

Frequently Asked Questions

Family Leave Policy Changes

- 1. If there is a break in my RCUH service, will I be eligible for Family Leave?**
 - Under the Hawaii State Family Leave Law (HFLL), you will need to have completed at least six months of continuous service. The leave period is up to four weeks of family leave every “12 month rolling period.”
 - Under the Federal Medical Leave Act (FMLA), you will need to have completed at least twelve months of employment with the RCUH (need not be consecutive twelve months) and completed at least 1,250 hours of service with the RCUH during the 12 month period preceding the leave. The leave period is up to twelve weeks every “12 month rolling period.”
 - NOTE: If you qualify for both HFLL and FMLA, you will be required to run both leaves concurrently.

- 2. If RCUH changes the policy and I give birth in November or December, if you change the policy effective 01/01/2014 will I be eligible for another 12 weeks?**
 - Yes. Starting 01/01/2014, RCUH will go on a 12-month calendar year. Therefore, the FMLA clock will be reset on January 1 of every year and you will be recharged 12 weeks of family leave (480 hours).

- 3. We get 14 hours of sick and vacation each month (on a 100% FTE basis), is Family Leave another form of paid leave?**
 - Family Leave is a job protected leave that enables an employee the ability to balance their work and family life by taking reasonable paid/unpaid leave (ie. Vacation and/or sick leave) for reasons outlined in question #4 below.

- 4. So am I eligible for Family Leave?**
 - Please refer to question #1 above. Family leave is taken for the following reasons:
 - State (HFLL): Birth of adoption of employee’s child, to care for an employee’s child, spouse/civil union partner or reciprocal beneficiary, parent, parent in law, stepparent, legal guardian, grandparent, or grandparent in law with a serious medical condition:
 - Federal (FMLA): For incapacity due to pregnancy, prenatal medical care or childbirth, for birth of a child and to care for the

newborn or placement of a child for adoption or foster care, to care for the employee's spouse, son or daughter, or parent, who has a serious health condition, or for a serious health condition that makes the employee unable to perform their job, or to take Military Family Leave because of a qualifying exigency, or to care for a covered service member.

5. If you qualify for State Family Leave, do you use Sick Leave first?

- As of January 1, 2014: Employees can use available sick leave for the first 2 weeks (10 working days); then the employee may use available vacation leave (until exhausted). The remaining family leave period is unpaid (i.e. leave of absence without pay).
- In lieu of available sick leave or available vacation leave, the employee may request to use leave of absence without pay during the entire or portion of the 4-week entitlement.

6. For care of a child, does the child have to be a minor?

- State Law: There is no age limit for a "Child" whom can be covered under the State Family Leave Law.
- Federal Law: FMLA leave for reasons other than military caregiver leave or qualifying exigencies:
 - "Child" must be under the age of 18 years' or a son or daughter 18 years or older who is incapable of self-care due to a mental or physical disability.
 - FMLA leave for military caregiver leave or qualifying exigencies: There is no age limit for a "Child" whom can be covered.

7. What happens to your benefits while on Family Leave?

- If you are on PAID family leave: Health Insurance is maintained.
- If you are on UNPAID family leave: If the employee's cost share of the monthly health insurance premiums cannot be deducted from the employee's payroll due to insufficient funds, the employee may maintain health insurance provided the employee submits timely payment to RCUH Human Resources for the employee's share of the monthly premium.
- Long Term Disability, Long Term Care and Life Insurance coverage will be continued during periods of paid and unpaid family leave.