Frequently Asked Questions (FAQs)

GENERAL

Q: Where can I find more information about taking a leave of absence?
A: The Human Resources website provides detailed information about what you should do before, during, and after a leave of absence. We ask that you review this site if you are considering a leave of absence: https://hr.depaul.edu/Benefits/Health_Welfare/Leave/index.html

Key University Policies that may apply to a leave of absence include:
- Family and Medical Leave Act (FMLA) http://policies.depaul.edu/policy/policy.aspx?pid=187
- Personal Leave of Absence http://policies.depaul.edu/policy/policy.aspx?pid=201

These policies can be accessed from links on the Leave of Absence website listed above or at the University Policies and Procedures web site at http://policies.depaul.edu/

Q: What is the university’s maternity leave policy?
A: There is no separate maternity leave policy; the employee may qualify for FMLA and short-term disability.
- Family and Medical Leave Act (FMLA) http://policies.depaul.edu/policy/policy.aspx?pid=187

Q: Does the university have paternity leave?
A: There is no official paternity leave policy; however, an employee may qualify for unpaid FMLA to take care of a newborn or family member.
- Family and Medical Leave Act (FMLA) http://policies.depaul.edu/policy/policy.aspx?pid=187

Q: Is it my responsibility to inform my manager of my leave?
A: Yes, it is the employee’s responsibility to notify their managers of a foreseen leave of absence. If unforeseen, the notification of illness should be made to an employee's supervisor as soon as possible and at least within one (1) hour of the start of the scheduled workday http://policies.depaul.edu/policy/policy.aspx?pid=194. The employee is not required to discuss the specifics of illness or medical leave with his/her manager or department the nature of the medical leave.

Q: Do my benefits continue while I am on an approved leave of absence?
A: Most benefits may continue while on an approved leave of absence as long as the employee pays the appropriate premium level and the employee continues to be eligible for the benefits. The exception is the dependent care flexible spending account. While on leave, participation in the dependent care flexible spending account will automatically cease as of the date the leave of absence begins.
Q: Do my benefits continue while I am on a paid leave of absence?
A: If you are receiving pay under any of the university policies for sick pay, short-term disability or vacation during your leave of absence your benefits continue during the leave (with the exception of the dependent care flexible spending account). Regular employee premium deductions and contributions will continue through payroll deduction.

Q: Can I stop my contributions to my Health Care Flexible Spending Account while I am on a paid leave of absence?
A: You may elect to discontinue your participation in Health Care Flexible Spending Account – but you must do so within 31 days of the commencement of the leave. If you elect to discontinue participation in your Spending Accounts, your participation ends at the end of the month following your last active pay period. Expenses incurred during the leave after your participation ends are not eligible for reimbursement.

If you elect to stop Health Care Flexible Spending Account contributions, you will need to re-elect participation in that program upon your return from leave.

Q: Can I stop my contributions to my 403b Retirement Plan while I am on a leave of absence?
A: Faculty and staff can change or stop retirement plan and Health Savings Account contributions at any time.

Q: Do my benefits continue while I am on an unpaid leave of absence?
A: If you are not eligible to receive pay under any of the university policies for sick pay, short-term disability or vacation, the leave will be unpaid and you are responsible for paying the employee contribution amount for those benefits that require an employee contribution. This can be done on an after-tax basis by personal check and forwarding such payment to the Human Resources department or by arranging pre-payment via pre-tax (if appropriate) deductions prior to the leave.

Q: Can I stop my contributions to the transportation program while I am on a leave of absence?
A: Faculty and staff can change or stop transportation program contributions at any time.

Q: Can I stop my contributions to the Health Savings Account (HSA) while I am on a leave of absence?
A: HSA contributions will be suspended during an unpaid FMLA leave. An employee may make Health Savings Account post-tax contributions directly to his or her HSA account. Upon an employee’s return from unpaid leave, contributions that have been suspended by Human Resources will re-start automatically.

Q: How do I reinstate my benefits once I return to work?
A: If you choose to discontinue any benefits while on leave, you may need to re-enroll upon your return to work. Contact the Benefits Department at ext. 28232 for more information immediately upon return to work.

Q: What happens if a performance review or salary increase is scheduled during the time I am on leave?
A: If you are on an approved leave of absence, the review and/or increase will be postponed until you have returned to work.

Q: Who can I contact if I have questions about taking a leave of absence?
A: You can contact the Benefits Department at ext. 28232.

FAMILY MEDICAL LEAVE ACT (FMLA)

Q: What is Family Medical Leave Act (FMLA)?
A: FMLA is a federal law that allows eligible employees to take up to 12 work weeks (up to 26 workweeks to care for a covered service member) of unpaid, job-protected leave for specified family and medical reasons.

