Chapter 6: ABSENCE FROM WORK

The City of St. Charles reserves the right to interpret and deviate from all City policies. Both the City and employee have the right to terminate the employment relationship at any time, with or without cause and/or notice.

SICK LEAVE

APP: ALL FULL-TIME AND PART-TIME EMPLOYEES, UNLESS OTHERWISE STIPULATED IN A COLLECTIVE BARGAINING AGREEMENT

Paid sick leave is a benefit provided to full-time employees. Sick leave is not a privilege. A full-time employee may use sick leave only in case of an actual sickness or disability of the employee; because of illness of his/her child under eighteen (18) years of age; or to meet physical examination appointments or other sickness prevention measures as prescribed by the employee's physician. All sick leave usage must be documented using the appropriate request form.

Notification of Absence

When any employee is absent due to illness, the employee must notify his/her immediate supervisor or his/her designee a minimum of a half hour prior to the employee's normal start time, so the effect of the employee's absence can be minimized. When any employee will be absent due to a physical examination appointment or other sickness prevention measures as prescribed by a physician, the employee must notify his/her immediate supervisor or his/her designee within one (1) work day of the employee's normal start time and should complete a "Request/Report of Leave" in Lawson Employee Self Service (access on the City network or iNet). For full-time Teamster employees, sick leave for periods of less than one (1) day must be a minimum of one hour and after that, increments of 15 minutes. Non-union, full-time employees may also use sick leave in increments of 15 minutes.

Physician's Note

When an employee is absent for more than three (3) days, the supervisor may request a physician's note. Human Resources should be notified of an absence of more than three (3) days or when a physician's note is requested.

Depletion of Accrued Sick Leave

When a full-time employee has depleted his/her paid sick leave, the employee may deduct time from unused vacation and then from unused personal time.

Advance Sick Leave

In the case of an emergency, a full-time employee's department director may, at his/her discretion, with concurrence of the Director of Human Resources, authorize in writing, an advance of up to forty-eight (48) hours of sick leave. Firefighters may be authorized, with concurrence of the Director of Human Resources, an advance of up to one hundred forty-four (144) hours of sick leave. Such a leave may be authorized only if the employee:

1. Has exhausted all available leave time from which compensation could be made.
2. Has been employed with the City for one (1) year.
3. Is a full-time employee.
4. Has demonstrated good performance and has indicated he/she intends to remain in the employ of the City.
5. Understands the amount of any unpaid advance sick leave shall be deducted from the employee's pay at termination.
6. Signs an agreement to this effect.

Accrual

A full-time employee shall earn four (4) hours per month of sick time on the first day of each month.

Sick Bank

Each full-time employee will be given a one-time award of 480 hours in a sick leave bank. An employee may use the sick leave bank only in case of a serious health condition of the employee.

Notification of Absence

When a full-time employee is absent for five (5) continuous working days, a police sergeant is absent for four (4) continuous working days, or a Batallion Chief is absent for more than two (2) continuous, regularly scheduled work shifts, the employee should notify Human Resources of his/her request to use the sick leave bank and complete the application for FMLA leave. This notification can be made at any time the employee meets the sick leave bank requirements, but not later than within 48 hours of the employee's return to work.

Serious Health Condition

A serious health condition is defined as an illness that involves in-patient care OR continuing treatment by a health care provider for a chronic or long-term health condition that is incurable or which, if left untreated, would likely result in an even more serious health condition.

Continuing Treatment

Continuing treatment is defined as two (2) or more visits with a health care provider; OR two (2) or more treatments by a health care practitioner on referral from, or under the direction of, a health care provider OR a single visit to a health care provider that results in a regimen of continuing treatment; OR in the case of a serious, long-term, or chronic condition that cannot be cured, being under the continuing supervision of, but not necessarily being actively treated by, a health care provider.

Medical Certification

A physician's note is required and should be provided to Human Resources.

Depletion of Sick Leave Bank

When a full-time employee has depleted his/her sick leave, the employee may deduct time from his/her unused sick leave accrual, then from unused vacation, then from unused personal time. The sick leave bank will not be replenished.

Sick Leave Bank Pay-Out at Termination

Full-time employees will not be compensated for any unused sick leave.

Converting Sick Leave to Service Credit for IMRF Retirement

IMRF qualified full-time employees may convert the balance in their sick leave bank for additional service credit upon retirement. Please refer to IMRF policy for converting these days to service credit.

Carry-Over of Sick Time

There is no maximum to the amount of sick time a full-time employee can accrue.

VACATION

APP: ALL FULL-TIME EMPLOYEES

The City shall provide employees with vacation time. A vacation day(s) off from work will be considered as service time and will not affect seniority.

Advance Vacation Leave

There will not be any advance of vacation leave except for firefighters. Firefighters may be advanced vacation leave up to what is earned in one (1) year and must be "paid back" by the end of the calendar year in which it was used.

Accrual

Vacation time is pro-rated when an employee does not work the entire pay period. For each full year of continuous employment, all employees (except firefighters) shall earn vacation leave as follows:

Accumulation Table

All Employees (Except Firefighters) hired before:
IBEW - 5/1/11 Teamsters - 5/1/98 Non-Union - 5/1/99

YEARS OF SERVICE NON EXEMPT	YEARS OF SERVICE EXEMPT	ACCUMULATION RATE	BI-WEEKLY HOURS
1-4 yrs	----	10 days (80.08 hrs)	3.08 hours bi-weekly
5-9 yrs	1-4 yrs	15 days (120.12 hrs)	4.62 hours bi-weekly
10 yrs	5 yrs	16 days (128.18 hrs)	4.93 hours bi-weekly
11 yrs	6 yrs	17 days (136.24 hrs)	5.24 hours bi-weekly

12 yrs	7 yrs	18 days (144.04 hrs)	5.54 hours bi-weekly
13 yrs	8 yrs	19 days (152.1 hrs)	5.85 hours bi-weekly
14 yrs	9 yrs	20 days (160.16 hrs)	6.16 hours bi-weekly
15 yrs	10 yrs	21 days (168.22 hrs)	6.47 hours bi-weekly
16 yrs	11 yrs	22 days (176.02 hrs)	6.77 hours bi-weekly
17 yrs	12 yrs	23 days (184.08 hrs)	7.08 hours bi-weekly
18 yrs	13 yrs	24 days (192.14 hrs)	7.39 hours bi-weekly
19 yrs	14 yrs	25 days (200.2 hrs)	7.7 hours bi-weekly
_____	15 yrs	26 days (208.0 hrs)	8.0 hours bi-weekly
_____	16 yrs,	27 days (216.06 hrs)	8.31 hours bi-weekly
_____	17 yrs	28 days (224.12 hrs)	8.62 hours bi-weekly
_____	18 yrs	29 days (232.18 hrs)	8.93 hours bi-weekly
_____	19 yrs	30 days (240.24 hrs)	9.24 hours bi-weekly

Accumulation Table

All Employees (Except Firefighters) hired after:
IBEW - 5/1/11 Teamsters - 5/1/98 Non-Union - 5/1/99

