



Managers play a critical role in identifying when an employee may need a leave of absence...

When might an employee need a leave?

Generally, an absence that exceeds more than three (3) consecutive days *may* be considered a qualifying leave situation.

However, a leave of absence is not always taken in a continuous block of time. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule basis.

Continuous Leave: Single continuous block of time

Intermittent Leave: Occasional absences from work

Reduced Work Schedule: Missing a set number of hours per week

What should I do if I think my employee needs a leave?

Contact the Athletico Leave Department at Leaves@Athletico.com as soon as possible. Please provide the name of the employee and the dates that the employee has requested off work. The Leave Department will provide the employee with next steps, including detailed information on their rights and responsibilities under applicable federal and state laws and company policies.

Athletico Leave Department

Leaves@Athletico.com

P: 630-575-6280, F: 630.928.3429

What information should I collect from my employee?

You should ask the employee to provide you with the dates they need off work. However, to protect the employee's private health information, you should **not** ask an employee to provide any information regarding the reason for their need for leave, especially condition details.

Who should I contact with questions about an employee's leave of absence?

Managers should contact their HR Business Partner and the Athletico Leave Department with any questions.

We are here to guide you on leave requirements, manager responsibilities, what information can be discussed with an employee on a leave of absence, an employee's leave status, and any other concerns you may have.

What questions can I ask an employee when they need a leave?

While we want to be sure we direct employees appropriately, it is equally as important to ensure you are sensitive to the employee's privacy rights and that you do not ask inappropriate questions. Due to anti-discrimination and privacy laws, you shouldn't ask questions that may elicit details of personal health.

Avoid

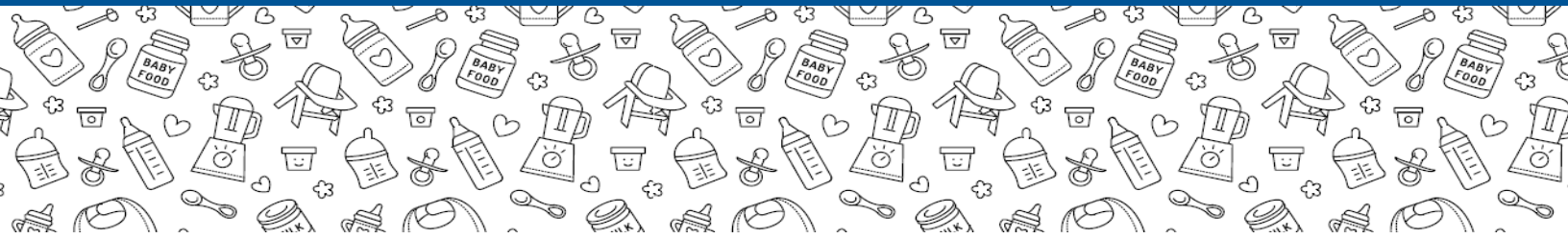
"You are taking a lot of sick days recently, what's wrong? Do you have a medical condition?"

Instead Ask

"You have been out of work sick for a few days. Do you need to request a leave of absence?"

What information should I collect from my employee?

Each State, in addition to federal laws such as the FMLA & ADA, have their own laws and regulations that govern protected leave. It is important that you do not advise the employee on how much leave time they may or may not be eligible for. Please direct employees to the Leave Department with any questions, so we can be sure to apply any policies and interpret any laws consistently for all employees. Do not offer leave or to hold an employee's position. The Leave Department and HR will make this determination based on the appropriate policy.



What you need to know about lactation laws...

What is a lactation accommodation?

Athletico will provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee's infant child, also known as a lactation accommodation.

Where can my employee take these breaks?

Employees should be provided with the use of a room or a private area, other than a bathroom or toilet stall, that is shielded from view and free from intrusion from coworkers and the public. We should make a reasonable effort to identify a location within close proximity to the work area for the employee to express milk. This location may be the employee's private office.

