

Family and Medical Leave Act of 1993 (FMLA) *Employee Leave*

1. What is the Family and Medical Leave Act of 1993 (FMLA)?

The Family and Medical Leave Act of 1993 (FMLA) is federal law passed in 1993 to provide protected, unpaid leave for employees when the employee, their parent, child (under the age of 18), or spouse has a serious illness. Please refer to the Associate Handbook for additional information.

2. How can FMLA be used for family members?

The Associate may be eligible to use FMLA for their parent, child (under the age of 18), or spouse. Extended family members are not included unless that person acted as their parent before the age of eighteen (18) years of age.

3. How much time does FMLA provide?

FMLA provides twelve (12) weeks of protected medical leave per “rolling” year. However, a total of twenty-six (26) weeks of protected leave per “rolling” year is provided to those caring for an injured or ill Service Member or Veteran. (See Question # 7)

4. What is a “rolling” year?

A “rolling” year is when we look back from today’s date this year to today’s date last year. This method of calculating is used to determine the number of productive hours you have worked in the past year and also to determine how many FMLA hours you have used in the past year.

5. When does the Associate become eligible for FMLA?

An employee becomes eligible for FMLA when they have been employed with Mattress Firm for at least twelve (12) months in the previous 7 years **and** have worked 1250 productive hours in the twelve (12) months preceding the FMLA request.

6. Should the Associate submit the FMLA documentation to their DM/Supervisor?

The FMLA Employee Statement should be sent to the Leave Administrator by scanning to email at leaves@mattressfirm.com or fax to (888) 882-5016. Afterwards, the Associate should notify their DM via phone or email. However, FMLA provides that the Associate’s or their family member’s diagnosis may remain confidential. The Associate should submit the **Health Care Certification** directly to the Leave Administrator by scanning to email at leaves@mattressfirm.com or fax to (888) 882-5016.

7. If the Associate and their spouse both work at Mattress Firm, are they both entitled to twelve (12) weeks of FMLA for the birth of their baby?

The twelve (12) weeks of FMLA must be shared between the mother and father, does not have to be used in equal portions, and cannot exceed a combined total of twelve (12) weeks. For example: the mother may take ten (10) weeks FMLA and the father may take two (2) weeks.

8. What is the difference between ‘intermittent’ and ‘continuous’ FMLA?

Intermittent leave is when an Associate or a qualifying family member has to be off occasionally due to a chronic illness. An example of an intermittent leave would be for chemotherapy. A ‘continuous’ absence is one in which the Associate would be absent from work for a continuous period of time. An example of a continuous leave would be for birth of a child.

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9. How often does the Associate have to provide a Health Care Certification?

The initial Health Care Certification is due within fifteen (15) days of receiving the document from the Leave of Absence Administrator or at least 30 days prior to a planned Leave of Absence; for example, a planned surgery or childbirth. Additionally, Health Care Certifications may be required for intermittent FMLA and for updates to their medical condition as warranted. Recertification can be requested by the Leave Administrator up to every thirty (30) days.

10. Does FMLA pay for Benefits while Associates are off on leave?

If the Associate chooses to “opt in” and continue Benefit Coverage during their unpaid Leave of Absence, the Associate is responsible for submitting applicable premiums to the Benefits Office in order to keep their Benefits in effect while on FMLA.

11. Can I choose to have my Benefit Coverage and Benefit Premiums stopped during my Leave of Absence?

An Associate may choose to have their Benefit Coverage and Benefit Premiums stopped during their Leave of Absence. Upon return, Benefit Coverage and Benefit Premiums will commence. If the associate chooses to continue Benefit Coverage and Benefit Premiums, but fail to make the required Benefit Premium payments, the amount owed will be deducted from the Associate’s first pay check, upon return from Leave of Absence.

12. What are DM/Supervisors required to do if an Associate is absent for 3 or more consecutive work days?

DM/Supervisors should refer the Associate to the Leave of Absence Administrator, immediately. The Leave of Absence Administrator will designate the type of Leave of Absence, whether FMLA or Personal, and will coordinate the entire process.

13. If I am on FMLA for a Medical condition for myself, am I able to file a Short Term Disability Claim (STD)?

Short Term Disability is an employer paid benefit available through Sun Life Insurance Company. All Associates that are eligible for benefits are enrolled in Short Term Disability. You may file an STD claim and may be eligible to receive applicable pay after a seven (7) day waiting period. An STD claim may be filed using one of the following methods:

Group Plan Number 226189:

1. Online at www.sunlife.com/us
2. Phone by calling (800) 247-6875
3. Fax Paper Forms to (781)304-5599
4. Email scanned forms to myclaimdocuments@sunlife.com

Access all forms on www.sunlife.com/us. For further directions on filing an STD claim, please email leaves@mfrm.com.