YEARS OF SERVICE NON EXEMPT	YEARS OF SERVICE EXEMPT	ACCUMULATION RATE	BI-WEEKLY HOURS
1-4 yrs	---	10 days (80.08 hrs)	3.08 hours bi-weekly
5 yrs	---	11 days (88.14 hrs)	3.39 hours bi-weekly
6 yrs	---	12 days (96.2 hrs)	3.7 hours bi-weekly
7 yrs	---	13 days (104 hrs)	4.0 hours bi-weekly
8 yrs	---	14 days (112.06 hrs)	4.31 hours bi-weekly
9-14	1-4 yrs	15 days (120.12 hrs)	4.62 hours bi-weekly
15 yrs	5 yrs	16 days (128.18 hrs)	4.93 hours bi-weekly
16 yrs	6 yrs	17 days (136.24 hrs)	5.24 hours bi-weekly
17 yrs	7 yrs	18 days (144.04 hrs)	5.54 hours bi-weekly
18 yrs	8 yrs	19 days (152.1 hrs)	5.85 hours bi-weekly
19 yrs	9 yrs	20 days (160.16 hrs)	6.16 hours bi-weekly
---	10 yrs	21 days (168.22 hrs)	6.47 hours bi-weekly
---	11 yrs	22 days (176.02 hrs)	6.77 hours bi-weekly
---	12 yrs	23 days (184.08 hrs)	7.08 hours bi-weekly
---	13 yrs	24 days (192.14 hrs)	7.39 hours bi-weekly
---	14 yrs	25 days (200.2 hrs)	7.7 hours bi-weekly

Accumulation Table Firefighters on 24/48 Shift

YEARS OF SERVICE	SHIFTS	ACCUMULATION RATE BIWEEKLY HOURS
0-4 yrs	5	4.62 hours bi-weekly
5-7 yrs	7	6.47 hours bi-weekly

8-10 yrs	8	7.39 hours bi-weekly
11-13 yrs	9	8.31 hours bi-weekly
14-16 yrs	10	9.24 hours bi-weekly
17–19 yrs	11	10.16 hours bi-weekly
20 or more yrs	12	11.08 hours bi-weekly

Accumulation Table Police Officers

YEARS OF SERVICE	ANNUAL AMOUNT EARNED	ACCUMULATION RATE BIWEEKLY HOURS
1-4 years	82 hours	3.15 hours bi-weekly
5-9 years	123 hours	4.73 hours bi-weekly
10 years	131.2 hours	5.05 hours bi-weekly
11 years	139.4 hours	5.36 hours bi-weekly
12 years	147.6 hours	5.68 hours bi-weekly
13 years	155.8 hours	5.99 hours bi-weekly
14 years	164 hours	6.31 hours bi-weekly
15 years	172.2 hours	6.62 hours bi-weekly
16 years	180.4 hours	6.94 hours bi-weekly
17 years	188.6 hours	7.25 hours bi-weekly
18 years	196.8 hours	7.57 hours bi-weekly
19 years	205 hours	7.88 hours bi-weekly

Minimum Use

Vacation leave may be taken, in one-half (1/2) day increments (except firefighters).

For IAFF employees, vacation leave may be taken in full day increments, except when utilized for educational purposes, as set forth by the Fire Chief.

Approval

An employee must request vacation leave of more than one (1) day at least five (5) working days in advance from his/her supervisor. An employee must request vacation leave for one (1) day at least one (1) working day in advance from his/her supervisor. Employees should complete the paper form available on iNet or the online “Request/Report of Leave” (on Employee Self Service). Vacation leave must be “earned” before it can be used. No “advance” of vacation time shall be granted. Vacation leave requests in excess of ten (10) consecutive working days must be arranged at a time convenient to both the employee and the City. Vacation usage must be documented using the appropriate request form.

Cancellation of Leave

Employees who wish to cancel a vacation leave that has been pre-approved are required to give a minimum of ten (10) working days notice. In emergency situations, employees will be allowed to reschedule or change the type of leave requested as long as it is in compliance with City leave policies.

Carry-Over of Vacation Time

Full-time employees (except Teamsters employees) may not have more vacation accumulated than what the employee would earn in two (2) years at the employee's anniversary date. If the employee has accumulated more than he/she would earn in two (2) years at the time of his/her anniversary date, the employee will have his/her total vacation time reduced to the maximum allowable amount.

Teamsters employees may not have more vacation accumulated than what the employee would earn in one (1) years, plus 40 hours, at the employee's anniversary date. If the employee has accumulated more than he/she would earn in one (1) year, plus 40 hours, at the time of his/her anniversary date, the employee will have his/her total vacation time reduced to the maximum allowable amount.

Part-Time Employees

Part-time employees will be allowed to take the equivalent amount of unpaid time-off, up to four (4) weeks, as a full-time employee based on their hire date and years of employment. The vacation time is applicable to leave requests over one (1) day in duration. Time-off requests of one day only are not counted as vacation time but are subject to supervisor approval.

PERSONAL LEAVE

APP: ALL FULL -TIME EMPLOYEES

The City shall provide all full-time employees (except fire and police) with the use of twenty-four (24) hours off per year to conduct personal business. Police officers will receive 32.8 hours of personal time per calendar year.

Use

Union employees may take personal time in a minimum of one (1) hour increments and then in increments of one-quarter (1/4) hour thereafter. Non-union employees may take personal time in increments of one-quarter (1/4) hour.

Approval

An employee must request personal leave at least one (1) working day in advance from his/her supervisor. Personal time usage must be documented using the appropriate request form or online on Employee Self Serve.

Carry-Over of Personal Leave

An employee may not carry-over personal leave. Personal leave must be used by the end of the calendar year or it will be lost.

Prorated Accrual

An employee hired full-time during the calendar year will receive personal days on a prorated basis as follows. If hired:

1. on January 1 and through March 31, twenty-four (24) hours will be given.
2. on April 1 and through June 30, sixteen (16) hours will be given.
3. on July 1 and through September 30, eight (8) hours will be given.
4. on October 1 and through December 31, zero (0) hours will be given.

Teamsters Personal Leave

An employee in active service may receive up to twenty-four (24) hours paid time off per calendar year to conduct personal business that cannot be conducted outside of work time.

1. Personal time may be used in one (1) hour increments. The employee must request this personal time at least 24 hours before the start of the workday the time off is requested.
2. If the employee requests personal time with less notice than 24 provided in (1), this notification must occur at least fifteen (15) minutes prior to the employee's scheduled start time, and the employee must use a minimum of four (4) hours of personal time. Such time off may not be taken without the approval of supervision conditioned on such advance notice requirements as the foreman or his designee may specify in line with departmental need.

Employees are eligible to receive an additional eight (8) hours of personal time off (maximum of 32 hours per calendar year) provided they meet all of the following criteria:

1. Employee worked all full pay periods in the previous calendar year.
2. Employee uses six (6) or less sick days during that calendar year.

IBEW Personal Leave

Three (3) Personal Days shall be available to full-time employees covered by the IBEW Agreement per calendar year. Each full-time employee working in the Electric Line Department will have the ability to earn an Attendance Day should the employee not be absent from work more than six (6) work days in the 26 pay periods beginning the first full pay period in January to the end of the first pay period in January of the following year.

IAFF Personal Leave

IAFF employees shall receive one (1) 24-hour shift as a Personal Day on each January 1 if the employee uses four (4) or fewer sick shifts of sick time in the previous calendar year. The Personal Day is considered a personal day off and must be approved by the Chief or designee and scheduled along with all other time off on the vacation/time off calendar prior to being used. Personal Days may be used in two (2) hour increments and then in increments of ¼ hour thereafter during the year earned and may not be carried over to the following year except in cases approved by the Fire Chief.