If your employee requires a lactation accommodation, please notify your HR Business Partner and the Leave Department to identify an appropriate lactation and breast milk storage area for the employee to use as needed.

When can employees take lactation breaks?

Employees needing breaks for lactation purposes may use ordinary paid rest breaks or may take other reasonable break time when needed. If possible, the lactation break time should run concurrently with scheduled meal and rest breaks already provided to the employee.

Who should I contact if I have questions on an employee's request for accommodation?

Contact your designated HR Business Partner and the Athletico Leave Department at Leaves@Athletico.com.

Is the employee's break paid or unpaid?

If the lactation break time cannot run concurrently with meal and rest breaks already provided or additional time is needed for the employee, the lactation break time will be unpaid for nonexempt employees unless otherwise required by law.

Because exempt employees receive their full salary during weeks in which they work, all exempt employees who need lactation accommodation breaks do not need to report any extra break time as "unpaid".

Employees will be relieved of all work-related duties during any unpaid break. Where unpaid breaks or additional time are required, employees should work with their manager regarding scheduling and reporting the extra break time.

Important Reminders

- Employees may take multiple breaks as needed within reason
- Breaks generally occur every 3 hours, for a duration of at least 20-30 minutes (this is an estimate and may vary)
- Exempt (salaried) employees cannot be docked pay or required to make up hours missed
- Never deny an accommodation without discussing with the Leave Department & HR
- Lactation accommodations are governed by varying federal and state laws

Want to learn more?

Lactation accommodations are governed by company policy as well as federal and state laws – each state may have their own stipulations on what is acceptable. Review the Employee Handbook for more information on company policy.

When in doubt, contact your HR Business Partner and the Athletico Leave Department. We are here to assist you and the employee throughout the accommodation process.

General Contact Information	
<p>ADP Total Absence Management (TAM) – Manager Portal</p> <p>You must log in using your ADP (not Citrix) credentials. If you do not remember your ADP credentials, select 'Forgot User ID/Password'. If you have not registered, select 'Need an Account' and register using pass code: Athletico-register</p>	<p>Website: https://absence.adp.com</p> <p>For assistance with navigating the portal or login issues, contact the ADP HR Resource Center at (844) 692-8426 (844-MYATHCO).</p>
<p>ADP Leave Administration (Employee Portal)</p> <p><i>Hours of Operation: M-F: 7:30 AM - 5:30 PM CST;</i> <i>Saturday: 7:00 AM - 4:00 PM CST</i></p>	<p>(844) 692-8426 (844-MYATHCO)</p> <p>myADP.com > Dashboard > Company Links > Leave of Absence Request/Review</p>
<p>Short/Long-Term Disability (STD/LTD), Voya</p> <p><i>Hours of Operation: Monday - Thursday: 8:00am - 7:00pm EST;</i> <i>Friday: 8:00am - 6:00pm EST</i></p>	<p>(866) 228-8742</p> <p>Voya Resource Center: https://presents.voya.com/EBRC/Athletico</p> <p>Group Name: Athletico Management LLC</p> <p>Group Policy #: 70318-4</p>
<p>Employee Assistance Program (EAP), Guidance Resources</p> <p><i>Hours of Operation: 24/7, 365 Days-a-year; Dedicated Toll-Free Line;</i> <i>Always Live Answer</i></p>	<p>877-533-2363</p> <p>www.guidanceresources.com</p> <p>Web ID: My5848i</p>
<p>Athletico Leave Department</p> <p><i>Hours of Operation: M-F; 8:00am – 5:00pm CST</i></p>	<p>(630) 575-6280, option 2</p> <p>Leaves@Athletico.com</p> <p>www.athleticobenefits.com/loa-accom</p>
<p>Athletico Benefits Department</p> <p><i>Hours of Operation: M-F; 8:00am – 5:00pm CST</i></p>	<p>(630) 575-6280, option 2</p> <p>Benefits@Athletico.com</p> <p>www.AthleticoBenefits.com</p>
<p>Athletico Payroll Department</p> <p><i>Hours of Operation: M-F; 8:00am – 5:00pm CST</i></p>	<p>(630) 575-6280</p> <p>Payroll@Athletico.com</p>
<p>Workers' Compensation Claims</p> <p>Notify your manager and submit a Workers' Compensation Intake Form to compliance@athletico.com. The Workers' Compensation Intake Form is available on the Athletico BenePortal under 'My Resources' at www.AthleticoBenefits.com.</p>	<p>Athletico Compliance Department</p> <p>Send WC Intake Forms to: Compliance@Athletico.com</p>
<p>HR Business Partners (by Territory)</p> <p>Chicago City Centers, Hadden, Dralle, Hay, Van Every: Connors, Hanfelt, Bilotti, Richardson: Straub (OE), Host, McDevitt (VBS), Bannack (AT), Walter, Burke: Koster (CO), Resource Center, Billing Center, M&A:</p>	<p>Jeanette Ortiz; Jeanette.Ortiz@Athletico.com</p> <p>Mary Auchincloss; Mary.Auchincloss@Athletico.com</p> <p>Lisa Prince; Lisa.Prince@Athletico.com</p> <p>TaKeyah King; TaKeyah.King@Athletico.com</p>