In general, an employee who takes approved FMLA leave is entitled to be reinstated to the same or an equivalent position that the employee held when the leave started. If, at the time an approved FMLA leave is exhausted, an employee does not return to work or is unable to perform the essential functions of the job, there is no right to job restoration.

Q: Who is Eligible?
A: All faculty and staff who have one year of service (consecutive or nonconsecutive) and have worked a minimum of 1,250 hours during the 12-month period preceding the start of the leave are eligible.

Q: How do I apply for FMLA leave?
A: The first step is to inform your manager of a need for a leave of absence. If the absence is expected to or has exceeded five work days, contact Liberty Mutual (DePaul’s leave administrator) at 1-800-341-0593. Liberty Mutual will send you instructions and forms to complete if necessary, including any medical certifications. If you also qualify for short-term disability leave, the leaves will run concurrently.

Q: How long can I be on an FMLA leave?
A: Employees are eligible for up to 12 workweeks (up to 26 workweeks to care for a covered service member) of unpaid family and medical leave during each consecutive twelve-month period for which eligibility criteria have been met. FMLA leave can either be taken as a block of time or intermittently. For additional information about intermittent leave contact the Benefits Department at ext. 28232.

What will be my pay when I am on FMLA leave?
A: FMLA leave is unpaid. You may qualify for short-term disability that will run concurrently with FMLA. If short-term disability is not available, you may use accrued sick, vacation or floating holidays during your FMLA leave. If an employee on FMLA leave is not eligible to receive pay under any of the university policies for sick pay, short-term disability or vacation, the leave will be unpaid.

Q: What if I need more than 12 weeks of leave?
A: You may also qualify for short-term disability leave. When you contact Liberty Mutual (DePaul’s leave administrator), you will receive information about applying for both FMLA and short-term disability leave. If you qualify for both, they will run concurrently but only 12 weeks is job-protected leave for specified family and medical reasons.

Q: What happens when I exhaust FMLA?
A: Once FMLA is exhausted and an employee is not able to return to work or is unable to perform the essential functions of the job, there is no right to job restoration.

**Q: Do I have job protection if I exhaust or don’t qualify for FMLA?**
A: No.

**Q: What happens if my FMLA expires and I’m still on short-term disability?**
A: Once an employee exhausts the 12 weeks of FMLA, he/she may continue on short-term disability if deemed medically necessary by the physician. This means he/she will continue to receive short term disability benefits but job protection will no longer be available and the job may be posted. If the department decides to fill the position, once the employee is ready to return to work they must apply for any available jobs like any other job candidate.

**SHORT-TERM DISABILITY**

**Q: What is short-term disability leave?**
A: Short-term disability is DePaul’s salary continuation program and can run for up to 26 weeks for an employee if the employee has a medically necessary leave of absence.

**Q: Who is eligible?**
A: Full-time faculty and staff with at least 6 months of cumulative full-time service are eligible for short-term disability.

**Q: How do I apply for short-term disability?**
A: The first step is to inform your manager of a need for a leave of absence. If the absence is expected to or has exceeded five work days, contact Liberty Mutual (DePaul’s leave administrator) at 1-800-341-0593. Liberty Mutual will send you instructions and forms to complete if necessary, including any medical certifications. If you also qualify for FMLA leave, the leaves will run concurrently.

**Q: How long can I be on short-term disability?**
A: Up to a maximum of 26 weeks (including the 2 weeks of sick pay for hourly employees) as long as the leave is medically necessary. The duration of short-term disability is determined by the physician.

**Q: What will be my pay when I am on short-term disability?**
A: For the duration of approved short-term disability,
- Weeks 1-2 = 100% of covered base salary if using accrued sick time. If sick time is not available, this time period will be unpaid.
- Weeks 3-14 = 100% of covered base salary
- Weeks 15-26 = 60% of covered base salary

**Q: How do hourly employees report their hours while on short-term disability?**
A: An hourly employee needs to enter their own accrued sick time during the first 10 work days of an approved short term disability leave. If sufficient accrued sick time is not available, the employee may use accrued vacation days. After the first ten work days, Human Resources will enter short-term disability hours for the remaining duration of the short term disability leave.

**Q: What happens when my short-term disability expires and I am not able to return to work?**

A: If an employee is not able to return to work on the expected return to work date, the employee must contact Liberty Mutual (DePaul’s leave administrator) at least five days prior to the original intended return to work date in order to have the leave extended.

**Q: What happens if I exhaust all of my short-term disability and I am not able to return to work?**

A: As you approach the 26th week of short-term disability you may want to consider applying for long-term disability. For more information about long-term disability, contact the Benefits Department at ext. 28232.