PERSONAL LEAVE IN LIEU OF HOLIDAYS

APP: ALL FULL -TIME EMPLOYEES EXCEPT FIREFIGHTERS AND POLICE OFFICERS

Personal Leave in Lieu of Holidays - Non-Union

Employees hired prior to May 1, 1998, will receive an additional eighteen (18) hours of personal leave in addition to the twenty-four (24) hours normally allowed. Employees hired on or after May 1, 1998, will not receive the additional personal leave.

Personal Leave in Lieu of Holidays - Teamster

Employees hired prior to May 1, 1998, shall receive an additional eighteen (18) hours of personal leave to the twenty-four (24) hours normally allowed. Employees hired on or after May 1, 1998, do not receive the additional personal leave.

Personal Leave in Lieu of Holidays - IBEW

Employees hired prior to January 1, 1999, shall receive an additional eighteen (18) hours of personal leave to the twenty-four (24) hours normally allowed. Employees hired on or after January 1, 1999, do not receive the additional personal leave.

HOLIDAYS

APP: ALL FULL-TIME EMPLOYEES AND PART-TIME IMRF QUALIFIED EMPLOYEES UNLESS OTHERWISE STIPULATED IN A COLLECTIVE BARGANNING AGREEMENT*

Human Resources will designate the City recognized holidays each October for the following calendar year. City offices shall be closed on the observed day of each holiday and all eligible employees will receive regular pay for that day. MAP and IAFF employees shall observe the holiday on the actual calendar day upon which the holiday falls.

Official Holidays	Holiday Observed On
New Year's Day	January 1
Memorial Day	4th Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Thanksgiving Day	Fourth Thursday in November
Friday after Thanksgiving	Fourth Friday in November

Christmas Eve	December 24
Christmas Day	December 25

For Police (MAP) and Fire (IAFF) only in addition to the above holidays

Official Holidays	Holiday Observed On
Good Friday	Friday before Easter
Veteran's Day	November 11

For Fire (IAFF) only in addition to the above holidays

Official Holidays	Holiday Observed On
Presidential Election Day	Tuesday following the first Monday in November in years divisible by four

Holidays Falling on Weekends

When a holiday falls on a Saturday, the preceding Friday shall be considered the holiday. Whenever a holiday falls on a Sunday, the following Monday shall be considered the holiday.

Holiday Pay Eligibility - Full-Time Employees

In order to be eligible for holiday pay, the employee must work the scheduled workday before and after the holiday, with the following exceptions:

1. Said days are the employee's normal days off from duty.
2. The employee is on approved vacation during said days.
3. The employee is absent due to an approved illness on the day before or after a holiday.

Holiday Pay Eligibility – Part-Time Employees

The holiday must be observed a day the employee would normally work and the employee must work the scheduled day before and after the holiday (unless pre-approved time off).

The City will pay part-time employees who qualify for IMRF, four (4) hours of holiday pay regardless of the number of hours the employee normally works in a day.

*In order to be eligible for holiday pay, the part-time employee must work a regular schedule of Monday through Friday for the entire year.

Holidays During Sick Leave

Absence from work on a day immediately prior to or following an official holiday, which an employee attributes to health reasons, may be required to be confirmed by a medical doctor, or other licensed health practitioner.

If an official holiday occurs while an employee is on bona fide sick leave, the employee shall be paid for the holiday and the day shall not be deducted from the employee's sick leave.

Holidays During Vacation Leave

If an official holiday falls during an employee's vacation leave, the holiday will not be deducted from the employee's unused vacation leave.

FAMILY AND MEDICAL LEAVE (FMLA)

APP: ALL EMPLOYEES UNLESS OTHERWISE STIPULATED IN A COLLECTIVE BARGAINING AGREEMENT OR STATE STATUTE

In accordance with the Family and Medical Leave Act, job-protected unpaid family medical leave may be granted to eligible employees for up to twelve (12) weeks per twelve (12) month period for any one or more of the following reasons:

1. The birth of a child and in order to care for such a child, or the placement of a child with the employee for adoption or foster care (leave for this reason must be taken within the twelve (12) month period following the child's birth or placement with the employee); or
2. In order to care for an immediate family member (spouse, child, or parent) of the employee if such immediate family member has a serious health condition; or
3. The employee's own serious health condition that makes the employee unable to perform the essential functions of his/her position.
4. Any qualifying exigency arising out of the fact that the employee's family member is on active duty, has been notified of an impending call to active duty, or in support of a call to duty in a foreign country. An employee is entitled to leave if the military family member is serving in any of the branches of the Armed Forces and is called to active military duty.
5. Up to 26 weeks of job protected, family and medical leave is provided if an employee has a spouse, son, daughter, parent, or next of kin who is a member of the Armed Forces (including Reserves and National Guard), and the employee is providing care for the service member who sustained a serious injury or illness in the line of duty while on active duty status at any time during the preceding five years.

Definitions

12-Month Period

Means a rolling twelve (12) month period measured backward from the date leave is taken, and continuous with each additional leave day taken.

Spouse

Spouse means a husband or wife as defined or recognized under state law for purposes of ma Spouse means a husband or wife as defined or recognized under state law for purposes of marriage in the state where the employee resides, including same-sex marriage. If both spouses work for the City of St. Charles, their leave in any twelve (12) month period may be limited to an aggregate of twelve (12) weeks if the leave is taken either for the birth or placement for adoption or foster care of a child or to care for a sick parent (but not parent-in-law).rriage in the state where the employee resides, including same-sex marriage. If both spouses work for the City of St. Charles, their leave in any twelve (12) month period may be limited to an aggregate of twelve (12) weeks if the leave is taken either for the birth or placement for adoption or foster care of a child or to care for a sick parent (but not parent-in-law).

Child

Means a child either under eighteen (18) years of age, or eighteen (18) years of age or older who is incapable of self-care because of a mental or physical disability as defined by the Americans with Disabilities Act. An employee's "child" is one for whom the employee has actual day-to-day responsibility for care and includes, but is not limited to, a biological, adopted, foster, or step-child, a legal ward, or a child of a person standing in loco parentis.

Parent

A biological parent or an individual who stands or stood in loco parentis to an employee when the employee was a son or daughter as defined in "Child" above. This term does not include parent-in-law.

Next of Kin

Nearest blood relative other than spouse, parent, son, or daughter in the following order of priority: blood relatives who have been granted legal custody of the service member by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins.

Serious Health Condition

Inpatient care (i.e. an overnight stay) in a hospital, hospice, or residential medical-care facility, including any period of incapacity (i.e. inability to work, attend school, or perform other regular daily activities) or subsequent treatment in connection with such inpatient care.

Continuing Treatment

Continuing treatment by a health care provider includes:

1. A period of incapacity lasting more than three (3) consecutive, full calendar days and any subsequent treatment or period of incapacity relating to the same condition that also includes:
    - Treatment two or more times by or under the supervision of a health care provider (i.e., in-person visits, the first within seven (7) days and both within 30 days of the first day of incapacity;) **or**
    - One treatment by a health care provider (i.e. an in-person visit within seven (7) days of the first day of incapacity) with a continuing regimen or treatment (i.e. prescription medication, physical therapy);

2. Any period of incapacity related to pregnancy or for prenatal care. A visit to the health care provider is not necessary for each absence; or
3. Any period of incapacity or treatment for a chronic serious health condition that continues over an extended period of time, requires periodic visits (at least twice a year) to a health care provider, and may involve occasional episodes of incapacity. A visit to a health care provider is not necessary for each absence; or
4. A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective. Only supervision by a health care provider is required, rather than active treatment; or
5. An absence to receive multiple treatments for restorative surgery or for a condition that would likely result in a period of incapacity of three (3) or more days if not treated.