Q1 When should I direct the employee to the Leave Department?

If an employee notifies you of the need for a leave of absence, please direct them to the Athletico Leave Department at Leaves@Athletico.com. The Leave Department will provide the employee with more information on next steps and answer any questions they may have on the leave process. Generally, leave of absence may include any absence greater than three (3) consecutive days for a family or medical situation. Leave policies apply to **all employees** regardless of standard hours (PRN, part-time, and full-time).

Q2 Who qualifies for the FMLA?

All regular full-time and part-time employees that have worked for the company for 12 months and worked at least 1,250 hours in the 12 months preceding their leave start date qualify under the Family and Medical Leave Act (FMLA). Please note, there are other federal, state, and company leave policies that may apply if the employee is ineligible for FMLA. Please direct the employee to the Leave Department at Leaves@Athletico.com if they are in need of a leave of absence.

Q3 How do I know when a situation is FMLA-related?

The Family and Medical Leave Act (FMLA) provides employees with 12 work weeks of unpaid, job protected leave of absence for various situations. Leave can be taken on a continuous, intermittent, or reduced schedule basis. If an employee notifies you of the need for time off work, be sure to look for the following cues that may indicate a leave of absence is needed:

- Needs to be off work more than 3 consecutive days due to an illness or injury
- Occasional absences due to appointments or illness (flare-ups)
- Key Words/Conditions: chronic condition, anxiety, depression, migraines, back pain, etc.
- Pregnancy, newborn bonding, or adoption / foster care
- Absences to care for a sick family member
- Military orders or time off for a family member with military orders
- Domestic violence or court witness situations

Q4 What if my employee is not eligible for the FMLA or has exhausted all of their 12 weeks of entitlement?

The FMLA has strict regulations regarding employee notification of rights and responsibilities. Even if an employee is not eligible, Athletico must provide the employee with designation of the decision (denial) within a timely manner. Additionally, while the FMLA is the most commonly referenced leave law, it is not the only leave law / policy. There are other Federal, State, municipal, and company leave policies that may apply. **Managers should not approve or deny an employee for leave of absence.** All leave requests should be handled through the Athletico Leave Department. Please direct the employee to Leaves@Athletico.com to discuss their options under all applicable leave policies.

Q5 What if I my employee has work restrictions or needs a reasonable accommodation upon return to work?

If an employee requires any accommodations or restrictions upon their return to work, notify the Leave Department at Leaves@Athletico.com as soon as possible. The Athletico Leave Department will coordinate with the employee, the HR Business Partner, and management to review the employee's accommodation request and discuss next steps. **All accommodation requests must be submitted through the Athletico Leave Department.** Managers should not approve or deny any requests for accommodation without discussing with the Leave Department and their HR Business Partner.

