

## EMPLOYEE BLOOD AND ORGAN DONATION LEAVE

### AMOUNT OF LEAVE

Eligible employees may take paid leave for up to one hour every 56 days to donate or to attempt to donate blood and up to 10 days in any 12-month period to serve or attempt to serve as a living organ donor.

### DEFINITIONS

"Eligible Employee" means a full-time (part-time?) employee who has been employed for at least 6 months and who donates or attempts to donate blood or an organ.

"Blood Donation" means the act of donating blood in accordance with the nationally recognized medical standards for blood donation eligibility of the community blood bank as operated by the American Red Cross, America's Blood Centers, the American Association of Blood Banks, or other blood bank.

"Organ Donation" means the act of donating any biological tissue of the human body that may be donated by a living donor (other than blood), including but not limited to, the kidney, liver, lung, pancreas, intestine, bone, and skin or any subpart thereof.

### NOTICE, APPROVAL, AND VERIFICATION REQUIREMENT

An employee is required to give reasonable notice to the Library in the event that the employee chooses to use leave under this policy. A request for leave under this policy must be in writing and must include the day the employee wishes to use the leave along with a written statement from the blood bank or medical/transplant facility indicating that the employee has an appointment on the day requested for leave to donate or attempt to donate blood or an organ. Upon an employee's return from an approved leave, the employee will be required to submit a written statement from the blood bank or medical/transplant facility verifying that the employee kept the appointment.

### COMPLAINT PROCEDURE

Employees who believe that their leave has been improperly administered under this policy may file a complaint with Human Resources. The complaint will be promptly investigated and the results of the investigation will be reported to the complaining employee. If the employee is unsatisfied with the findings of the investigation, the employee may appeal the decision to Library Director.

## **EMPLOYEE BLOOD DONATION LEAVE**

An employee may take up to one hour of paid leave every 56 days to donate or to attempt to donate blood.

### Definitions

“Eligible employee” means a full-time employee who has been employed for at least 6 months and who donates or attempts to donate blood.

“Blood donation” means the act of donating blood in accordance with the nationally recognized medical standards for blood donation eligibility of the community blood bank as operated by the American Red Cross, America’s Blood Centers, the American Association of Blood Banks, or other blood bank.

### Notice, Approval, and Verification Requirement

An employee is required to give reasonable notice to the Library in the event that the employee chooses to use leave under this policy. A request for leave under this policy must be in writing and must include the day the employee wishes to use the leave along with a written statement from the blood bank indicating that the employee has an appointment on the day requested for leave to donate or attempt to donate blood. Upon the employee’s return from an approved leave, the employee will be required to submit a written statement from the blood bank verifying that the employee kept the appointment.

## **BEREAVEMENT LEAVE**

### **Family Member Bereavement Leave**

The Elmhurst Public Library will grant all regular full-time and part-time employees up to five days of regularly scheduled work hours of paid bereavement leave **due to the death of an immediate family member**. This leave time may be used to grieve, make necessary arrangements, attend funeral services of an immediate family member.

“Immediate family member” includes as the employee’s child (including stepchild and foster child), legal guardian/ward, spouse, domestic partner, civil union partner, sibling, parent, mother-in-law, father-in-law, grandchild, grandparents, stepparent, and members of your household. Members of your household include those who live with you as their permanent residence.

This policy also allows absence from work due to:

- a miscarriage;
- an unsuccessful round of intrauterine insemination (IUI) or of an assisted reproductive technology procedure such as in vitro fertilization (IVF);
- a failed adoption match or an adoption that is not finalized because it is contested by another party;
- a failed surrogacy agreement;
- a diagnosis that negatively impacts pregnancy or fertility; or
- a stillbirth.

In addition, employees are eligible for five additional days of unpaid leave in the event of the death of a covered family member. In the event of the death of more than one immediate family member in a 12-month period, an employee is entitled to up to 6 weeks of bereavement leave during the period. (up to five days will be paid pursuant to this policy). Employees must complete time off under this policy with 60 days of learning of the need for leave.