Exigent Circumstances

Exigent circumstances covers a qualifying exigency of short notice deployment or military events and related activities and the need to arrange for childcare and school activities; financial and legal arrangements; counseling; rest and recuperation; and post deployment activities. The need would arise out of the fact the the employee, spouse, son, daughter, or parent is on active duty (or has been notified of an impending call or order to active duty) in the Armed Forces in support of a call to duty in a foreign country. This means a reserve component service member was called to active duty during a time of war or national emergency, or a military operation in which active forces (reserve or regular military) face an emeny.

Coverage and Eligibility

To be eligible for family/medical leave an employee must:

1. Have worked for the City of St. Charles for at least twelve (12) months; and
2. Have worked at least 1,250 hours over the previous twelve (12) month period.
3. For part-time employees and those who work variable hours, family and medical leave is calculated on a prorated basis. A weekly average of the hours worked over the twelve (12) weeks prior to the beginning of the leave should be used for calculating the employee's normal workweek.

A poster prepared by the Department of Labor summarizing the major provisions of The Family and Medical Leave Act (FMLA) and telling employees how to file a complaint is available in the Appendix and posted in all City buildings.

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 to care for an immediate family member with a serious health condition or because of a serious health condition of the employee when "medically necessary."

Medically necessary means there must be a medical need for the leave and that the leave can best be accomplished through an intermittent or reduced leave schedule.

The employee may be required to transfer temporarily to a position with equivalent pay and benefits that better accommodates recurring periods of leave when the leave is planned based on scheduled medical treatment.

An employee may take leave intermittently or on a reduced leave schedule for birth or placement for adoption or foster care of a child only with the approval of the department director and Director of Human Resources.

Substitution of Paid Leave Time

An employee will be required to substitute any accrued, unused sick time (except for the birth/adoption/foster care of a child), then any accrued, unused vacation time, followed by any accrued, unused personal time, as needed, for any part of a family/medical leave for any reason.

When an employee or spouse of an employee has a baby, the employee may substitute sick time for the serious health condition of the employee's spouse or for the employee. This is usually (6) weeks for a normal birth and eight (8) weeks if a cesarean is needed, as indicated by the mother's physician. Any additional time off would be deducted from vacation and personal time.

When an employee has used all of the above paid time for a portion of family/medical leave, the employee may request an additional period of unpaid leave to be granted so that the total of paid and unpaid leave provided for FMLA purposes equals twelve (12) weeks (26 weeks leave for caring for a service member).

FMLA runs concurrently with worker's compensation and disability.

Notice Requirement

An employee is required to give immediate notice, or as soon as reasonably possible. A minimum thirty (30) day notice is required in the event of a foreseeable leave. A minimum ninety (90) day notice is required before the birth of a baby, including caring for a spouse after the birth. An "Employee Request for Family/Medical Leave" form should be completed by the employee and returned to Human Resources (forms available on the City iNet.)

If an employee fails to give at least thirty (30) days notice for a foreseeable leave with no reasonable excuse for the delay, the leave will be denied until thirty (30) days after the employee provides notice.

In the event an employee is unable to work by reason of illness, injury, or disability, the employee must report the illness, injury, or disability as soon as the condition is known, and thereafter furnish to Human Resources a physician's written statement showing the nature of the condition and the estimated length of time that the employee will be unable to report to work along with an "Employee Request for Family/Medical Leave" form (forms available on the City iNet).

An employee undergoing planned medical treatment is required to make a reasonable effort to schedule the treatment to minimize disruption to City operations.

In unexpected or unforeseeable situations, an employee should provide as much notice as practical, followed by a completed "Employee Request for Family/Medical Leave" form.

While on consecutive leave, employees are requested to report every two (2) weeks to Human Resources regarding the status of the medical condition, and their intent to return to work.

Medical Certification

1. For leave taken because of the employee's or a covered family member's serious health condition, the employee must submit a completed "Certification of Health Care Provider" form and return the certification to Human Resources (form available on the City iNet). Medical certification must be provided by the employee within fifteen (15) days after requested, or as soon as reasonably possible.
2. The City of St. Charles may require a second or third opinion (at its own expense), periodic reports on the employee's status and intent to return to work, and a fitness-for-duty report to return to work. (See *Chapter 10, Return to Work* policy)
3. If intermittent or consecutive leave is longer than ninety (90) days, a new or updated "Certification of Health Care Provider" form will be required every six (6) months except for the birth of a child or an adoption.
4. All documentation related to the employee's or family member's medical condition will be held in strict confidence and maintained in a separate Family and Medical Leave file.
5. For leaves taken for active duty or to provide care for a serious injury or illness of a member of the Armed Forces, employee must submit a copy of the military orders along with a completed "Certification of Serious Injury or Illness of Veteran or Current Service Member" (forms available on the City iNet).

Effects on Benefits

1. An employee granted a leave under this policy will continue to be covered under the City of St. Charles group health insurance plan, life insurance plan, and long-term disability plan under the same conditions as coverage would have been provided if he/she had been continuously employed during the leave period.
2. Employee contributions will be required either through payroll deduction or by direct payment to the City of St. Charles. The employee will be advised in writing at the beginning of the leave period as to the amount of payment. Employee contribution amounts are subject to any change in rates that occurs while the employee is on leave.
3. If an employee's contribution is more than thirty (30) days late, the City of St. Charles may terminate the employee's insurance coverage for the duration of the leave.
4. If the City of St. Charles pays the employee contributions missed by the employee while on leave, the employee will be required to reimburse the

City for delinquent payments (on a payroll deduction schedule) upon return from the leave.

5. If the employee fails to return from unpaid family/medical leave for reasons other than (1) the continuation of a serious health condition of the employee or a covered family member or (2) circumstances beyond the employee's control (certification required within thirty (30) days of failure to return for either reason), the City of St. Charles may seek reimbursement from the employee for the portion of the premiums paid by the City of St. Charles on behalf of the employee (also known as the employer contribution) during the period on leave.
6. An employee is not entitled to seniority or benefit accrual during periods of unpaid leave, but will not lose anything accrued prior to leave.

Job Protection

If the employee returns to work immediately upon expiration of an approved Family Medical Leave, he/she will be reinstated to his/her former position or an equivalent position with equivalent pay, benefits, and working conditions.

The employee's restoration rights are the same as they would have been had the employee not been on leave. Thus, if the employee's position would have been eliminated or the employee would have been terminated but for the leave, the employee would not have the right to be reinstated upon return from leave.

Outside Employment

While the employee is off work from the employer due to employee's own serious health condition, the employee is prohibited from working for another employer.

FAMILY MILITARY LEAVE

APP: ALL EMPLOYEES

Employees are allowed to take family military leave during the time federal or state deployment orders are in effect.