Q6 Does my employee need to submit a fitness for duty or return to work note?

Any employee that misses more than 3 consecutive days of work due to an illness or injury is required to submit a fitness for duty or doctor's note clearing them to return to work. All documentation should be submitted to the Leave Department at Leaves@Athletico.com.

Q7 What action do I need to take if an employee reports a workplace injury or illness?

Notify compliance@athletico.com and the Athletico Leave Department of any workplace injuries or illnesses immediately. The Workers' Compensation Intake Form is available on the Athletico BenePortal under 'My Resources' at www.AthleticoBenefits.com. Workers Compensation and medical leave will be applied concurrently.

Q8 My employee is on a leave of absence, why can't I access their timecard?

When an employee is placed on a leave of absence, ADP will restrict access to the timecard for both employees and their managers. The Athletico Leave Department will manage the employee's timecard while they are out on a leave of absence. If any adjustments need to be made to the timecard, please notify Leaves@Athletico.com as soon as possible.

Q9 Will my employee still have access to myADP and Citrix while on leave of absence?

Employees will always have access to myADP.com, however, timecard access may be restricted while on leave. Employees generally will retain access to other certain internal systems, such as Citrix. Please note, while the employee *may* retain access to some systems, employees are **not** permitted to engage in any work-related activity or communications during their leave of absence. Please contact the Leave Department or HR Business Partner with any questions.

Please note: When accessing myADP.com outside of Citrix, such as from a home computer, employees will need to use their ADP specific log in credentials. These are **not** the same as their Citrix credentials. If this is the employee's first time using myADP outside of Citrix, they will need to register. Select 'first time user', enter registration code: **Athletico-register**, then follow the steps to register your account. For help registering or resetting passwords, direct the employee to contact ADP HR Resource Center at (844) 692-8426.

Q10 Can an employee make-up intermittent FMLA time?

In accordance with the law, employees are **not** able to make-up FMLA time. Where company policy permits, an employee *may* make-up unpaid time to receive missed pay, **however**, the employee will **not** receive any additional time applied towards their 12 workweeks of FMLA entitlement. The original hours missed will still be decremented from their FMLA balance. You must notify the Leave Department of any make-up time to ensure PTO applied is adjusted to unpaid time.

Q11 What is the difference between the FMLA and Disability Insurance (i.e STD, LTD, WC)?

The Family and Medical Leave Act (FMLA) provides **unpaid** job protection and benefits continuation while on a leave of absence. Disability insurance, such as short-term disability (STD), provides supplemental income while on a leave of absence. Workers Compensation is also a form of disability insurance. Disability insurance does **not** provide job protection while on a leave of absence. The FMLA and Disability Insurance (STD/WC/PTO) would be applied concurrently (together), not separately.

Q12 My employee has an open intermittent leave of absence, are they required to report their FMLA time?

Yes, when an employee needs time off due to an intermittent FMLA absence, such as due to illness or an appointment, they must notify both their manager **and** the Athletico Leave Department. Employees must provide at least 24 hours advanced notice for planned absences such as appointments or bonding time. For unforeseen absences such as illnesses (episodes/flare-ups), employees must follow all normal call off procedures and notify their manager as soon as possible. All FMLA intermittent absences must also be reported to the Leave Department within **48** hours following the absence.

- To view an employee's approved frequency and duration via ADP TAM, select 'View Details' > 'Frequency and Duration'.
- To view intermittent absences tracked by an employee via ADP TAM, select 'View Details' > 'Daily Details'.

Q13 My employee's leave dates are incorrect in ADP, what action is needed?

Notify the Leave Department at Leaves@Athletico.com if you notice any discrepancies in leave dates in myADP or ADP TAM. This information may be outdated or the employee may not have notified the Leave Department of the change in dates.

Q14 Can an employee take intermittent leave under the FMLA to bond with their newborn?