### **Child Extended Bereavement Leave**

The Elmhurst Public Library will grant all regular full-time and part-time employees who have lost a child due to homicide or suicide six weeks of bereavement leave. Five days will be paid as detailed in the family member bereavement leave and the remaining time will be unpaid.

Employees may take leave in one continuous period or intermittently in increments of no less than four hours. Leave must be taken within one year after the employee notifies the employer of the loss. This six week of leave is the maximum amount of leave an employee may take for the loss of their child due to homicide or suicide. Accordingly, the employee may not seek additional bereavement leave as provided in the family member bereavement section.

### **Additional Time, Notice, and Documentation**

Additional paid or unpaid time or leave for persons not covered in the definition of “immediate family member” may be allowed in some circumstances at the discretion of the Library, or the employee may be permitted to use other available paid or unpaid time off. In certain circumstances, the organization may require an employee seeking leave under this policy to provide reasonable documentation of the need for the leave. Employees are requested to provide as much notice of the leave as possible. This policy does not permit an employee to exceed the amount of leave available under the Family and Medical Leave Act.

### **Returning From Leave**

When returning from bereavement leave, employees are entitled to the position they held when the leave began. If that position has been filled or is no longer available, returning employees are entitled to an equivalent position with equivalent pay, benefits, and responsibilities.

## **VICTIMS ECONOMIC SECURITY AND SAFETY ACT (VESSA)**

Both full and part-time employees are eligible and may use unpaid VESSA leave for up to 12 weeks during a 12-month period for any one or more of the following reasons:

- Seeking medical attention for, or recovering from, physical or psychological injuries caused by domestic, sexual or gender violence or any other crime of violence to the employee or the employee's family or household member.
- Obtaining services from a victim services organization for the employee or the employee's family or household member.
- Obtaining psychological or other counseling for the employee or the employee's family or household member.
- Participating in safety planning, temporarily or permanently relocating, or taking other actions to increase the safety of the employee or the employee's family or household member from future domestic, sexual or gender violence, any other crime of violence, or ensuring economic security.
- Seeking legal assistance or remedies to ensure the health and safety of the employee or the employee's family or household member, including preparing for or participating in any civil or criminal legal proceeding related to or derived from domestic, sexual, or gender violence, or any other crime of violence.

Eligible employees may use up to two workweeks (10 days) of unpaid VESSA leave for any one or more of the following reasons:

- Attending the funeral or alternative to funeral or wake of a family or household member who is killed in a crime of violence;
- Making arrangements necessitated by the death of a family or household member who is killed in a crime of violence; or
- Grieving the death of a family or household member who is killed in a crime of violence.

Leave for these reasons must be completed within 60 days after the employee receives notice of the death of the victim.

## Definitions

- **12-Month Period** - means a rolling 12-month period from the date leave is taken and continuous with each additional leave day taken.
- **Family or Household Member** - means a spouse or party to a civil union, parent, grandparent, child, grandchild, sibling, or any other person related by blood or by present or prior marriage or civil union, other person who shares a relationship through a child, or any other individual whose close association with the employee is the equivalent of a family relationship as determined by the employee, and persons jointly residing in the same household.
- **Domestic, Sexual or Gender Violence** - means domestic violence, sexual assault, gender violence or stalking.
- **Crime of Violence**- means any conduct proscribed by Articles 9, 11, 12, 26.5, 29D, and 33A of the Criminal Code of 2012 or a similar provision of the Criminal Code of 1961, in addition to certain conduct proscribed by the Articles of the Criminal Code of 2012. This can include sex offenses, assault, harassment and obscene communications, armed violence, and other crimes.

## Intermittent or Reduced Leave

An employee may take leave intermittently (a few days or a few hours at a time) or on a reduced leave schedule.

## Substitution of Time Off

An employee may elect to substitute accrued vacation, sick or personal time, or any other applicable paid time off, for any part of the VESSA leave. Such substitution will not extend the employee's total allotment of time off under this policy.

## Notice Requirement

An employee is required to give 48 hours' notice to the Library in the event of a foreseeable leave. In unexpected or unforeseeable situations, an employee should provide as much notice as is practicable, usually verbal notice within one or two business days of when the need for leave becomes known.

