

**Texas Annual Conference of the United Methodist Church
Center for Connectional Resources
Group Health Benefits**

Policy 136

**Group Health Benefits for Texas Annual Conference
Employee Participants on Leave of Absence**

Eligibility and benefits for employee participants of the Texas Annual Conference Group Health Benefits (TAC GHB) Plan while on Leave of Absence are based upon various requirements as set forth in:

1. *The Book of Discipline of the United Methodist Church* (for Clergy)
2. *The TAC Employee Handbook* (for Lay Employees of the TAC Fiscal Office)
3. Other relevant provisions as required by law [e.g., the Family Medical Leave Act (FMLA)]

TAC Group Health Benefits Policy 136 pertains only to eligible Clergy and TAC Fiscal Office Lay Employees who are participants in the TAC Group Health Benefits Plan.

Note: For the purposes of TAC GHB Policy 136, "TAC salary-paying unit" refers to a local church within the Texas Annual Conference or one of the categories of TAC Extension Ministries eligible for Group Health Benefits as specified in GHB Policy 102.

Group Health Benefits for TAC GHB Clergy Participants on Leave of Absence

(Please refer to The Book of Discipline for the unabridged Leave paragraphs.)

TAC GHB Clergy Sabbatical Leave Benefits

"¶ 351. *Sabbatical Leave*—A sabbatical leave should be allowed for a program of study or travel approved by the conference Board of Ordained Ministry. Associate members or clergy members in full connection who have been serving in a full-time appointment for six consecutive years, or in a less than full-time appointment equivalent to six consecutive full-time years, from the time of their reception into full or associate membership may be granted a sabbatical leave for up to one year...."

Eligible Clergy can apply for a Short-Term Sabbatical Leave (typically 2 to 4 months). During the Short-Term Sabbatical Leave, the clergy remains appointed to the TAC salary-paying unit, and all compensation and benefits remain in force and are paid for by the TAC salary-paying unit as if the clergy were not on Short-Term Sabbatical Leave. The TAC salary-paying unit continues to be drafted for all benefits by the TAC Benefits Office.

If a longer Sabbatical Leave is requested and approved, the clergy would be appointed to Sabbatical Leave by the Bishop and the Cabinet, and during the Sabbatical Leave Appointment, the clergy would not be eligible for Group Health Benefits. GHB coverage would only be reinstated if the clergy were to regain eligibility through a new appointment which satisfied the criteria for eligibility.

**Texas Annual Conference of the United Methodist Church
Center for Connectional Resources
Group Health Benefits**

TAC GHB Clergy Voluntary Leave of Absence Benefits

“¶ 353. *Voluntary Leave of Absence*–

1. Provisional, associate, or members in full connection of the annual conference who for sufficient reason choose to temporarily take leave from their ministerial appointment may request in writing with a copy to the bishop and their district superintendent a voluntary leave through the Board of Ordained Ministry.
2. A voluntary leave of absence may be taken for a variety of reasons:
 - a) *Personal Leave*–a relationship that is granted to clergy who self-determine for personal reasons that they are temporarily unable or unwilling to continue in a ministry appointment.
 - b) *Family Leave*–a relationship that is granted to clergy who, because of an immediate family member’s need for full-time care, are temporarily unable to continue in a ministry appointment.
 - c) *Transitional Leave*–A leave granted for up to twelve months with approval of the bishop and the Board of Ordained Ministry Executive Committee to provisional and associate members and full clergy members in good standing who are temporarily between appointments.”

With the exception of a leave that qualifies under the provisions of the Family Medical Leave Act (FMLA), a clergy appointed to voluntary Personal, Family or Transitional Leave would not be eligible for Group Health Benefits. GHB coverage would only be reinstated if the clergy were to regain eligibility through a new appointment which satisfied the criteria for eligibility.

TAC GHB Clergy Involuntary Leave of Absence Benefits

“¶ 354. *Involuntary Leave of Absence*–

1. The bishop and the district superintendents may request an involuntary leave of absence without the consent of the provisional, associate, or full member. They shall give to the clergy member and the Board of Ordained Ministry in writing specific reasons for the request. The fair process for administrative hearings as set forth in ¶ 361.2 shall be followed in any involuntary leave of absence procedure.”

