

FAMILY AND MEDICAL LEAVE POLICY

The Family and Medical Leave Act (FMLA) entitles eligible employees to leave from work in particular situations.

Eligible Employees

To be eligible for leave under this policy, an employee must have been employed for at least 52 weeks in total or have worked at least 1,250 hours during a 12-month period immediately preceding the commencement of the leave.

Leave Entitlement

Eligible employees may request up to 12 weeks of unpaid FMLA leave within any 12-month period for the following reasons:

1. Birth of an employee's son or daughter;
2. Placement of a son or daughter with the employee for adoption or foster care;
3. Care of a son or daughter, spouse, significant other, or parent who has a serious health condition;
4. Inability of the employee to perform the functions of his or her position due to a serious health condition; and
5. Any qualifying exigency arising out of the fact that a spouse, son, daughter, or parent of the employee is on active duty in the Armed Forces (or has been notified of an impending call or order to active duty in the Armed Forces) to a foreign country.

In addition, an eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered service member shall be entitled to up to 26 weeks of FMLA leave per 12-month period to care for the service member. For the purposes of this FMLA military caregiver leave, a covered service member is defined as a member of the Armed Forces (and certain veterans) undergoing medical treatment, recuperation, or therapy, in outpatient status, or on the temporary disability retired list for a serious injury or illness. A serious injury or illness in the case of a member of the Armed Forces means an injury or illness incurred or exacerbated in the line of duty during active service in the Armed Forces that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating.

For leave involving an employee's own serious health condition, childbirth, newborn care, placement of a child through adoption or foster care, care of a spouse, parent, or child with a serious health condition, or for any qualifying exigency, the 12-month period will be calculated using the "rolling" method, measuring backward from the date the employee uses any FMLA leave. As such, when an employee is on FMLA leave, the employee may take no more than the remainder of their unused 12 weeks of FMLA leave, measured backward for one year from the date of the current FMLA leave. For leave to care for a covered service member, the 12-month period will be calculated by looking forward from the first day of an employee's FMLA leave.

On the employee's return from leave, he or she will be reinstated to the same or an equivalent job with the same pay, benefits, terms, and conditions of employment.

Scheduling FMLA Leave

When medically necessary, eligible employees may take requested FMLA leave consecutively, intermittently, or on a reduced leave schedule. Intermittent leave is leave taken during separate blocks of time due to a single qualifying event, whereas reduced leave reduces an employee's usual number of working hours per workday or workweek. An employee may be temporarily transferred to an available alternative position with equivalent pay and benefits that better accommodates the employee's need for intermittent or reduced leave.

Leave taken for a serious health condition of the employee or a covered family member may be taken intermittently or on a reduced leave schedule when medically necessary, provided that the employee gives appropriate notice and submits the required medical certification from a health care provider. Likewise, leave taken for a qualifying exigency may be taken intermittently provided that the employee gives proper notice. Intermittent or reduced leave for the birth or adoption of a child may be approved at the discretion of the library director. Employees requesting intermittent or reduced leave should make a reasonable effort to consult with the library director to schedule leave at a time that does not unduly disrupt the operations of their departments.

Paid Leave

FMLA leave is unpaid. However, Tri-Township Public Library District requires employees to substitute accrued/earned paid leave for FMLA leave in accordance with Tri-Township Public Library District leave policies. Sick leave will be exhausted first, and if appropriate, normal accrued/earned vacation will be exhausted second. All paid leave will be exhausted before an employee begins an unpaid leave portion of an FMLA leave.

In those cases where absences are intermittent, time off for family/medical leave will be considered part of the 12 weeks of leave and will be charged against any available vacation and, if due to a serious health problem, your permissible time off available. Leave time charged to available vacation or permissible absence will be paid. Time off in excess of available vacation or permissible absence time off will be unpaid. In either instance, this time will be charged against the 12-week family leave allowance.

Benefits

The Tri-Township Public Library District will pay its usual percentage of the cost to continue the employee's medical insurance and the base level of benefits provided under the life, accidental death and dismemberment, and long-term disability insurance programs during any paid or unpaid FMLA-qualifying leave. The employee is responsible for making arrangements with the Library Director to pay their portion of the benefits coverage once they reach unpaid leave for a full pay period for themselves and any spouse or dependent also covered. After 30 days of unpaid leave, employees must make arrangements with the Library Director to continue dependent medical and optional benefits coverage at their cost. If payment is not timely, dependent medical and optional benefits coverage may be canceled. Employees will be notified in writing at least 15 days before the date that the dependent health coverage lapses.

If an employee does not return to work after FMLA leave entitlement has been exhausted or has expired, the employee will be required to reimburse the Tri-Township Public Library District for any health care premiums paid to continue the employee's health insurance coverage during the unpaid leave portion of

the FMLA leave. Timely reimbursement will not be required if the employee is unable to return to work due to a serious health condition of the employee, son or daughter, spouse, or parent, or because of unforeseen circumstances beyond the employee's control. The Tri-Township Public Library District may require certification, within 30 calendar days of its request, to substantiate that the employee is unable to return to work because of a serious health condition.

Employee's Obligations

It is the employee's obligation to provide timely notice and adequate information to allow the supervisor to determine whether the time requested qualifies as FMLA leave, including any medical certification or recertification. If the employee fails to satisfy these requirements, leave may be delayed and any lost work time will not be counted as protected FMLA leave but will be processed in accordance with other applicable policies including but not limited to vacation, sick leave, attendance, and corrective counseling.

Notification

If the leave is foreseeable, the employee is required to formally request FMLA leave by submitting a Request for Family and Medical Leave form 30 calendar days prior to the commencement of the leave. Examples of foreseeable events include planned medical treatment or a child's birth. If the leave is not foreseeable, the employee is required to provide verbal notification within the same or next workday of when the need for leave becomes known to the employee, except in extraordinary circumstances where such notice is not feasible. Examples of unforeseen events are accidental injuries causing serious health conditions or sudden changes in health.

Medical Certification

An employee may be required to submit medical certification issued by a health care provider to support a request for leave due to the serious health condition of the employee or a covered family member. A second or third opinion may be required at the Tri-Township Public Library District's expense if there is reason to question the validity of a medical certification. Recertification of medical conditions may also be required at the employee's expense. Certification should be returned to the Tri-Township Public Library District no later than 15 calendar days after the Tri-Township Public Library District's request for such documentation. Failure to provide such certification in a timely manner may result in denial of the leave until such time as it is provided. In addition, leave may be denied in the event certification is considered inadequate, until adequate certification is provided.

An employee returning from a leave due to his/her own serious health condition is required to submit a return-to-work release. Restoration of employment may be denied or delayed if the release is not received prior to the start of the employee's regularly scheduled work shift.

Library Director's Obligations

In all circumstances, the library director must investigate in the event that an absence may be FMLA-qualifying, even if an employee does not expressly assert rights under the Act or even mention the FMLA.