

I. Administrative Organization

A. Board of Trustees

The Library is governed by a nine-member Board of Trustees, appointed by the Mayor of the City of Waukegan for terms of three years; three members are appointed or reappointed annually. The Trustees serve without remuneration of any kind.

Legal responsibility is vested in the Board of Trustees by Illinois State statute. The Board is the policy-making body of the Library. The Board's major duties include selection, appointment and annual evaluation of the Executive Director; orientation of new Board members; promotion of Library interests in the community; long range planning; accountability for exceeding minimum standards in book collections and service; and control of Library funds, property, and equipment. The Board is the final authority for the determination of classification and pay schedules and for the policies governing Library service and personnel.

B. Executive Director

The Executive Director is the administrative officer of the Library. He/she serves in an advisory capacity to the Board of Trustees, attends all meetings, and may speak on all matters under Board discussion. The Executive Director is not a member of the Board and has, therefore, no vote on matters under consideration.

The major duty of the Executive Director is to carry out the policies, decisions, and plans of the Board as they affect service to the community and personnel. The Executive Director is responsible for notifying the Board of all regular and special meetings; keeping of the minutes; preparation of the annual appropriation; expenditure of funds in accordance with the purchasing policy of the Board; monthly and annual reports on finance and service; the development of service plans; recommending and justifying change in policies; and evaluation of services. The Executive Director has full responsibility for management and operating procedures, for selection of books and other materials, and for the complete discharge of all duties imposed on the administrator by law and by the regulations of the Board of Trustees.

The Executive Director is in charge of Library personnel and is responsible for delegation of duties, for service standards, and for staff development. The Executive Director, with the advice of department heads, employs all library staff. The Executive Director promotes and adjusts salaries. Any policy involving financial charges, such as a fee for non-resident cards, must be referred with recommendations to the Board. The Executive Director is the representative and spokesman of the staff to the Board. The Executive Director is expected to participate in community activities and in system, state, and national professional activities.

In the event of the unplanned absence of the Executive Director, the Emergency Succession Policy (www.waukeganpl.org) will be implemented.

C. Administrative Staff

The Assistant Director is responsible for all management of Operations and Services. The manager of each department is responsible for the supervision, evaluation, and in-service training of staff and for administrative duties related to the department including reporting to the Assistant Director and making recommendations for improved services.

II. Classification of Positions

All positions in the Library are classified, and are grouped in classes which are equivalent in the following respects: kind, complexity, and difficulty of duties; responsibility involved; and the qualifications required, including education, technical training, and experience.

The Classification Plan reflects existing conditions in the Library. Therefore, as new positions are created and others are changed in responsibility, they are reviewed and reclassified. Provision also exists for review of any position classification upon request. The Classification Plan is contained in the Appendix.

III. Salaries

A. General Policy

The pay plan of the Library consists of a Salary Range for each class of position. Each range includes a minimum and maximum rate. These ranges necessarily depend on income and existing laws. A copy of the current pay plan is available to each employee. The Salary Range is contained in the Appendix.

B. Salary Adjustments

Each employee's performance is reviewed annually. Merit raises are based on the annual evaluation score and awarded at the established rate for the fiscal year, dependent upon budgetary resources.

COLA (Cost of Living Allowance) may be given to employees annually on May 1 of each year dependent upon budgetary resources.

C. Annual Pay Plan Review

The entire pay plan is reviewed annually in the light of current Library salary standards, cost of living, and projected Library revenue. This study may result in a complete revision of the basic salary plan or in an adjustment of certain ranges which may require revision.

D. Changes in Position

A promotion to a position in a higher class may be accompanied by a salary increase. A transfer from one position to another in the same class of position, or another class of position of the same level of difficulty and responsibility, is not accompanied by an increase in salary. A change in position to a lower level of difficulty and responsibility may be accompanied by a decrease in salary.

IV. Appointments

A. Recruitment

The Library actively recruits applicants internally, locally and regionally, for vacant positions at all levels. Employees are encouraged to apply for vacancies in higher grades; however, positions will be filled with the best-qualified people available.

B. Selection

1. General

A basic objective in the selection of personnel is the creation of staff capable of carrying out the objectives of the Library.

2. Equal Opportunity Employer

It is the continuing policy of the Library to take personnel actions such as recruiting, hiring, compensation, benefits, promotions, training, transfers, terminations, and opportunities for training, without regard to race, color, creed, national origin, age, gender, sexual orientation, or physical or mental handicap (except where such prevents the employee from performing the job in question), as defined and required by federal and state laws and regulations.