A clergy under an Involuntary Leave of Absence would not be eligible for Group Health Benefits. GHB coverage would only be reinstated if the clergy were to regain eligibility through a new appointment which satisfied the criteria for eligibility.

TAC GHB Clergy Maternity or Paternity Leave Benefits

“¶ 355. *Maternity or Paternity Leave*–

- Maternity or paternity leave, not to exceed one fourth of the year, will be available...to any local pastor, provisional member, associate member, or clergy member in full connection who so requests it at the birth or arrival of a child into the home for purposes of adoption.
2. During the leave, the clergy member’s annual conference relations will remain unchanged, and the health and welfare benefit plans will remain in force.
 3. A maternity or paternity leave of up to one-quarter of a year will be considered as an uninterrupted appointment for pension purposes.
 4. Compensation will be maintained for no less than the first eight weeks of leave.”

During Maternity or Paternity Leave, not to exceed one fourth of the year (13 weeks), the clergy remains under appointment to the TAC salary-paying unit with compensation and benefits provided by the TAC salary-paying unit as specified above. The TAC salary-paying unit continues to be drafted for the clergy’s Group Health and Pension benefits by the TAC Benefits Office.

**Texas Annual Conference of the United Methodist Church
Center for Connectional Resources
Group Health Benefits**

TAC GHB Clergy Medical Leave Benefits

“¶ 356. Medical leave Due to Medical and Disabling Conditions that Prevent Performance of Ministerial Duties—When clergy who are members of an annual conference (¶ 369) are unable to perform their ministerial duties because of medical and disabling conditions, ...they may be granted annual medical leave without losing their relationship to the annual conference; provided, however, that such leave may be granted or renewed upon reasonable and appropriate investigation of the case by the joint committee on clergy medical leave of the annual conference, or the party responsible for managing clergy medical leaves in accordance with the annual conference’s policies....”

TAC GHB Clergy Medical Leave Benefits (Short-Term)

Effective 1/1/2017, eligible Clergy can receive Short-Term Medical Leave Benefits as designated by the Cabinet for up to nine (9) months. During Short-Term Medical Leave, the clergy remains appointed to the TAC salary-paying unit, and all compensation and benefits remain in force and are paid for by the TAC salary-paying unit as if the clergy were not on Short-Term Medical Leave. The TAC salary-paying unit continues to be drafted for all benefits by the TAC Benefits Office. An Intentional Interim Minister will be provided through the TAC Sustentation Fund to fulfill pastoral responsibilities as needed.

Within the first three months on Short-Term Medical Leave, the clergy’s physician(s) will provide a prognosis regarding the clergy’s ability to return to work by the end of the 9-month Short-Term Medical Leave period. If the prognosis indicates continuing long-term medical needs, the clergy will begin the application process for disability benefits under the Comprehensive Protection Plan (CPP). If approved for CPP Disability benefits, the clergy will be appointed to Medical Leave (CPP Disability).

TAC GHB Clergy Medical Leave Benefits (CPP Disability)

Clergy approved for CPP Disability Benefits through the Comprehensive Protection Plan (CPP) will be appointed to Medical Leave (CPP Disability) and will be eligible for TAC Medical Leave (CPP Disability) Group Health Benefits. The TAC Benefits Office drafts the Sustentation Fund (through the TAC Fiscal Office) for the employer Group Health contribution amount, and the clergy is drafted personally for the clergy’s Group Health contribution amount. Clergy are eligible for Group Health Medical Leave (CPP Disability) Benefits as long as the clergy remains eligible for CPP Disability Benefits.

TAC GHB Clergy Medical Leave Benefits (non-CPP Disability)

Effective 1/1/2017, at the discretion of Cabinet, Clergy not approved for CPP Disability benefits and/or unable to return to work at the end of their Short-Term Medical Leave may be approved for Medical Leave Benefits (non-CPP Disability) not to exceed a total of twelve (12) months of combined Short-Term and non-CPP Disability Medical Leave. Clergy not approved for Short-Term Medical Leave may be appointed directly to Medical Leave (non-CPP Disability) for up to a maximum of twelve (12) months at the discretion of Cabinet. While on Medical Leave (non-CPP Disability), the TAC Pension Reserve Fund will provide compensation at 70% of the clergy’s pre-disability total pension plan compensation. The TAC Benefits Office drafts the Sustentation Fund (through the TAC Fiscal Office) for the employer Group Health contribution amount, and the clergy is drafted personally for the clergy’s Group Health contribution amount.

