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SERVING GRANITE CITY, MITCHELL, AND PONTOON BEACH

EXTENDED MEDICAL LEAVE POLICY

Six Mile Regional Library District (SMRLD) is a public agency and is therefore a Family Medical Leave Act (FMLA) covered employer and as such is required to provide employees with a General Notice of FMLA Rights. However, because one of the requirements for an employee to be eligible to take FMLA leave is that the employee must be employed at a location where the employer has 50 or more employees within a 75-mile radius, SMRLD currently has no "FMLA eligible employees." Since SMRLD is committed to the welfare and wellbeing of its employees while being mindful of the needs of the library, this policy is designed to help employees who must be off ten or more days due to medical reasons, balance their work and family responsibilities by allowing them to take reasonable extended leave for certain family and personal medical reasons.

For planned medical treatment, employees should consult with SMRLD and try to schedule the treatment at a time that minimizes the disruption to SMRLD operations. When possible, an employee should consult with SMRLD prior to scheduling the treatment in order to arrange a schedule that best suits the needs of both the employee and SMRLD. Of course, any schedule of treatment is subject to the approval of the treating health care provider.

Effective April 1, 2018, employees who are eligible under this policy (which includes employees who have at least twelve months of continuous service and who are regularly scheduled to work at least 20 hours per week) will be granted up to a total of 12 workweeks of job-protected leave in a 12-month period for one or more of the following reasons:

- for the birth of a son or daughter, and to bond with the newborn child;
- for the placement with the employee of a child for adoption or foster care, and to bond with that child;
- to care for an immediate family member (spouse, child under the age of 18 (or over 18 with a disability), or parent – but not a parent "in-law") with a serious health condition;
- to take medical leave when the employee is unable to work because of the employee's serious health condition;
- for qualifying exigencies arising out of the fact that the employee's spouse, son, daughter, or parent is on covered active duty or call to covered active duty status as a member of the National Guard, Reserves, or Regular Armed Forces. Such exigencies shall be consistent with those outlined in FMLA; or
- to care for a spouse, child, parent, or next of kin who is a covered service member who suffered a serious illness or injury while on active duty who is undergoing medical treatment, recuperation or therapy, or who is otherwise in outpatient status, or is otherwise on the temporary disability retired list where "covered service member" includes a member of the Armed Forces (including the National Guard or Reserves) and veterans who were members of the Armed Forces (including the National Guard or Reserves) if the veteran was a member of the Armed Forces at any time during the 5 years preceding the date on which the veteran undergoes medical treatment, recuperation or therapy.

The 12-week period begins with the employee's first day off after the employee notifies SMRLD of the need to take an extended leave due to one of the reasons set forth above. SMRLD will use the lookback method to determine if an employee has any available leave time, meaning that if an employee requests leave for one of the reasons set forth above to begin on a particular date and the employee has already taken 6 weeks of leave in the immediately preceding 12 months, the employee would then have 6 weeks available to take. Whether the leave is paid or unpaid shall be consistent with other SMRLD policies and procedures.

For hourly employees, a workweek is based on the number of hours each employee normally works during a week. Therefore, the maximum number of hours an employee could have in a 12-month period is calculated by multiplying 12 times the number of hours an employee normally works in each week (e.g., 480 hours for a 40-hour per week employee; 240 hours for an employee who works 20 hours a week, etc.) When a holiday falls during a week in which an employee is taking a full week of Extended Medical Leave, the entire week is counted as Extended Medical Leave. However, when a holiday falls during a week when an employee is taking less than the full week of Extended Medical Leave, the holiday is not counted as Extended Medical Leave, unless the employee was scheduled and expected to work on the holiday and used Extended Leave for that day.

Extended Medical Leave due to the reasons set forth above can be continuous, intermittent, or can require a reduced schedule. Employees may use Extended Medical Leave in the smallest increment of time SMRLD allows for the use of other forms of leave.

Employees requesting an extended leave under this policy will be required to provide medical certification issued by a health care provider, in most cases, at the time an employee gives notice of the need for leave. If the leave is unforeseen, SMRLD will request medical certification within five days after the leave begins or as soon as possible. SMRLD may also request clarification of the contents of the certification. SMRLD may also request certification at a later date if there is reason to question the appropriateness or duration of the leave. Employees will have at least 15 calendar days to obtain the medical certification. Recertification may be required if a period of absence needs to last longer than as specified in the original certification or if the absence or condition for the absence lasts longer than 30 days or circumstances change. For leaves not related to medical conditions but described above, the employee must provide written certification of the need for and reason for the leave in a form acceptable to SMRLD.

Any contact between SMRLD and an employee's health care provider must comply with the Health Insurance Portability and Accountability Act (HIPAA) privacy regulations. Consistent with this regulation, SMRLD may contact an employee's health care provider for authentication or clarification of the medical certification only by using the Deputy Director or an appointed management official. In order to address employee privacy concerns, in no case may the employee's direct supervisor contact the employee's health care provider or have access to the medical certification, except those employees who report directly to the Deputy Director. SMRLD will notify the employee whether such leave is approved within five days of receiving acceptable medical certification.

Employees on extended medical leave due to their own serious health condition must provide a fitness-for-duty certification from their health care provider before returning to work. A second opinion could be requested.

Adopted by Board Action
March 13, 2018