3. References

All applicants are expected to supply the information requested on the application form and to submit names of references who are familiar with their character and abilities.

4. Interviews

Personal interviews will be held at the library when possible. The option of video conference will be used when possible for candidate traveling from a distance. If a candidate for a professional position is asked to come from a distance for interviews, reasonable traveling expenses may be paid by the Library.

5. Background Checks

All employees hired after September 1, 2013 must complete a criminal background check to be eligible for hire.

6. Placement

Appointments are made by the Executive Director. Notice of appointment is made in writing and specifically describes the position to which the person is appointed, including classification, working title and duties, terms of salary and training period. Acceptance on the part of the employee carries with it an obligation to abide by current Library policies, which may be changed at any time by the Board of Trustees. The Executive Director is also free to recruit candidates internally and exteriorly in an effort to ensure that the vacancy is filled by the best-qualified person available.

7. Temporary Appointments

For temporary appointments, preference is given to those with qualifications which would entitle them for consideration of placement in permanent positions. When positions are temporary, this is clearly stated, at the time of appointment.

8. Contract Employees

Contract employees are hired to perform a certain job, and or project for period of time. Generally our contract employees are for our grant funded programs. As a contract employee, they are responsible for all taxes to report as a 1099 will be issued. Contract employees will need to abide by our policies.

9. High-School Student Employees

The Library abides by the Illinois Child Labor Law. High-School Student employees must carry a B average or better or they may not continue in their jobs at the Library.

10. Volunteers

Volunteers are staff members who work for the Library without remuneration. Acceptance of a volunteer position on the part of the volunteer carries with it an obligation to abide by current Library policies, which may be changed at any time by the Board of Trustees. Volunteers are supervised by Departmental staff. Volunteers are subject to background checks based on our procedures.

11. Training Period

There will be a ninety-day training period for all employees. The Executive Director or manager may extend the training period.

12. Re-appointment

An employee who resigns in good standing is eligible for re-appointment at a future time and may be considered when an opening is available, providing his/her qualifications are satisfactory.

V. Development of the Staff

A. General

Continuous staff development is vital to the effectiveness of the Library and to the satisfaction of each individual in his/her work. It is the Executive Director's, or his/her delegate's, responsibility to provide orientation and training to increase efficiency. The individual employee is expected to develop his/her skills by both formal and informal methods.

B. In-service Training

In-service training is an integral part of the Library's program and is one of the most important functions of the supervisor.

Each manager is responsible for the continuing development of the members of his/her staff. He/she is expected to see that they are trained in the efficient performance of each job responsibility. He/she may make recommendations for cross-training as a means of in-service training.

The library provides a minimum of one annual, all-day Staff In-Service program; attendance is required by all employees. Exceptions may be made by the Executive Director.

C. Professional Meetings

1. Staff members are encouraged to attend work related conferences, workshops, and meetings. Work schedules, at the discretion of the Executive Director, shall be arranged to permit rotation of such attendance by all interested employees so long as normal operation of the Library is not interrupted.

2. Time with pay, including travel time, is allowed employees to attend professional meetings. Staff attending an all-day program or conference consisting of several days will be paid in accordance with their normally scheduled hours regardless of actual time spent in the program and in travel.

3. Employees may attend state, national and library workshops in the subject areas pertaining to their work, with approval of department head and Executive Director prior to their attending. Expenses paid are limited to registration, meals, lodging and transportation, depending upon available funds. Employees who attend conferences at Library expense may be expected to make complete reports in writing.

Trustees, appointed by the Library Board to represent the Waukegan Public Library at state and national Library conferences, shall be reimbursed for transportation, registration, meals and hotel room. Expenses for Trustee representation at national conferences at a distance from Waukegan and the advisability of Trustee representation will be determined by the Board annually.

D. Dues - Professional Associations for Trustees and Staff

Membership dues, for members of the Waukegan Public Library Board of Trustees and the full-time professional staff, in the American Library Association, the Illinois Library Association, or other appropriate professional associations, may be paid annually by the Library through the Business Office or as deemed appropriate by the Executive Director.

E. Encouragement of Further Education

1. General

As long as it does not impair the efficiency of the individual or reduce the efficiency of the department, the Executive Director may allow adjustments of schedules or special assignments in order that employees may take advantage of opportunities for special study.