**Texas Annual Conference of the United Methodist Church
Center for Connectional Resources
Group Health Benefits**

TAC GHB Clergy Family Medical Leave Act (FMLA) Benefits

Clergy who are covered under the TAC Group Health Plan and are eligible for an unpaid family or medical leave of absence as provided under the Family and Medical Leave Act of 1993 (FMLA), may continue coverage during such leave for up to twelve (12) weeks. The FMLA requires any employer (salary-paying unit) with fifty (50) or more employees within 75 miles, as defined by the Act, to maintain health coverage for an employee during a period of eligible leave at the same level and under the same conditions coverage would have been provided if the employee remained a member of the eligible group and covered under the Plan. Clergy are considered eligible for FMLA leave if they have been employed by the employer for at least twelve (12) months, and have performed at least 1,250 hours of service with the employer in the twelve (12) months immediately preceding the start of the leave.

The FMLA entitles eligible employees of covered employers to take unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave.

Eligible employees are entitled to:

- Up to 12 workweeks of unpaid FMLA leave in a 12-month period for any of the following reasons:
 1. The birth of a child and to care for the newborn child within one year of birth;
 2. The placement with the employee of a child for adoption or foster care and to care for the newly placed child within one year of placement;
 3. To care for the employee's spouse, child, or parent who has a serious health condition;
 4. A serious health condition that makes the employee unable to perform the essential functions of his or her job;
 5. Any "qualifying exigency" arising out of the foreign deployment of the employee's spouse, son, daughter, or parent who is a member of the Armed Forces (including the National Guard and Reserves) and who is on covered active duty or has been notified of an impending call or order to covered active duty.

- Up to twenty-six (26) workweeks of unpaid FMLA Military Caregiver Leave during a single 12-month period to care for a covered servicemember with a serious injury or illness if the eligible employee is the servicemember's spouse, son, daughter, parent or next of kin and qualifies for FMLA Military Caregiver Leave based on the criteria set forth under FMLA provisions.

- Up to twenty-six (26) workweeks of unpaid FMLA Military Caregiver Leave during a single 12-month period to care for a covered veteran with a serious injury or illness if the eligible employee is the covered veteran's spouse, son, daughter, parent or next of kin and qualifies for FMLA Military Caregiver Leave based on the criteria set forth under FMLA provisions.

**Group Health Benefits for TAC Fiscal Office Lay Employee GHB Participants
on Leave of Absence**

(Please refer to the TAC Employee Handbook for additional information.)

**TAC GHB Lay Employee of the TAC Fiscal Office
Personal Leave of Absence Benefits**

Per the TAC Employee Handbook, a lay employee of the TAC Fiscal Office may request a leave of absence without pay from the service center; however, no employee is guaranteed a personal leave of absence. Management's approval of a personal leave of absence request will be based upon business considerations and/or the circumstances of the request. To initiate a personal leave of absence, the employee must receive approval from his or her immediate supervisor and indicate, in writing, the intended duration of that leave and the nature of the request.

With the exception of a leave that qualifies under the provisions of the Family Medical Leave Act (FMLA), a lay employee of the TAC Fiscal Office on a Personal Leave of Absence would not be eligible for Group Health Benefits. GHB coverage would only be reinstated if the lay employee were to regain eligibility through a return to full-time employment status which satisfied the criteria for eligibility.

**TAC GHB Lay Employee of the TAC Fiscal Office
Family and Medical Leave Act (FMLA) Benefits**

Per the TAC Employee Handbook, the service center fully complies with the Family and Medical Leave act of 1993 which provides eligible employees with up to twelve (12) weeks unpaid leave in certain situations (the birth or adoption of children, serious illness of dependent children, spouse, or parents, or the employee).

If a lay employee seeks FMLA leave under the Family and Medical Leave Act, the employee must complete an FMLA form documenting the circumstances of their condition and provide a supporting physician statement, if possible prior to taking leave. Upon approval, the employee is entitled to all the rights and protection of the FMLA legislation for 12 weeks or the duration of his or her disability, whichever is less. Unless the employee receives FMLA approval, any leave of absence will be considered a personal leave, until FMLA eligibility is confirmed.