Eligibility Requirement

Employees who are the spouse, parent, child, or grandparent of a person called to military service lasting longer than thirty (30) days and who have been employed twelve (12) consecutive months and for at least 1,250 hours of service during the 12-month period preceding commencement of the leave shall be entitled to up to thirty (30) days of unpaid family military leave during the time federal or state deployment orders are in effect. Employee must first exhaust any accrued paid leave time, excluding sick time or disability leave. Proof from a proper military authority to verify eligibility is required in the form of deployment orders or contact information for the military member's commanding officer or unit of assignment

Notice

Employees must to give at least fourteen (14) days notice of the intended date upon which the family military leave will commence if leave will consist of five (5) or more consecutive work days.

Restoration of Employment

Employees who exercise this leave, upon expiration of the leave, are entitled to be restored to the position held by the employee when the leave commenced or to a position with equivalent seniority status, employee benefits, pay and other terms and conditions of employment.

Benefits Continuation

Employee may continue benefits at the employee's expense during any family military leave taken.

MILITARY DUTY LEAVE

APP: ALL EMPLOYEES UNLESS OTHERWISE STIPULATED IN A COLLECTIVE BARGAINING AGREEMENT

An employee who is a member of a reserve component of the Armed Forces (including the National Guard) will be granted a military leave of absence to participate in required training, presidential mobilizations, or encampments.

Compensation

During leaves for annual training, the employee shall continue to receive his or her regular compensation as a City employee, up to two (2) work weeks in a one (1) year period.

Leaves for military activities include leaves for basic training as well as special or advanced training (i.e. boot camp, special classes/training) and any other required duty or training (i.e. weekend drills) up to 60 days. If the employee's compensation for military activities is less than his or her compensation as a City employee, he or she shall receive his or her regular City compensation minus the amount of his or her base pay for military activities.

Travel allowances or subsistence payments received from the military shall not be considered as pay received for military service and will be kept by the employee.

Military Leave of Absence

If an employee enters active duty with the U. S. Armed Forces, a military leave of absence will be granted. The employee's service will be protected in accordance with the applicable laws of the United States if the employee applies for re-employment upon discharge from military service. It is not necessary for the employee to request permission to be absent from work for military leave; they only need to provide notification of pending military service.

VICTIMS' ECONOMIC SECURITY AND SAFETY LEAVE (VESSA)

APP: ALL EMPLOYEES

This policy is to provide employees with leave benefits, when needed, in accordance with the Victims' Economic Security and Safety Act (VESSA). VESSA provides an employee who is a victim of domestic and sexual violence, or who has a family or household member who is a victim of domestic or sexual violence, with up to twelve (12) weeks of leave per any twelve (12) month period to address issues arising from domestic or sexual violence.

Coverage and Eligibility

Any employee who has been subjected to domestic or sexual violence shall be provided leave during work hours for any of the following:

- To seek medical attention for, or recover from, physical or psychological injuries;
- To obtain services from victim service organizations;
- To obtain psychological or other counseling;
- To participate in safety planning, to temporarily or permanently relocate, or to take other actions to increase safety from future domestic or sexual violence;
- To seek legal assistance or remedies to ensure health and safety, including preparing for or participating in any civil or criminal legal proceeding.
- Employees may also take such leave to help a family/household member (spouse, parent, child, anyone related to the victim by blood or by present/prior marriage, and anyone who shares a relationship with the victim through a son or daughter) who is a victim of domestic or sexual violence.

Notification and Verification

Qualifying employees must notify the Human Resources Director as soon as possible when requesting time off. While verification is required, the Human Resources Director will take every precaution to see that all information is kept as confidential as possible. Verification will consist of a sworn statement of the employee with the employee's signature, the completed VESSA form (forms available on the City iNet), and:

- Documentation from a victim services organization, an attorney, a member of the clergy, or a medical or other professional from whom the employee or the employee's vamily or household member has sought assistance in addressing domestic or sexual violence and the effects of the violence; or
- A police or court record; or
- Other corroborating evidence.

Time Allowed

Employees are entitled to a maximum of twelve (12) weeks unpaid leave during any rolling 12-month period, provided, where practicable, notice has been given at least forty-eight (48) hours in advance.

Substitution of Paid Leave

Employees may choose to substitute benefit time for VESSA leave. Personal days and/or vacation time may be utilized unless such leave qualifies to use sick leave under the City's sick leave policy or FMLA policy. VESSA leave may run

concurrent to FMLA leave if the need for the leave meets FMLA eligibility requirements. This leave is not intended to confer a right to leave beyond the twelve (12) weeks of FMLA.

Job Protection

Employees who take leave under this policy are entitled to be restored to the same or equivalent position upon their return, however, seniority and other benefits will not continue to accrue during any unpaid leave. Employees are also entitled to continued health insurance on the same terms and conditions as if the employee remained continuously employed. If an employee fails to return from leave, the City shall recover any and all premium contributions provided by the City during the leave period.

This policy is intended to be an overview of the VESSA and its key features. To the extent that this policy could be read inconsistently with the VESSA, the Act and its rules shall supersede.

FAMILY DEATH LEAVE

APP: ALL FULL-TIME EMPLOYEES AND PART-TIME IMRF QUALIFIED EMPLOYEES UNLESS OTHERWISE STIPULATED IN A COLLECTIVE BARGANNING AGREEMENT*

Upon request to his/her supervisor, an employee who suffers a death in the immediate family will be given reasonable time off with full pay, up to a maximum of three (3) days. Immediate family is the current spouse, children, step-children, father, mother, step-parents, brother, sister, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandmother, grandfather, grandchildren, grandmother-in-law, and grandfather-in-law. These days shall not be deducted from accrued sick leave or earned vacation leave. An additional amount of time, up to a maximum of two (2) days, at full pay may be granted by the department director due to a death of an employee's spouse, child or parent.

In addition, and in accordance with Illinois Public Act 99-0703, an employee who experiences the loss of a child may take an additional five (5) days of leave by using his or her benefit time or may use unpaid time off.

During any unpaid time, arrangements must be made with the human resources department to cover insurance premiums. The City reserves the right to request verifying documentation in appropriate circumstances. Questions about child bereavement leave may be directed to the human resources department.

Family Death Leave - Part-Time Employees

Upon request to his/her supervisor, an IMRF qualified part-time employee, who suffers a death in the immediate family, will be given reasonable time-off with full-pay (4 hours), up to a maximum of three (3) days (12 hours). An additional amount of time, up to a maximum of two (2) days, (8 hours) may be granted by the department director due to a death of an employee's spouse, child or parent.

*In order to be eligible for family death leave pay, the part-time employee must work a regular schedule of Monday through Friday for the entire year.

JURY DUTY LEAVE

*APP: ALL FULL-TIME EMPLOYEES AND PART-TIME IMRF QUALIFIED EMPLOYEES**

Upon notification to serve on jury duty, the employee shall submit a copy of the summons to his/her supervisor. If called to jury duty, the employee shall check in with his/her supervisor weekly (by Friday) in order to provide a status and timeframe and submit a copy of documentation showing attendance.

Jury duty will be treated as an authorized absence from work, and the employee shall continue to receive his/her regular base wage while performing jury duty services. Time away will not affect vacation or sick day accrual. All compensation received for performing jury duty service will be kept by the employee.

Jury Duty Leave - Part-Time Employees

Upon notification to serve on jury duty, the IMRF qualified part-time employee shall submit a copy of the summons to his/her supervisor. Jury duty will be treated as an authorized absence from work, and the part-time employee will receive full pay (4 hours) while performing jury duty services. The employee will keep all compensation received for performing jury duty service.

*In order to be eligible for jury duty leave pay, the part-time employee must work a regular schedule of Monday through Friday for the entire year.