Yes, if eligible for the FMLA, an employee may take FMLA leave to bond with their newborn on an intermittent basis. However, employees must coordinate with their manager and provide at least 24 hours advanced notice of any planned absences for bonding.

Q15 Can my employee opt out of taking FMLA or use PTO / STD in lieu of FMLA?

No. If an employer is made aware of an FMLA-qualifying situation, and the employee is eligible, the employer is legally required to apply FMLA protection accordingly. The employee cannot choose to use PTO or STD in lieu of FMLA leave. For example, if an employee needs time off to bond with their newborn, if eligible for FMLA, Athletico must apply both FMLA and accrued PTO concurrently during the employee's time off. The employee would not have the option to choose PTO in lieu of FMLA, both would run concurrently.

Q16 Do I need to hold my employee's position while on an approved leave of absence?

Yes. Unless otherwise specified by the Human Resources Department, you **must** hold your employee's position until they return from leave of absence. Federal and State leave regulations, such as the FMLA and ADA, require employers to protect an employee's position while on an approved leave of absence, as well as reinstate the employee to the same or equivalent position upon their return from leave. If you need assistance with scheduling temporary coverage for an employee on leave of absence, contact your management team and/or your HR Business Partner to discuss next steps.

Q17 Does my employee need to share any medical/condition information with me?

No. Employees do not need to provide any condition details to their manager, and you should **not** request this information under any circumstance. If the employee voluntarily discloses private health information to you, do not share this information with anyone, including other members of your management team. Please direct the employee to the Leave Department to discuss their situation if they need a leave of absence or reasonable accommodation due to their medical condition / disability.

Medical Documentation: Please forward any medical documentation received to Leaves@Athletico.com and either properly destroy the original copy or return it to the employee. Do not store / retain any medical documentation, this information must be stored in a separate medical file which is managed by the Leave Department.

Q18 I am going on a leave of absence, who will manage timecards for my direct reports?

If you are a manager and have direct reports, you must temporarily reassign your direct reports in myADP to your direct manager **before** you go out on a leave of absence. Once you are on leave, you will **not** have access to your own or your direct reports' timecards. If you need assistance, please contact your HR Business Partner **and** the HR Systems Team (HRSystems@Athletico.com).

Q19 My employee did not return to work following their approved leave, what action do I need to take?

If your employee has not returned from an approved leave as anticipated, contact the Leave Department and your HR Business Partner as soon as possible. Please also reach out to the employee to discuss if they need an extension of their leave. Please notify Leaves@Athletico.com of any need for extension of leave.

Q20 My employee is on a leave of absence, can I contact them?

Contact with employees on leave of absence should be limited to avoid interfering with their legal rights and protections. You may contact the employee to discuss their anticipated return to work date, however, please do not encourage the employee to return or discuss any medical details related to their leave. Please limit the conversation to dates/scheduling only. If you have any questions, please contact your HR Business Partner or the Leave Department.

Q21 Can an employee perform work while on FMLA leave?

No. Employees are not permitted to perform any work activity while on an FMLA leave of absence. This is to protect both the employee and the company from violation of the FMLA regulations. Work activity includes, but is not limited to, responding to work-related emails/calls, attending meetings, managing direct reports timecards, filing paperwork, etc. Employees on medical leave may also be prohibited from attending Athletico required CEU courses. If you have any questions, please contact your HR Business Partner or the Leave Department.

Q22 How long does an employee have to submit paperwork?

Upon initiating the leave of absence request, the employee will have 15 calendar days to submit the required documentation to support their request. ADP will issue reminder notifications to the employee if documentation is outstanding. If documentation is received but determined to be insufficient, a cure notice will be issued to the employee requesting the additional information needed. The employee will have 7 calendar days to provide the requested information. The Leave Department, in coordination with ADP, will manage the documentation process. If you have any questions, please reach out to Leaves@Athletico.com.

Q23 My employee wants me to speak directly with their doctor, is this permitted?