## Certification

For leaves taken pursuant to this policy, the employee may be required to submit a certification demonstrating the need for the leave. The certification must be provided by the employee as soon as reasonably possible, but in most cases, within 15 days after requested.

The certification requirement may be satisfied by the submission of a sworn statement from the employee **and** one of the following:

- Documentation from a victim services organization, attorney, clergy, or medical or other professional from whom the employee or the family/household member has sought assistance from in addressing domestic, sexual, gender violence and or crime of violence and/or its effects;
- A police or court record;
- A death certificate, published obituary, or written verification of death, burial, or memorial services from a mortuary, funeral home, burial society, crematorium, religious institution, or government agency documenting that a victim was killed in a crime of violence; or
- Other corroborating evidence.

All documentation related to the employee's need for the leave pursuant to this policy will be held in strict confidence and will only be disclosed as required/permitted by law.

### **Effects on Benefits**

During an approved VESSA leave, the Library will maintain your health benefits, as if you continued to be actively employed. If paid leave is substituted for unpaid VESSA leave, the Library will deduct your portion of the health plan premium as a regular payroll deduction. If your leave is unpaid, you must pay your portion of the premium during the leave. Your group health care coverage may cease if your premium payment is more than 30 days late. If you do not return to work at the end of the leave period, you may be required to reimburse the Library for the cost of the premiums paid by the Library for maintaining coverage during your unpaid leave, unless you cannot return to work because of the continuation, recurrence, or onset of domestic, sexual, or gender violence, any other crime of violence, or other circumstances beyond your control.

When your need for the leave also qualifies as family/medical leave pursuant to the Family and Medical Leave Act (FMLA), the FMLA leave will run concurrently with leave taken pursuant to this policy, such that the total amount of unpaid leave for which an employee will be eligible in one year is 12 weeks.

When your need for leave also qualifies for bereavement leave under Illinois' Family Bereavement Leave Act (FBLA), FBLA leave will run concurrently with leave taken pursuant to this policy, such that the total amount of unpaid leave for which an employee will typically be

eligible in cases of bereavement is 10 days. However, in such cases, the 10 days of bereavement leave will not be deducted from the employee's total VESSA allotment of 12 weeks

### **Job Protection**

If you wish to return to work at the expiration of your leave, you are entitled to return to your same position or to an equivalent position with equal pay, benefits and other terms and conditions of employment. If you take leave because of your own medical condition, you are required to provide medical certification that you are fit to resume work. You may contact Human Resources regarding return-to-work procedures and documentation needed. Employees failing to provide the proper documentation needed will not be permitted to resume work.

### **Reasonable Accommodations**

The Library supports VESSA and will provide reasonable accommodations to qualified individuals who are entitled to protection under this Act in a timely fashion, unless such accommodations would present an undue hardship for the Library.

Reasonable accommodation applies to applicants and employees and may include adjustment to a job structure, workplace facility, or work requirement, transfer, reassignment, or modified schedule, leave, a changed telephone number or seating assignment, installation of a lock, implementation of a safety procedure or assistance in documenting domestic, sexual, or gender violence, or any other crime of violence that occurs at the workplace or in work-related settings, in response to actual or threatened domestic, sexual, or gender violence, or any other crime of violence.

A qualified individual is an individual who, but for being a victim of domestic, sexual, or gender violence, or any other crime of violence, or with a family or household member who is a victim of domestic, sexual, or gender violence, or any other crime of violence, can perform the essential functions of the employment position that such individual holds or desires.

Should you wish to request a reasonable accommodation pursuant to this policy, you should contact Human Resources or the Library Director.

### **Confidentiality**

All information provided to the Library pursuant to this policy, including a statement of the employee or any other documentation, record, or corroborating evidence, and the fact that the employee has requested or obtained an accommodation pursuant to this Section shall be retained in the strictest confidence by the Library, except to the extent that disclosure is (1) requested or consented to in writing by the employee; or (2) otherwise required by applicable federal or State law.