TIME OFF TO VOTE

APP: ALL FULL-TIME EMPLOYEES

The City of St. Charles strongly encourages all employees to fulfill their civic responsibilities by participating in elections. Eligible employees are encouraged to vote during their non-working hours or use the early voting option available on site. If they are unable to do so, however, employees may schedule time off with pay to vote in local, state, and national elections subject to the conditions below.

Per Illinois' Election Code, if an employee's regular work hours begin less than two hours after the polls open and end less than two hours before the polls close, the employee may take up to two hours off with pay during normal work hours to vote in local, state, and national elections between the time of opening and closing of the polls. An employee may schedule paid time off for that portion of two hours at the beginning or end of the work day when the normal work schedule is concurrent with the first two hours that the polls are open. For example, if the polls open at 6 a.m. and close at 7 p.m. and the employee's normal work schedule is from 8 a.m. to 4:30 p.m., no time off to vote will be granted.

At least 24 hours advance notice of the leave is required, and the time off must be taken at the beginning or end of the shift to prevent work flow disruption. Employees should report time spent voting on timesheets as regular, other paid leave.

WORKER'S COMPENSATION LEAVE

APP: ALL EMPLOYEES

Employees who are off work due to a compensable work related injury shall be entitled to carry over benefit time into the following calendar year under the conditions listed below. Any other carry–over is at the discretion of the Human Resources Department.

Personal Time

If an employee has a work-related injury November 1 through December 31 and is continuously off work during this time (or surgery for this work-related injury falls during that period) and has not used all of his/her personal time, the City will allow carry-over of that personal time into the following year. The employee must use the carry-over personal time within three (3) months of their return to work.

Vacation Time

If an employee who has been off work for an extended period of time due to a work-related injury is over the maximum allowed accrual on his/her vacation time, that time will be extended by the same equivalent amount of time the employee was off during that work-related injury.

DISABILITY

APP: ALL EMPLOYEES UNLESS OTHERWISE STIPULATED IN A COLLECTIVE BARGAINING AGREEMENT OR STATE STATUTE

Employees are presently covered by three (3) separate disability plans. These are IMRF, the Police Pension Fund, and the Fire Pension Fund. Employees are subject to the regulations governing disability benefits in each of their respective plans. Information regarding these disability plans is availablein the Human Resources Department.

Disability - Non Work-Related

Less Than One (1) Year's Employment

If an employee who is employed by the City for less than one (1) year becomes disabled as a result of an injury or illness **not** arising out of or in the course of his/her employment with the City, he/she is not eligible to receive worker's compensation benefits.

An employee may remain on the active payroll for a period of up to three (3) months from the date the individual was disabled. Upon the expiration of such period, the employee may be considered permanently separated from the active payroll. Any unused sick and vacation leave time due the employee will be administered in accordance with City policy in effect at that time. Insurance coverage will be provided in accordance with the COBRA policy for full-time employees.

More Than One (1) Year's Employment
If an employee who is employed by the City for more than one (1) year becomes disabled as a result of an injury or illness **not** arising out of or in the course of his/her employment with the City, he/she is not eligible to receive worker's compensation benefits.

An employee may remain on the active payroll for a period of up to six (6) months from the date the individual was disabled. Upon the expiration of such period, the employee may be considered permanently separated from the active payroll. Any unused sick and vacation leave time due the employee will be administered in accordance with City policy in effect at that time. Insurance coverage will be provided in accordance with the COBRA policy for full-time employees.

Disability - Work-Related

Less Than One (1) Year's Employment
If an employee who is employed by the City for less than one (1) year becomes disabled as a result of an injury or illness arising out of or in the course of employment with the City, he/she may be eligible to receive worker's compensation benefits. If he/she is unable to perform the duties of his/her assigned position after a period of thirty (30) consecutive days from the first date of his/her disability, he/she may be separated from the active payroll. Any unused sick and vacation leave time due the employee will be administered in accordance with City policy in effect at that time. Insurance coverage will be provided in accordance with COBRA policy for full-time employees.

More Than One (1) Year's Employment
If an employee who is employed by the City for more than one (1) year becomes disabled as a result of an injury or illness arising out of or in the course of employment with the City, he/she may be eligible to receive worker's compensation benefits. If he/she is unable to perform the duties of his/her assigned position for a period of one (1) consecutive year from the first date of his/her disability, he/she may be separated from the active payroll. Any unused sick and vacation leave time due the employee will be administered in accordance with City policy in effect at that time. Insurance coverage will be provided in accordance with COBRA policy for full-time employees.

An employee, while on a work-related disability, continues to accrue service time for certain purposes, as provided under Illinois law. However, the employee does not accrue sick and/or vacation leave time during such period. Insurance coverage will be provided for full-time employees.

Employees who are on a job-related disability will continue to accrue service credit under any retirement or disability plan or program only to the extent provided in such plan or program.

LEAVE OF ABSENCE – UNPAID

APP: ALL EMPLOYEES UNLESS OTHERWISE STIPULATED IN A COLLECTIVE BARGAINING AGREEMENT

Employees who have successfully completed their introductory/probationary period may take an unpaid personal leave of absence, for medical reasons only, at their department director's discretion, with the concurrence of the Human Resources Director.

Request Guidelines

1. An employee who is requesting the leave of absence shall request the leave in writing to their department director as far in advance as practical. The request shall state the medical reason and the length of time the employee desires.
2. Authorization for the leave of absence, if granted, shall be furnished to the employee in writing.
3. The department director director's decision whether to grant, revoke, or modify the leave of absence shall be final.
4. A non-paid medical leave of absence may be taken only when an employee has used all of his/her accumulated paid time (vacation, compensatory, and personal time) off.
5. The employee will continue to pay the normal bi-weekly health insurance amount.
6. The minimum leave of absence period is one (1) day and the maximum leave period is one (1) year.
7. An employee will not accrue vacation or sick time.
8. The employee shall be reinstated to his/her former position or an equivalent position with equivalent pay, benefits, and working conditions.

NURSING MOTHERS IN THE WORKPLACE ACT

APP: ALL EMPLOYEES

The City provides unpaid break time for employees who need to express breast milk for their infant children. Employees will be allowed a reasonable amount of unpaid time each day. The employee must work with the supervisor to establish a schedule that will be the least disruptive to daily operations.

BLOOD AND ORGAN DONATION LEAVE

APP: ALL FULL-TIME EMPLOYEES WHO HAVE BEEN EMPLOYED SIX (6) MONTHS OR MORE

Blood Donation

Employees who donate blood at a City sponsored, on-site blood drive will be allowed up to one (1) hour of paid time for the purpose of blood donation and two (2) hours for blood platelets donation. Employees must obtain approval from their supervisors, and their time away from their job will not incur additional costs or coverage issues.

Employees who donate blood off-premises, not in connection with a City sponsored event, may do so on unpaid time. Employee must obtain written approval from their supervisors by submitting a request for leave form no less than five (5) working days prior to using such time. Donations must be scheduled at the start or end of the employee's workday. Upon return to work, the employee must provide documentation substantiating the blood donation for this time.

Organ Donation

Employees will be entitled to up to thirty (30) calendar days of paid organ donation leave in any 12-month period to serve as a bone marrow or organ donor.

