your supervisor may result in a policy violation.
2. Call CareWorks USA, toll-free, at 1-888-436- 9530. Failure to contact CareWorks USA may result in a delay or denial of your claim.
3. Complete and return information provided to you as soon as possible.

CareWorksUSA



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Contact CareWorks USA regarding FMLA should you have the need for a leave of absence due to:

- Your own serious health condition preventing you from performing your job.
- Care of an immediate family member with a serious health condition.
- Birth or adoption of your child.
- Care of a spouse, child, parent or next of kin with a serious injury or illness incurred or exacerbated within 5 years of active duty in the armed forces.
- Qualifying exigency arising out of the fact that an immediate family member is on active duty in the Armed Forces or is deployed to a foreign county.
- A workers' compensation injury causing you to miss more than 3 days of work.

Follow these three easy steps when filing an FMLA claim:

1

Report your FMLA qualifying absence to your employer per the normal attendance policy.

Failure to contact your supervisor may result in a policy violation.

2

Call CareWorks USA, toll-free, at 1-888-436-9530.

Failure to contact CareWorks USA may result in a delay or denial of your claim.

3

Complete and return information provided to you as soon as possible.

CareWorksUSA

CareWorks USA
5555 Glendon Court
Dublin, Ohio 43016
P.O. Box 182808
Columbus, Ohio 43218-2808
1-888-436-9530
Fax 1-888-436-9535



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Employee's Guide to Reporting a Family Medical Leave Act (FMLA) Claim

Administered by

CareWorksUSA

1-888-436-9530

Your FMLA Benefits

As an employee, you may be entitled to a medical leave of absence under the Family Medical Leave Act (FMLA).

If you have a need for leave for an FMLA qualifying event, you are required to report your leave to CareWorks USA. Employees cannot waive their right to FMLA.

Your eligibility for FMLA leave is based upon certain guidelines and must be certified by your doctor. FMLA leave provides job protection should the need for you to take a leave of absence arises.

Employees are required to notify their employer of the need for FMLA leave due to:

- Your own serious health condition that prevents you from being able to perform your job.
- Your spouse, child or parent's serious health condition preventing you from being able to perform your job.
- The birth or adoption of your child.
- Care of a spouse, child, parent or next of kin with a serious injury or illness incurred or exacerbated within 5 years of active duty in the Armed Forces.
- Qualifying exigency arising out of the fact that a spouse, child or parent is on active duty in the Armed Forces or is deployed to a foreign country.

If the need for medical leave is foreseeable, for example, if you know you'll miss work due to scheduled surgery, please notify CareWorks USA 30 days in advance.

If the need is unforeseeable, please notify CareWorks USA within two (2) days of the date you become aware of the need for leave.

Who Qualifies for FMLA?

- Employees who have been employed with their employer for 12 months or more AND
- Have worked 1250 hours preceding the date of requested leave AND
- Have Available FMLA hours AND
- Have a Qualifying condition/reason certified by a health care provider.

What if I am not sure if I have a qualifying condition?

If you are not certain your situation would qualify, here are some general guidelines on when you should contact CareWorks USA regarding FMLA:

- Having an absence of more than 3 days for medical reasons and/or family care.
- Continued absences for the same reason and/or condition.
- Continued absences for a qualifying family member.
- Multiple doctor visits and/or treatment.

Reporting Your Absence

If there is a need for family leave, filing a claim for Family Medical Leave (FML) is as simple as one toll-free phone call, 24 hours per day, 7 days a week to:

1-888-436-9530

CareWorks USA's intake specialists will ask you questions such as:

- What is your illness or injury?
- How long do you expect to be off work?
- What is the name of your doctor?

You will also be asked to sign and date the authorization to release medical information for your claim and give it to your doctor.

You will receive a packet of information you will need to complete and return to CareWorks USA.

Your leave will not be approved until the information is received. Returning the information as quickly as possible will expedite your claim.

The Claim Process

Once your claim is reported, CareWorks USA will follow up with your Employer to ensure timely and accurate processing.

A CareWorks USA claim representative will maintain contact with you while on medical leave and assist you throughout the process.



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Family and Medical Leave of Absence Program

Follow these three easy steps when filing a
Family Medical Leave Act (FMLA) claim:

1

Report your FMLA qualifying absence to your
employer per the normal attendance policy.

Failure to do so may result in a policy violation.

2

Contact CareWorks USA, toll free, at
1-888-436-9530 immediately following step 1.

*Failure to contact CareWorks USA
may result in a delay or denial of your claim.*

3

Complete and return information provided
to you as soon as possible.

**Please note, FMLA will run concurrent with
workers' compensation, short term disability,
paid time off and sick time per policy.**

CareWorksUSA

1-888-436-9530

FMLA Services Administered by CareWorks USA.



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CareWorksUSA

Questions & Answers on Family Medical Leave Administration and CareWorks USA

1. Do I have to call CareWorks USA each time I am absent?

If you are or expect to be absent for more than 3 days due to an FMLA qualifying reason, YES, you must contact CareWorks USA as soon as you know of the absence. Once you are approved for a defined period of FMLA, you need not call in except if the expected duration of your approved leave changes.

If you are on approved INTERMITTENT Family Medical Leave, you are expected to call CareWorks USA each time you are absent for approved intermittent FMLA.