2. Tuition

A full-time employee may be reimbursed for the tuition costs of work-related courses of study undertaken at the college or university level. This policy is subject to the following regulations:

a. Prior approval of the courses must be obtained from the Executive Director.

b. Payment will be made after successful completion of the course. (A grade of C for undergraduate courses and B for graduate courses constitutes successful completion.)

c. Full tuition reimbursement will be made for courses taken at an accredited institution, equal to state institution rates, subject to approval by the Executive Director.

d. If employment terminates within one year of receipt of tuition reimbursement, the employee will reimburse the Library for any tuition assistance received within the last twelve months.

e. The number of registrants is at the discretion of the Executive Director based upon limitations of the budget.

VI. Promotions, Transfers, Demotions

A. Promotions

When vacancies occur, the Executive Director is free to recruit candidates internally and externally in an effort to ensure that the vacancy is filled by the best-qualified person available.

Whenever confidential information or other limitations do not prevent, announcement will be made to the staff of pending vacancies. Requests for promotion or transfer to a vacancy, or to a particular type of position, may be made at any time by any employee who feels qualified for the position. Such a request should be submitted to the appropriate Assistant Director in writing.

Promotions are based upon evidence of satisfactory performance, promise of future development, and educational, technical, and personal qualifications. Promotions are provisional for the same probationary period that is applicable to the position. Permanent appointment to the higher grade is dependent upon satisfactory service during this period.

B. Temporary Vacancy

An employee may be placed on an interim assignment to test his/her fitness for promotion. A written review is made on the performance in the temporary position and is filed in the employee's personnel file. Temporary promotions carry with them a temporary advancement in salary. Permanent and temporary promotions are made by the Executive Director for all staff other than Assistant Director.

C. Transfers

A transfer is a shift of an employee to a position of the same grade in another department.

Transfers are made whenever feasible or necessary to meet the needs of the Library and the welfare of the staff. They are used: (1) as an aid in proper placement; (2) for in-service training; (3) to provide additional or wider experience; (4) to achieve more effective personnel utilization; and (5) as a means of equalizing promotional opportunities, i.e., movement from one unit or department which has a low rate of turnover to another which offers more possibilities to the employee.

If an employee should become unable to fulfill the mental or physical requirements of his/her position, and if circumstances permit, he/she may be transferred to a position better suited to his/her abilities.

D. Demotions

If an employee fails to fulfill the duties and responsibilities of his/her position, he/she may be offered a lower-grade position as an alternative to dismissal. An assignment in a lower grade carries with it compensation within that grade of service. Previous written warning and opportunity to improve performance shall have been given.

Demotion of employees to lower-paying positions or positions of less responsibility shall be at the discretion of the Executive Director.

VII. Separation from Service

A. Resignation

All staff separating from service must return all WPL issued items and settle all outstanding accounts, within one week of their last day of work. Resignations are submitted in writing to the Executive Director. A professional employee is expected to give 4-weeks' notice and a nonprofessional employee is expected to give 2-weeks' notice of intent to resign. The Library reserves the right to hasten the exit date (release of responsibilities).

B. Exit Interviews

Exit interviews with the Executive Director or Human Resource Manager are encouraged.

C. At Will State

Illinois is an At Will State. Employment may be terminated by the Executive Director to best serve the interests of the Library.

D. Dismissals

Employment may be terminated for cause by the Executive Director. Each case will then be reported to the Board of Trustees. The employee is entitled to a hearing with the Library Board upon written request.

E. Suspension

An employee charged with an offense which may necessitate termination for cause may be suspended without pay by the Executive Director. If the employee is cleared of the charge, restitution of unpaid salary is made.

F. Cause

Causes for dismissal or suspension include failure to follow directions; insubordination; mental or physical disability which interferes with the ability to perform the job requirements; habitual tardiness; dishonesty; use, possession of, or being under the influence of drugs or alcohol; violation of Library work rules including job abandonment; fighting or unacceptable conduct which is detrimental to the welfare of the Library. Any staff member identified in their job description as a driver will be dismissed upon conviction of Driving Under the Influence (DUI).

G. Termination without Prejudice

1. Reduction in Force

In the event of clearly evident financial emergency or urgently needed retrenchment determined by the Executive Director, it may be necessary to terminate the services of employees. In this

case, the Executive Director shall base his/her decision on priority of position, performance records, and period of service. In such cases, notice should be given as soon as possible up to 30 days. An explanatory statement will be given the employee for use in seeking another position.

2. Discontinuance of an Activity

The best interests of the Library may warrant the discontinuance or curtailment of an activity. Should such action be taken, effort will be made to transfer the employee thus affected to some other activity for which he/she is suited. Should such efforts fail, termination without prejudice will occur.