Time off for organ donation will be designated as Family Medical Leave, and the proper forms and documentation are required to be completed prior to the leave (forms are available on the City iNet). An employee must obtain written approval from the supervisor, by submitting a request for leave form no less than ten (10) working days prior to using organ donation leave time.

SCHOOL CONFERENCE AND ACTIVITY LEAVE

APP: ALL FULL-TIME EMPLOYEES

Employees are eligible for up to eight (8) hours during any school year, and no more than four (4) hours of which may be taken on any given day, to attend school conferences or classroom activities related to the employee's child if the conference or activity cannot be scheduled during non-work hours.

Eligibility Requirement

Regularly scheduled full-time and part-time employees are eligible for this leave if they have worked for the City of St. Charles at least six (6) consecutive months immediately preceding a request for leave under this Act. Employees may take this unpaid leave only if they have exhausted all accrued vacation leave, personal leave, compensatory leave, and any other leave that may be granted to the employees, except sick leave and disability leave.

Notice Provisions

The employee shall provide a written request for leave at least seven (7) days in advance of the time the employee intends to utilize the leave. In emergency situations, no more than twenty-four (24) hours notice shall be required. The

employee must consult with the employer to schedule the leave so as not to disrupt unduly the operations of the employer.

Verification

Upon completion of the school conference or activity leave, the employee shall provide to the Human Resources Department documentation of the school conference or activity from the school administrator within two (2) working days. The documentation should include, but is not limited to, the time and date the conference or activity occurred and ended. Failure to submit the vertification statement from the school within two (2) working days of the conference or activity will subject the employee to discipline up to and including termination.

DONATION OF BENEFIT LEAVE TO EMPLOYEES

APP: ALL ELIGIBLE FULL-TIME EMPLOYEES

Any full-time, non-union employee is eligible to receive benefit time from another full-time, non-union employee or to donate benefit time to another full-time, non-union employee.

Guidelines For Full-Time, Non-Union Employees

The following guidelines govern the donation of vacation or personal time from one non-union employee to another non-union employee:

Up to forty-eight (48) hours of personal and/or vacation time may be donated to an employee by another employee if the employee, the employee's spouse or child is suffering from a non-work related, severe or life threatening illness, injury, impairment or physical or mental condition which has caused or would cause the employee to:

1. Be unable to perform his/her regular work duties as documented by a medical doctor's certification describing the nature of illness and prognosis for the employee and/or the employee's spouse or child.
2. Take leave without pay.

An employee shall be eligible to receive donated personal and/or vacation time if the following conditions exist:

1. The employee has exhausted all his/her paid leave including, but not limited to: sick leave, personal days, vacation, and compensatory time.
2. The employee has a minimum of six (6) months of service and had no less than one-half of the sick leave that the employee was eligible to accrue by virtue of his length of service in his sick bank at the onset of the qualifying illness or injury.
3. The request for donation of personal/vacation time to the employee is approved by the department director.

An employee shall be eligible to donate personal and/or vacation time to another employee if:

1. The donation of such time will not cause the accrued vacation time balance of the donating employee to be less then forty (40) hours at the time that donation is requested.

2. The request for donation is submitted to the Human Resources Department in writing and is approved by the department director.

When donation of personal and/or vacation time is requested, and at any other time during the use of donated time, an employee shall be required by the City to provide a physician's statement or other medical evidence necessary to establish that the illness, injury, impairment, or physical or mental condition is severe or life threatening and prevents the employee from performing his/her regular work duties when requested. If an employee fails to provide evidence as required, the use of donated time may be denied or terminated.

Donated time may only be used for the duration of the current illness, injury, impairment, or physical or mental condition of the employee, the employee's spouse or child for whom it was donated.

Donated time shall not be transferable to any other employee, but may be applied retroactively for a period not to exceed thirty (30) calendar days on behalf of the employee for whom it was donated.

Use and acceptance of donated time shall terminate upon medical certification that:

1. The severe illness, injury, or impairment of physical or mental condition is no longer life threatening; or
2. The employee is able to return to work; or
3. The employee terminates, retires or goes on disability.

Donated time shall be compensated according to the receiving employee's regular rate of pay. The rate of pay of the donating employee shall not be a factor in determining the amount of compensation the recipient employee receives.

Any unused portion of the benefit time donated shall be prorated among all donating employees based upon the original amount of donated time. Donated time shall not be returned to donating employees in increments of less than one (1) full hour or to any person who is no longer a City employee.

APP: ALL IAFF EMPLOYEES

Guidelines For IAFF Employees

Any non-probationary firefighter is eligible to receive vacation and/or personal time from any other firefighter or to donate vacation and/or personal time to another firefighter. Up to a total of forty-eight (48) hours of vacation and/or personal time may be donated to a firefighter by another firefighter if the firefighter is suffering from a non-work related, severe, or life threatening illness, injury, impairment, or physical or mental condition documented by a medical doctor's certification, which has caused him to be unable to perform his regular duties and be without pay. The request to donate is submitted to Human Resources in writing.

APP: ALL IBEW EMPLOYEES

Guidelines For IBEW Employees

IBEW employees only shall have the ability to donate vacation and personal leave time to another IBEW employee when needed for a non-work related illness, injury, impairment, or physical or mental condition which has caused or would cause the employee to be unable to perform his regular work duties as documented by a medical doctor's certification and take leave without pay.

APP: ALL TEAMSTERS EMPLOYEES

Guidelines For Teamsters Employees

Any employee is eligible to receive vacation and/or personal time from any employee or to donate vacation and/or personal leave time to any employee. The following guidelines govern the donation of vacation and/or personal leave from one employee to another:

Up to forty-eight (48) hours of vacation and/or personal leave may be donated to any employee by another employee if the employee, the employee's spouse or child is suffering from a non-work related, severe, or life threatening illness, injury, impairment, or physical or mental condition which has caused or would cause the employee to:

1. Be unable to perform his/her regular work duties as documented by a medical doctor's certification describing the nature of illness and prognosis for the employee and/or the employee's spouse or child.
2. Take leave without pay.

An employee shall be eligible to receive donated vacation and/or personal leave if the following conditions exist:

1. The employee has exhausted all his/her paid leave including but not limited: sick leave, personal days, vacation, and compensatory time.
2. The employee has a minimum of one (1) year of service and had no less than one-half of the sick leaves that the employee was eligible to accrue by virtue of his length of service in his sick bank at the onset of the qualifying illness or injury.
3. The request for donation of vacation and/or personal leave to the employee is approved by the Department Director.

An employee shall be eligible to donate vacation and/or personal leave to another employee if:

1. The donation of such leave will not cause the accrued vacation and/or personal leave balance of the donating employee to be less than 40 hours at the time that donation is requested.
2. The request for donation is submitted to Human Resources in writing and is approved by the Department Director.
3. The donation is made in eight (8) hour increments.

When donation of vacation and/or personal leave is requested, and at any other time during the use of donated leave, an employee shall be required by the City to provide a physician's statement or other medical evidence necessary to establish that the illness, injury, impairment, or physical or mental condition is severe or life threatening and prevents the employee from performing his regular work duties when requested. If an employee fails to provide evidence as required, the use of donated vacation and/or personal leave may be denied or terminated.

Donated vacation and/or personal leave may only be used for the duration of the current illness, injury, impairment, or physical or mental condition of the employee, the employee's spouse or child for whom it was donated.

Donated vacation and/or personal leave shall not be transferrable to any other employee but may be applied retroactively for a period not to exceed thirty (30) calendar days on behalf of the employee for whom it was donated.

