ARTICLE X – LEAVES OF ABSENCE

X.1. **Leaves Without Pay (Non-Medical).** Leaves of absence without pay may be granted to Techs, who have been continuously employed for at least six (6) months, at the option of the Medical Center for good cause shown when applied for in writing in advance. Leaves of absence will be granted only in writing. However, a Tech will be deemed to be on a leave of absence from the beginning of any approved period of unpaid absence, other than layoff, regardless of the completion of paperwork under this section.

X.2. **Medical Leaves.**

1. Family Medical Leave Act/Oregon Family Leave Act (FMLA/OFLA). Parental, family medical, and workers' compensation leaves of absence will be granted in accordance with applicable law.

2. Medical Leave of Absence. Regardless of eligibility for leave under FMLA or OFLA, Techs **may apply for a medical leave pursuant to the Medical Center's policy**. ~~who have completed the first six (6) months of employment are eligible for up to six (6) months of leave to care for their own serious health condition (including maternity). Such leave will not be taken on an intermittent basis. Time taken under FMLA or OFLA will count toward the six (6) month maximum. Benefits will continue as required under FMLA, or as long as the Tech is using appropriate paid time off under this agreement. Techs are not guaranteed reinstatement while on non-FMLA or non-OFLA medical leave to the same position except (a) as required by law or (b) as stated in Section I ("Return from Leave") below.~~

3. Oregon Paid Family Leave/Paid Leave Oregon. Techs who are on leave through the Oregon Paid Family Leave program may use PTO to cover up to 100% of their regular wages during the duration of the leave if they have sufficient PTO to do so.

X.3. **Military Leave.** Leaves of absence for service in the Armed Forces of the United States will be granted in accordance with federal law. ~~A leave of absence granted for annual military training duty, not to exceed two (2) weeks, shall not be charged as PTO unless requested by the Tech.~~

~~X.4. **Mission Leave.** Any Tech may request a personal leave of absence for the purpose of medical mission work. The Tech will provide documentation demonstrating that the work is in furtherance of Providence's mission. Such leave will be granted only with the approval of the Tech's manager. The Tech may use PTO during the time of the leave, or, with manager approval, take the leave unpaid.~~

X.5. **Benefits While on Leave.** A Tech will not lose previously accrued benefits as provided in this Agreement but will not accrue additional benefits during the term of a properly authorized leave of absence, except as required by federal or state leave laws. A Tech's anniversary date for purposes of wage increases and

vacation accrual rates shall not be changed because of being on a leave for thirty (30) days or less.

X.6. Healthcare Benefits While On Leave. The continuation of healthcare benefits while a Tech is on leave is subject to the terms of the healthcare plan. Techs with questions should contact the Benefits Service Center.

X.7. **Bereavement Leave.** A regular Tech who has a death in the Tech's family will be granted time off with pay as follows: up to **three** ~~five (5)~~ regular workdays ~~days~~ will be paid when the days that the Tech needs to be absent fall on the Tech's regular workdays to attend a funeral or memorial service of a member of the Tech's immediate family. A member of the Tech's immediate family for this purpose is defined **as:**

- **current spouse or domestic partner**
- **child**
- **parent**
- **sibling**
- **stepparent, stepchild, stepsibling**
- **grandparent or grandchild**
- **a person who stood in loco parentis (legal responsibility of a person to take on the functions and responsibilities of a parent)**
- **or current in-law relationships through marriage or partnership of the above**

~~as the parent, grandparent, mother-in-law, father-in-law, spouse, child (including foster child), grandchild, sibling of the Tech; parent, child, or sibling of the Tech's spouse; spouse of the Tech's child; the parent of the Tech's minor child; or other person whose association with the Tech was, at the time of death, equivalent to any of these relationships.~~

X.8. **Jury Duty.** **Techs must provide written notice via email to their manager of their jury duty obligation within two business days of receipt of their jury duty summons, and provide a copy of the summons to their manager upon request.** A Tech who is required to perform jury duty will be paid the difference between the Tech's regular straight-time pay for the scheduled workdays they missed and the jury pay received, provided that they have made arrangements with the Tech's manager in advance. The Tech must furnish a signed statement from a responsible officer of the court as proof of jury service. A Tech must report for work if the Tech's jury service ends on any day in time to permit at least four (4) hours' work in the balance of the Tech's normal workday.

X.9. **Appearance as a Witness.** **Techs must provide written notice via email to their manager of their obligation to appear as a witness within two business days of receipt of their witness subpoena, and provide a copy of the subpoena to their manager upon request.** Techs who are subpoenaed to appear as a witness in a court case **in defense of the Medical Center**, in which

neither Techs nor the Union is making a claim against the Medical Center, involving their duties at the Medical Center, during their normal time off duty will be compensated for the time spent in connection with such an appearance as follows: They will be paid their straight-time rate of pay, not including shift differential, provided that the subpoenaed Tech notifies the Medical Center immediately upon receipt of the subpoena. Such pay will not be deemed to be for hours worked. They will also be given, if they so request, equivalent time off from work in their scheduled shift immediately before or their scheduled shift immediately after such an appearance, provided that the subpoenaed Tech makes the request reasonably soon after receipt of the subpoena.

X.10. Return from Leave.

1. A Tech who continues to be absent following the expiration of a**n approved** ~~written~~ leave of absence, or ~~emergency~~ **an** extension thereof granted by the Medical Center, is subject to **being separated from their employment as a voluntary resignation.** ~~discipline, suspension or discharge.~~

2. Upon completion of an approved leave of absence of any duration, the Tech shall be reinstated to their former position and **FTE status, unless the Medical Center and the returning Tech agree otherwise. When applicable law requires, upon completion of an approved leave of absence the Tech will also be returned to their prior** schedule unless the Medical Center and the returning Tech agree **otherwise**. ~~to a different placement.~~