

Leaves of Absence:

Postdoctoral fellows may need to take time away from Mount Sinai for an extended period of time to attend to personal matters or illness. A Leave of Absence may be available to provide the flexibility needed to maintain the relationship with Mount Sinai while taking care of these personal concerns or illness. Postdoctoral fellows may be eligible for leaves of absence equivalent to entitlements of employees. Such leave may be either paid or unpaid. Failure to comply with the School's leave policies and procedures may result in the delay or denial of the postdoctoral fellow's request for leave and/or disciplinary action.

A. Overview

Family Medical Leave of Absence (FMLA) (postdoctoral fellows will receive the equivalent entitlement provided to employees). Postdoctoral fellows may be entitled to up to twelve (12) weeks leave of absence for certain family and medical reasons during a 12 month period. To be eligible, the postdoctoral fellow must have been in the institution for at least twelve (12) months and have worked at least 1250 hours. FMLA may be granted for any of the following reasons:

- (1) due to the birth, adoption, care for a newborn (newborn is defined as birth up to one year) or placement of a child;
- (2) due to care for a child, parent, or spouse with a documented serious health condition;
- (3) due to the postdoctoral fellow's own serious health condition;
- (4) Qualifying exigent circumstances due to the fact that an eligible employee's spouse, son, daughter or parent is either on active duty or is on call for such covered duty in a foreign country in the Armed Forces, National Guard or Reserves.

Paid Family Leave of Absence (NYPFL) (postdoctoral fellows will receive the equivalent entitlement provided to employees).

Beginning on January 1, 2018, the New York Paid Family Leave Law ("NYPFL") provides eligible employees in New York with paid, job protected leave for certain family and medical reasons or to address certain qualifying exigencies arising out of the fact that the employee's spouse, domestic partner, child or parent is on or has been called to active duty status as a member of the Armed Forces, National Guard or Reserves. New York Paid Family Leave ("NYPFL") benefits are funded by statutory employee payroll contributions, which are based on a percentage of the employee's average weekly wage.

General Provisions and Eligibility- Employees who are regularly scheduled to work 20 or more hours per week will become eligible for NYPFL benefits after 26 consecutive work weeks of employment. Employees who are regularly scheduled to work fewer than 20 hours per week will become eligible for NYPFL benefits after the 175th day worked. Approved vacation, sick, personal or other time away from work (except for a period of temporary disability under the New York Short Term Disability Law) is counted toward the 26-week or 175-day eligibility requirement, provided that the employee continues to make contributions to the cost of NYPFL benefits during that time.

Reasons covered by the NYPFL:

- (1) To bond with a newborn child within the first 52 weeks after the child's birth;
- (2) Placement of a child with the employee for adoption or foster care, and to bond with that child within the first 52 weeks after the placement;
- (3) To care for a covered family member with a serious health condition as defined by law; and
- (4) Qualifying exigencies arising out of an employee's spouse, domestic partner, child or parent being on or called to active duty status as a member of the Armed Forces, National Guard, or Reserves.

Postdoctoral fellows who are planning on taking short term disability, including a maternity leave, Family Medical Leave (FMLA) or New York Paid Family Leave (NY PFL) must notify their PI and department administrator or designee at least 30 days in advance, or as soon as possible, and file a claim with Aetna.

(1)- Notify your PI and file the claim with Aetna 30 days in advance, if applicable, by either calling (888)714-4380 or filing online at www.aetnadisability.com

(2)- Aetna will mail, or email, a package for you and your provider to complete and return.

(3)- Aetna will notify your PI that you will be going out on a leave with instructions for the PI to initiate the leave in the Human Resources/Payroll System.

(4)- Aetna will contact payroll for information regarding your salary history.

If approved for FMLA - vacation or sick time (for your own illness) must be used.

If approved for PFL only (non FMLA related) –post doctoral fellow will have two choices on payment and must notify their PI or department administrator or designee regarding their choice of payment:

Receive PFL benefit from Aetna at 50% of the average weekly wage capped at New York State benefit of \$652.96.

OR

Elect to use one half of the postdoctoral fellow's standard hours vacation day in addition to the PFL payment from Aetna.

PLEASE NOTE THAT YOU CANNOT USE A FULL VACATION DAY DURING A NON-FMLA PFL LEAVE

If approved for PFL and runs concurrently with FMLA – post doctoral fellow must use vacation time.

If, due to the operational impact on the department, the postdoctoral fellow's position cannot be held open (and the twelve (12) week period has passed) he/she should be informed as soon as possible. Upon readiness to return to work, the postdoctoral fellow should report to the Office of the Postdoctoral Affairs to seek other opportunities, commensurate with the postdoctoral fellow's skills.

Short Term Disability Leave - Granted to those who are eligible (one becomes "eligible" after four consecutive weeks as a postdoctoral fellow at Mount Sinai, per New York State guidelines) and who are absent from work due to a non-job related illness (including pregnancy-related disability) or an off-the-job injury for more than seven (7) calendar days, subject to the limits set forth in Human Resources Policy Manual section 7.7 (can be found on Mount Sinai Intranet).

Worker's Compensation Leave - Granted to eligible postdoctoral fellows absent from work due to a documented job related illness and/or job related accidental injury within the limits set forth in Human Resources Policy Manual section 7.7 (can be found on Mount Sinai Intranet) and subject to the following provisions: Postdoctoral fellows returning to his/her assignment following a medical leave of absence must submit to their PI clearance to return to full duty by their primary care physician.

Unpaid Leave of Absence - Granted at the discretion of PI as an unpaid leave for educational or personal reasons. PI/Departments must contact International Personnel to discuss. Not applicable to Foreign Nationals on Visas in certain circumstances. **Must contact the Office of Postdoctoral Affairs and ISMMS Human Resources prior to placing a postdoctoral fellow on a Leave of Absence.

Military Leave - Granted to postdoctoral fellows who perform either voluntary or involuntary duty in the uniformed services, including active duty, active duty training, inactive duty training, full-time National Guard duty and Reserve personnel, and includes time to undergo examination to determine fitness to perform such duty. The time off is granted without pay, but may be charged against available vacation.

Postdoctoral fellows returning from extended military duty are reinstated to their former position(s) or to position(s) of like status and salary, provided that said postdoctoral fellow applies for reinstatement within ninety (90) days from their date of honorable discharge from military service.

Mount Sinai follows the guidelines established by the Uniformed Services Employment and Reemployment Rights Act (USERRA) regarding military leave and endorses the "Statement of Support for the Guard and Reserve" from the United States Department of Defense.

Please contact Theresa.scarabino@mssm.edu or (212) 241-0380 in the Office of Postdoctoral Affairs or ISMMS Human Resources at (212) 241-4097 for guidance on your leave of absence.

The Office of International Personnel must be notified immediately when any Foreign National needs to take a leave of absence for any reason