Use and acceptance of donated vacation and/or personal leave shall terminate upon medical certification that:

1. The severe illness, injury, or impairment of physical or mental condition is no longer life threatening; or
2. The employee is able to return to work; or
3. The employee terminates, retires, or goes on disability. The employee must go on disability after thirty (30) calendar days of the illness.

Donated leave shall be compensated according to the receiving employee's regular rate of pay. The rate of pay of the donating employee shall not be a factor in determining the amount of compensation the recipient employee receives.

Any unused portion of vacation and/or personal leave shall be prorated among all donating employee based upon the original amount of donated leave time. Donated leave shall not be returned to donating employees in increments of less than one full hour or to any person who is no longer a City employee.

DONATION OF BENEFIT LEAVE TO EMPLOYEES *FOR INTERMITTENT USE*

APP: ALL NON-UNION, FULL-TIME EMPLOYEES

Any full-time, non-union employee is eligible to receive benefit time from another full-time, non-union employee or to donate benefit time to another full-time, non-union employee.

Guidelines

The following guidelines govern the donation of vacation or personal time from one non-union employee to another non-union employee:

Up to forty-eight (48) hours of personal and/or vacation time may be donated to an employee by another employee if the employee, the employee's spouse or child is suffering from a non-work related, severe or life threatening illness, injury, impairment or physical or mental condition *(a qualifying FMLA condition)* which has caused or would cause the employee to:

3. Be unable to perform his/her regular work duties as documented by a medical doctor's certification describing the nature of illness and prognosis for the employee and/or the employee's spouse or child.
4. Take leave without pay.

An employee shall be eligible to receive donated personal and/or vacation time if the following conditions exist:

4. The employee has exhausted all his/her paid leave including, but not limited to: sick leave, personal days, vacation, and compensatory time.
5. *The employee has filed and been approved for FMLA with all of the proper documentation that is required.*
6. The employee has a minimum of six (6) months of service and had no less than one-half of the sick leave that the employee was eligible to accrue by virtue of his length of service in his sick bank at the onset of the qualifying illness or injury.

7. The request for donation of personal/vacation time to the employee is approved by the department director.

An employee shall be eligible to donate personal and/or vacation time to another employee if:

3. The donation of such time will not cause the accrued vacation time balance of the donating employee to be less then forty (40) hours at the time that donation is requested.
4. The request for donation is submitted to the Human Resources Department in writing and is approved by the department director.
5. The donation is made in *four (4)* hour increments.

When donation of personal and/or vacation time is requested, and at any other time during the use of donated time, an employee shall be required by the City to follow *the procedures for FMLA and* provide a physician's statement or other medical evidence necessary to establish that the illness, injury, impairment, or physical or mental condition is severe or life threatening and prevents the employee from performing his/her regular work duties when requested. If an employee fails to provide evidence as required, the use of donated time may be denied or terminated. *In the case of intermittent use, documentation may be requested more frequently.*

Donated time may only be used for the duration of the current illness, injury, impairment, or physical or mental condition of the employee, the employee's spouse or child for whom it was donated.

Donated time shall not be transferable to any other employee, but may be applied retroactively for a period not to exceed thirty (30) calendar days on behalf of the employee for whom it was donated.

Use and acceptance of donated time shall terminate upon medical certification that:

4. The severe illness, injury, or impairment of physical or mental condition is no longer *FMLA qualified*; or
5. The employee is able to return to work; or
6. The employee terminates, retires or goes on disability.

Donated time shall be compensated according to the receiving employee's regular rate of pay. The rate of pay of the donating employee shall not be a factor in determining the amount of compensation the recipient employee receives.

Any unused portion of the benefit time donated shall be prorated among all donating employees based upon the original amount of donated time. Donated time shall not be returned to donating employees in increments of less than one (1) full hour or to any person who is no longer a City employee.

VOLUNTARY UNPAID TIME OFF

APP: ALL FULL-TIME EMPLOYEES AND IMRF PART-TIME EMPLOYEES (EXCEPT IAFF AND BATTALION CHIEFS)

An employee may take up to 40 hours of unpaid time off in a fiscal year at the discretion of the department director and/or designee. An additional 40 hours of unpaid time off may be approved by the department director under extenuating circumstances.

Employees may take this leave in an initial one-hour increment and then in half-hour increments.

Employees must request leave at least 36 hours in advance from his or her immediate supervisor using the appropriate time off method or form.

Appropriate staffing levels are of utmost importance. The use of unpaid time cannot adversely affect staffing and create an overtime situation or additional costs. Supervisors may deny a request at any time. Seniority will be used in situations involving multiple employees concurrently requesting the same time period off.

Unpaid time off may be used for any purpose except for sick leave and leave without pay due to disability. Please refer to the collective bargaining agreement or the sections of this manual regarding sick leave and disability.

The City will waive the general payroll practice that requires employees exhaust all other accrued paid leave before time off without pay will be granted. This waiver is for the voluntary unpaid time off program only. All other City procedures and practices applicable to salary, earnings, and benefits not specifically addressed in these guidelines remain in effect.

Salary Impact

Pay reduction resulting from unpaid hours or days will occur in the same pay period during which the time off is taken. For non-exempt (hourly) employees, it is based on the hourly pay rate. The city will not re-compute annual pay or restructure salary payments to defer or spread the reduction over multiple pay periods.

For exempt (salaried) employees, the amount of the reduction will be the number of regular work hours reported, multiplied by the employee's annual salary, divided by 2080 hours. Deductions from the pay of an exempt employee shall not disqualify the employee from being paid on a salary basis except in the work week in which the unpaid hours occur and for which the employee's pay is accordingly reduced. In the work week in which unpaid hours occur, the exempt employee cannot work more than 40 hours.

Impact on Benefits, Sick Leave, Vacation Accruals, Holiday Eligibility, and Seniority

Voluntary reductions through this program will not result in reductions in City contributions for medical/dental/vision insurance plans, long-term disability, life and accidental death & dismemberment insurance or the accrual of sick leave, personal leave, or vacation hours for which the employee is otherwise eligible. If an employee's gross pay is reduced below an amount sufficient to cover the employee's share of the insurance premiums, however, the employee will be required to issue payment to the City by the first day of the following month.

Participating in the voluntary program will not result in a waive of the "use it or lose it" provisions relating to personal leave time for which an employee may be eligible, nor will it result in any exception to the vacation or "held holiday time" accrual maximums and carry-over provisions which may apply. Employees should consider the status of their current and projected accruals and usage before requesting to participate in the voluntary unpaid time program.

Unpaid time may be coupled with other paid time off such as vacation or scheduled City holidays. Unpaid time, under this program, will not affect seniority.

Impact on employer Contributions Determined as a Percentage of Gross Pay

Participation in the voluntary program may result in reduced benefit contributions for IMRF, Social Security, and Medicare, which are calculated as a percentage of gross earnings. Police pension is based on salary attached to rank and would not be affected by the voluntary utilization of unpaid time for the computation of benefit payments.

Time Sheet Reporting

In order to meet the legal requirements under the Fair Labor Standards Act (FLSA), employees must report, on their time sheet, all hours worked as well as any unpaid hours (UTO pay code) taken in the pay period in which they occur. The UTO pay code must be used for unpaid hours.

Eligibility for Unemployment Benefits

Employees participating in this program are not eligible for unemployment benefits.