If you are absent from your job for reasons not related to FMLA (i.e. child care issues {non-military related}, your car won't start, or you have a onetime brief illness that does not qualify for FMLA) you are not required to call CareWorks USA as these absences are directly managed by your employer and will be applied to your normal attendance policy. However, when in doubt, please call CareWorks USA and they will instruct you appropriately.

Qualifying Leaves

- Your own serious health condition preventing you from performing your job.
- Care of an immediate family member with a serious health condition.
- Birth or adoption of your child.
- Care of a spouse, child, parent or next of kin with a serious injury or illness incurred or exacerbated within 5 years of active duty in the armed forces.
- Qualifying exigency arising out of the fact that an immediate family member is on active duty in the Armed Forces or is deployed to a foreign county.
- A workers' compensation injury causing you to miss more than 3 days of work.

2. What if I do not call CareWorks USA?

If you do not contact CareWorks USA to report your qualified FMLA absence, you may experience a delay or denial of your protections under the FMLA. Approval of Sick Leave does not initiate an approved Family Medical Leave.

3. Should I still call my supervisor if I need to be absent from my job?

Yes, any time you are or expect to be absent from your job, you still need to call your supervisor so that your time off is properly accounted for and your department can make arrangements for your job duties.

4. I understand my own physician provides medical certification to substantiate my FMLA. Can CareWorks USA override my physician's statement?

CareWorks USA will not override your personal physician's statement; however they may ask your physician for additional or clarifying information in order to approve leave time based on the qualifying condition(s).

5. Whose responsibility is it to ensure all the paperwork is completed?

It is ultimately your (the employee's) responsibility to make sure the paperwork is completed by your health care provider and returned to CareWorks USA prior to the applicable deadline.

6. I received a medical release form in my CareWorks USA packet. Do I need to sign this form in order for my leave to be approved?

Signing the provided medical release will assist CareWorks USA in obtaining the necessary medical information from your provider to make a determination on a claim with little or no delay. Signing the release is optional to you and is intended to expedite the leave approval process.

7. Who do I return the completed medical certification forms to?

Either you or your health care provider should return forms to CareWorks USA via mail or fax. Medical forms are not to be returned to your employer.

8. Do I have to submit a doctor's note each time I take intermittent FMLA?

No, unless you exceed the frequency and duration as previously approved by CareWorks USA. Should you exceed the frequency and duration of leave or the circumstances of your leave changes, you may be asked to provide additional medical certification.

9. Can I take FMLA in less than whole day increments?

Yes, FMLA can be taken in whole day, half day, hours or minutes.

10. How often do I have to re-certify for a lifelong condition?

Generally, every 6 months unless the circumstances surrounding your need for leave changes (i.e. you exceed the frequency and duration previously certified by your health care provider).

11. Why has my employer decided to outsource the administration of Family Medical Leave?

- To assure compliance with increasingly complex federal regulations and tracking requirements.
- To better manage the FMLA policy with a more efficient and streamlined process.
- To protect the confidentiality and integrity of the medical information necessary for the administration of FMLA.
- To assure employees are returned to their job duties promptly and with full release from their physician if applicable.

12. What are the hours we can call CareWorks USA?

You can call CareWorks USA 24 hours a day, 7 days a week (1-888-436-9530). During CareWorks USA's call center hours of 7:00 a.m. to 8:00 p.m. weekdays, you will speak to a leave application intake representative. After hours and on weekends, you have the opportunity to leave a voicemail message and expect a return call within 24 hours or you can be transferred to CareWorks USA's answering service that will take your call and instruct the leave intake representative to return your call within 24 hours.

13. Where is CareWorks USA located?

CareWorks USA's headquarters are located in Dublin Ohio, a suburb of Columbus. All calls will be answered by someone in Ohio.

14. Is my medical information secure with CareWorks USA?

Yes, CareWorks USA is HIPPA compliant and will maintain the privacy of your medical information. In addition, CareWorks USA does not have access to your entire medical record. They only request supporting medical information to substantiate the reason(s) for which your physician has indicated you need to be absent from your job and/or work a reduced work schedule or transition duty.

15. Will I receive payment while on a Family Medical Leave?

FMLA is an unpaid job protection and does not provide compensation during your leave period. If you qualify for Short Term Disability or Workers' Compensation benefits you may receive these payments during your leave.

16. Who do I contact with questions about my FMLA application or whether I am qualified for FMLA?

Contact CareWorks USA at 1-888-436-9530.

EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY AND MEDICAL LEAVE ACT

Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- for incapacity due to pregnancy, prenatal medical care or child birth;
- to care for the employee's child after birth, or placement for adoption or foster care;
- to care for the employee's spouse, son, daughter or parent, who has a serious health condition; or
- for a serious health condition that makes the employee unable to perform the employee's job.

Military Family Leave Entitlements

Eligible employees whose spouse, son, daughter or parent is on covered active duty or call to covered active duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is: (1) 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 (2) a veteran who 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, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.*

***The FMLA definitions of "serious injury or illness" for current servicemembers and veterans are distinct from the FMLA definition of "serious health condition".**

Benefits and Protections

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least 12 months, have 1,250 hours of service in the previous 12 months*, and if at least 50 employees are employed by the employer within 75 miles.

***Special hours of service eligibility requirements apply to airline flight crew employees.**

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and

a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

- interfere with, restrain, or deny the exercise of any right provided under FMLA; and
- discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulation 29 C.F.R. § 825.300(a) may require additional disclosures.



For additional information:
1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627
WWW.WAGEHOUR.DOL.GOV

U.S. Department of Labor | Wage and Hour Division



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