No. To protect the employee's privacy rights, an employee's management team should not have contact with the employee's healthcare provider. If an employee requests for you to speak directly with their healthcare provider, please tell the employee you would be unable to do so, however, the employee may reach out to the Leave Department at Leaves@Athletico.com to discuss the request. The Leave Department will obtain written authorization as needed, and address any questions the employee or their healthcare provider may have.

Q24 Employees are asking questions about an employee on leave, what information can I share with them?

As an employer, we have a legal obligation to maintain the confidentiality of an employee's leave and disability status. Managers should not share an employee's leave or disability status with coworkers. If you have questions on how to address these situations, please reach out to your HR Business Partner.

Q25 My employee has tested positive for COVID-19, does this qualify for FMLA leave or STD benefits?

It depends. The FMLA is not condition specific and has specific criteria that determines what is considered a serious health condition. Short-term disability (STD) is also not necessarily condition specific – and there may be other criteria to meet to be considered disabled by Voya for purposes of STD. Like all other medical conditions, each situation will vary. Whether the employee qualifies for FMLA leave is dependent upon their individual circumstances. The employee should be directed to the Leave Department to discuss their situation and if medical leave is appropriate given their specific situation.

Q26 My employee has been directed to quarantine due to a COVID exposure, does this qualify under the FMLA?

No. If the employee is not out of work due to their own illness, and is only quarantining as a precaution due to COVID-19 guidance, they should use PTO for their time off. If the employee has exhausted all PTO, or is not eligible for PTO, they should contact the Leave Department to request an unpaid Personal Leave. If the employee becomes symptomatic and/or tests positive for COVID-19, and needs time off due to their own illness, then they should be directed to the Leave Department to discuss medical leave under the FMLA. Contact Leaves@Athletico.com and your HR Business Partner with any questions.

For more information on COVID-19 guidance, visit the [Athletico COVID19 Website](#) or contact covid19info@athletico.com.

Q27 My employee is currently on continuous furlough status, can they request an FMLA leave?

Generally, if an employee is on continuous furlough (temporary layoff), they are not an active employee and thus **not** eligible for leave of absence under the FMLA. Once there is a business need to return the employee to work from continuous furlough, you should submit the return request for approval. If the employee still needs a leave of absence at the time they are returned to active status, they should be directed to contact the Leave Department to open an FMLA leave of absence request and review their eligibility at that time.

Q28 My employee is currently on intermittent furlough status, can they request an FMLA leave?

Yes. While on intermittent furlough, the employee is still an active employee and may be eligible for FMLA leave as long as they meet the criteria for eligibility: 12 months of employment and 1,250 hours worked within the 12 months preceding their leave start date.

Q29 My employee would like to request additional / enhanced PPE as they have a family member that is high risk, can we approve this request?

Athletico will review all requests for accommodations on a case by case basis. Please discuss any accommodation requests with your HR Business Partner and the Leave Department. Please note, in accordance with EEOC guidance, Athletico is not required to provide accommodations to an employee with a family member deemed high risk, only to those seeking a reasonable accommodation due to their own disability/high risk status under the ADA. To ensure our practices are applied consistently for all employees, Athletico will not be able to grant this type of request unless it is due to the employee's own disability. However, as an alternative, the company will allow the employee to wear a face shield when necessary. The employee will need to obtain/provide their own face shield; the face shield will not be provided by Athletico.

Face Shield Protocol & Cleaning Procedures: Cleaning guidance might vary depending on the specific face shield as there are variations in types. Generally, the employee would need to wear a facemask in addition to the face shield and follow the manufacturers cleaning guidelines. Please contact covid19info@athletico.com with any questions regarding proper clearing procedures.

For any questions regarding leave of absence or ADA reasonable accommodations,
please contact the Athletico Leave Department at Leaves@Athletico.com.

This FAQ provides general information and is not intended as a comprehensive understanding of Athletico's benefits plans or company policy. In the event there is a discrepancy between this summary and the plan documents or company policy, the plan documents and company policy will govern.