Lay employees of the TAC Fiscal Office who are covered under the TAC Group Health Plan and are eligible for an unpaid family or medical leave of absence as provided under the Family and Medical Leave Act of 1993 (FMLA), may continue coverage during such leave for up to twelve (12) weeks. The FMLA requires any employer (salary-paying unit) with fifty (50) or more employees within 75 miles, as defined by the Act, to maintain health coverage for an employee during a period of eligible leave at the same level and under the same conditions coverage would have been provided if the employee had remained a member of the eligible group and covered under the Plan. Lay employees are considered eligible for FMLA leave if they have been employed by the employer for at least twelve (12) months, and have performed at least 1,250 hours of service with the employer in the twelve (12) months immediately preceding the start of the leave.

**Texas Annual Conference of the United Methodist Church
Center for Connectional Resources
Group Health Benefits**

The FMLA entitles eligible employees of covered employers to take unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave.

Eligible employees are entitled to:

- Up to 12 workweeks of unpaid FMLA leave in a 12-month period for any of the following reasons:
 1. The birth of a child and to care for the newborn child within one year of birth;
 2. The placement with the employee of a child for adoption or foster care and to care for the newly placed child within one year of placement;
 3. To care for the employee's spouse, child, or parent who has a serious health condition;
 4. A serious health condition that makes the employee unable to perform the essential functions of his or her job;
 5. Any "qualifying exigency" arising out of the foreign deployment of the employee's spouse, son, daughter, or parent who is a member of the Armed Forces (including the National Guard and Reserves) and who is on covered active duty or has been notified of an impending call or order to covered active duty.
- Up to twenty-six (26) workweeks of unpaid FMLA Military Caregiver Leave during a single 12-month period to care for a covered servicemember with a serious injury or illness if the eligible employee is the servicemember's spouse, son, daughter, parent or next of kin and qualifies for FMLA Military Caregiver Leave based on the criteria set forth under FMLA provisions.
- Up to twenty-six (26) workweeks of unpaid FMLA Military Caregiver Leave during a single 12-month period to care for a covered veteran with a serious injury or illness if the eligible employee is the covered veteran's spouse, son, daughter, parent or next of kin and qualifies for FMLA Military Caregiver Leave based on the criteria set forth under FMLA provisions.

**TAC GHB Lay Employee of the TAC Fiscal Office
Long Term Disability (LTD) Benefits**

Lay employees of the TAC Fiscal Office who are disabled according to the definition of disability found in the TAC Fiscal Office Long Term Disability (LTD) Policy will be eligible to receive LTD benefits as described in the LTD policy. Information regarding lay employee LTD Benefits available under the TAC Fiscal Office Long Term Disability (LTD) Policy can be obtained from the TAC Fiscal Office.

Effective 11/1/2018, lay employees of the TAC Fiscal Office who qualify for LTD Benefits under the TAC Fiscal Office Long Term Disability Policy would be eligible to continue their TAC Group Health Benefits coverage for up to a maximum of three (3) years if the following conditions are met:

- the individual has been a full-time employee of the TAC Fiscal Office for a minimum of five (5) consecutive years (including any FMLA Leave) at the time of eligibility for disability;
- following the initial waiting period, the individual has been continuously covered under the TAC Group Health Benefits Plan while a lay employee of the TAC Fiscal Office; and

**Texas Annual Conference of the United Methodist Church
Center for Connectional Resources
Group Health Benefits**

- the lay employee continues to qualify for LTD Benefits under the TAC Fiscal Office Long Term Disability Policy.

The TAC Fiscal Office pays the total cost for employee only coverage in the TAC Group Health Benefits Plan while the employee qualifies for LTD Benefits under the TAC Fiscal Office Long Term Disability Policy. The employee would be responsible for the entire cost of any dependent coverage.

Note: The Group Health Benefits Plan is not a form of entitlement. The Group Health Benefits Committee under the direction of and subject to the approval of the Board of Pensions, with the concurrence of Annual Conference, reserves the right to amend or eliminate Group Health Benefits for both active and retired participants.

In the event there is a contradiction between the GHB Policy and the Plan Document, the GHB Policy shall prevail.

Policy 136 – Revised 7/1/19