

Checklist: Before You Take a Leave of Absence



Preparing for time away from work for a medical condition, or to care for a loved one? Here are a few steps you can take to help protect your job and replace a portion of your income.

1. Find out if you're eligible for Family and Medical Leave Act (FMLA) leave

Under the FMLA, you may be able to take a job-protected, unpaid leave of absence from work. Two important things to know:

1. Your employer must provide FMLA if it has at least 50 employees on its payroll.
2. You are eligible for leave if you have worked for your employer for at least a year, and for at least 1,250 hours in the year before you want to start your leave.

2. Find out if your leave reason is covered

FMLA leave isn't available for every personal, medical, or caregiving need. Under the FMLA, you may take leave only for the following reasons:

- to care for your own serious health condition
- to care for a family member with a serious health condition
- to bond with a new child (birth, adoption, foster care), or
- for military family needs

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3. Find out if/how much you will be paid during leave

While the FMLA provides job protection during leave, it does not provide pay. You'll need to work with your employer to find out if you can use paid time off during your leave. If you have disability income insurance, it provides you with benefits to replace part of your paycheck when you can't work because of a sickness or injury. You may need to meet certain conditions to be eligible for benefits, such as completing a waiting period and you'll want to know what percentage of your income is replaced and for how long. A complete description of benefits, limitations, exclusions and termination of coverage will be provided in the certificate of insurance and riders.

4. Let your manager or employer know that you need to take time away

Provide as much advance notice as possible. For example:

- If it's a planned event taking place in the future, such as childbirth or recovery from surgery, you must give your employer at least 30 days' notice. Then, if your leave circumstances change, provide as much advance notice as possible.
- If it's an unforeseeable reason, such as a medical emergency or accident, tell your employer as soon as you can.

5. Provide your employer with the information they need

Employers are allowed to ask for more details if they are uncertain whether the FMLA applies. For example:

- If you say you will need three weeks off to help your mother, your employer might ask what type of help you are providing. If you are taking care of her following surgery, you are likely eligible for FMLA leave. If you are helping her move, you can't use the FMLA.
- If you are using the FMLA for a serious health condition or for military family leave, your employer may request a medical certification: a written statement completed by you, a health care provider, or both, that provides some basic information about your need for leave.

6. Work with your employer on a plan to minimize disruption

Under the FMLA, you're required to make a reasonable effort to schedule your leave in a way that will not disrupt your employer's operations. If your leave is intermittent (a few hours or days at a time, rather than all at once), your employer may ask you to create a schedule that meets your needs while also working around the company's legitimate requirements. Your health care provider must approve any changes.

7. Arrange to pay your health insurance premiums

The FMLA requires your employer to continue your group health coverage during your time off. Your employer will continue to pay premiums as usual; however, since your share of the premium is normally taken out of your paycheck, you may need to take additional steps to keep your coverage up-to-date. Reach out to your employer to learn more.

8. Find out if you'll need to provide a fitness-for-duty certification

FMLA leave is designed to protect your job—ensuring that you can return to the same or an equivalent position when returning from leave. If it was a medical leave, however, your employer may ask you to provide a fitness-for-duty certification: a signed statement from a health care provider declaring that you are able to return to work. Your employer must let you know about this requirement when you request the leave. That way, you can present the certification form to your health care provider on your final visit before returning to work, to avoid any delay in reinstatement.

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