

CONTINUATION OF BENEFITS DURING UNPAID LEAVE OF ABSENCE

For all approved leaves of absence (other than FMLA) your health, vision, and dental insurance benefits may be continued under the provisions of the Consolidated Omnibus Budgeted Reconciliation Act (COBRA), which requires payment of the full premium plus two percent (2%). COBRA eligibility is effective as of the first of the month following the last day worked.

Health Plans The employee may remain in the same medical, dental, and vision plans at the same level of coverage in which they were enrolled immediately before the unpaid leave of absence, provided that the employee elects and pays the full premium plus a two percent (2%) COBRA admin fee through COBRA for the entire period of the leave.

Employee Assistance Program (EAP) (Guardian – UpriseHealth) The employee's coverage will be terminated during their unpaid leave of absence. Upon return to a benefit eligible position this benefit will automatically reinstate for the employee.

Basic Life Insurance (Guardian) The employee's coverage will be terminated during their unpaid leave of absence. Upon return to a benefit eligible position this benefit will automatically reinstate for the employee.

Supplemental Life Insurance (Guardian) The employee's coverage will be terminated during their unpaid leave of absence; the employee can reapply upon returning to work. Evidence of Insurability, subject to approval by Guardian, may be required.

Long-Term Disability (Guardian) The employee's coverage will be terminated during their unpaid leave of absence. Upon return to a benefit eligible position this benefit will automatically reinstate for the employee.

Please note that if the employee is currently on a long-term disability leave approved by Guardian, the employee is not required to make monthly premium payments for long-term disability insurance.

Flexible Spending Account (FSA) If an employee is enrolled in a Health Care and/or Dependent Care Flexible Spending Account ("FSA"), contributions to the FSA cease with their last paycheck. Thus, the FSA will terminate on the first day of the start of the unpaid leave of absence. The employee will not be able to incur new expenses during the unpaid leave period unless they are eligible for and elect COBRA. An employee is entitled to elect COBRA for their FSA if their FSA is "underspent" meaning they have spent less than they have contributed to their FSA to date. If the employee has spent more than contributed to date ("overspent"), they are not entitled to COBRA.

- The FSA administrator for the college will mail a separate COBRA notice to the employee as long as the employee's FSA balance is positive ("underspent"). If the employee elects to continue the FSA plan under COBRA, the employee will continue to make contributions

to their FSA on a taxable basis plus a two percent (2%) COBRA admin fee and the entire FSA balance will be available for use on FSA-eligible expenses.

- Payroll contributions will resume the date the employee returns to work in a benefits-eligible position, as long as the return date is within the same plan year in which the leave of absence was taken.

Health Savings Account If an employee is enrolled in an HSA and has a remaining balance in their HSA Bank account, they may continue to use the remaining HSA funds for qualifying expenses until the funds are exhausted.

Retirement Plans No contributions will be made to TIAA-CREF during the employee's unpaid leave of absence.

Other benefit considerations:

- If COBRA coverage is elected for FSA, the employee will continue to make contributions to their FSA on a taxable basis plus a two percent (2%) COBRA admin fee and the entire FSA balance will be available for use on FSA-eligible expenses. Payroll contributions will resume the date the employee returns to work in a benefits-eligible position, as long as the return date is within the same plan year in which the leave of absence was taken.
- Time while on an approved leave of absence does not count toward tenure or promotion in rank and is not credited toward time in service (unless agreed in writing before the beginning of the leave.)
- Failure to make COBRA payments may result in cancellation of benefit coverage and may not be reinstated until the employee has returned to benefits-eligible work status.
- The employee has 30 days from the date of return to a benefits-eligible position to update their benefit elections.

Employees returning from approved leave shall be reinstated to the same or equivalent position provided that:

- they are still qualified to perform their former duties,
- a position is available,
- the employee is available for assignment immediately following the expiration of the leave, and
- the college is not under a reduction in force status.

Failure to return to work at the end of the approved leave period will be considered a voluntary resignation. You may be eligible to continue your benefits coverage under COBRA. In general, the maximum amount of time you could continue COBRA coverage would be 18 months. You will receive notification of your COBRA rights from EBMS, the college COBRA plan administrator.