H. At Time of Separation

Retiring staff fully vested in IMRF will convert accumulated sick time into IMRF service credit. Staff separating under other circumstances will not be paid for accrued sick time. Earned but unused personal hours will not be paid upon separation. Payment for accrued vacation time will be made to all eligible employees within two weeks of the last day of work.

VIII. Working Conditions

A. General

The Library will remain open during such hours as best serve the needs of the community. The Library will also provide such conditions that are clean, safe and healthy environment for staff and the community.

B. Dress Code

The Waukegan Public Library observes a dress code in keeping with our business casual environment. All clothing is subject to management review and discretion.

C. Drug-Free Workplace

The Library is a drug-free workplace.

D. Smoke-Free Facility

Smoking is not allowed within 15 feet of the building.

E. Business Expense Reimbursements

The Library may reimburse employees for expenses connected with Library business and Library-approved programs in the local area.

F. Lockers

Lockers are provided to the general staff for storage of personal belongings. Purses and wallets should never be left in unsecured areas. The Library cannot be responsible for loss of personal property. Personal belongings are the responsibility of the employee.

Pursuant to 430 ILCS 66/65, Firearm Concealed Carry Bans is in effect as of July 9, 2013. It's prohibited to carry a concealed firearm under this Act, in government buildings, including public libraries.

G. Parking (Staff)

Parking space on Library property is reserved for Trustees, Friends, volunteers, and the handicapped. Exceptions will be made at the discretion of the Executive Director.

H. Staff, Board, and Volunteer Materials Orders

Library materials may be purchased at the current discount price granted the Library by the vendor.

I. Library Equipment

1. Library equipment may not be removed from the Library without the approval of the Executive Director.

2. Library equipment is provided to perform Library designated duties only.

J. Return to Work Following Illness or Injury

The Library may require a duly authorized practitioner's report before allowing an employee to return to work following an absence from work. Light duty will be allowed when accommodations can be made.

IX. Leaves of Absence

A. General

It shall be the policy of the Library to make adequate provisions for extended absences, with approval of the Executive Director.

No leave of absence will be granted to enable an employee to try for or accept employment elsewhere or for self-employment. An employee who engages in employment elsewhere while on leave shall be terminated immediately.

B. Medical Leave

All staff must notify/provide the manager and Human Resource Manager notification of medical absence which may extend beyond three days. Documentation by a physician will be required.

C. Family and Medical Leave (FMLA)

The Library will comply with the Federal Family and Medical Leave Act of 1993 and as amended.

D. VESSA

The Library will comply with the Illinois' Victim's Economic Security and Safety Act (VESSA) which provides unpaid leave to an employee who is a victim of domestic or sexual violence or whose family or household member is a victim.

E. Military Leave

The Library will comply with the Uniformed Services Employment and Reemployment Rights Act (USERRA).

X. Paid Absence

A. Holidays (Full-Time Staff)

1. The Library is closed on the following holidays:

- New Year's Day
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Family Day (Day after Thanksgiving Day)
- December 24
- Christmas Day

2. All full-time employees who are either at work or on an excused absence on the days prior to and following a holiday shall be granted a paid absence on the holidays listed. Employees who are absent and unexcused on the day preceding or the day following a holiday shall be considered as absent and unexcused on the holiday and shall not be compensated for the holiday.

In the event New Year's Day, Independence Day or Christmas Day falls on a Sunday, the Library shall be closed to the public that day as well as on the following Monday.

In the event a holiday falls on a Monday, the Library shall be closed to public that day as well as on the previous Sunday.

3. Whenever a legal holiday falls on a week day that is a regular day off for the employee, he/she must take equivalent time off during the same work week.

4. If a holiday falls on a Saturday, that holiday will be designated as a floating holiday, to be taken within the same pay period, with Manager approval and adherence to scheduling requirements.

5. In the event a holiday falls on a Sunday, the Library shall be closed to the public on the following Monday.

6. The Library will be closed on the following days:

- Easter Sunday
- Sunday between Christmas Day and New Year's Day

The above are not paid days off.

7. The Library will close early on the following days:

- Thanksgiving Day Eve at 5:00 p.m.
- New Year's Eve at 5:00 p.m.

B. Jury and Other Civic Duty

If any employee is required to serve as a juror or under subpoena as a witness in a court proceeding, the Library shall pay the regular salary of the individual provided that such employee works such hours as are possible during his/her jury service.

Payment for time off for other civic duty shall be made only at the discretion of the Executive Director (with concurrence of the Board), after due consideration of the nature of the case. In no

event shall any such decision necessarily be used as a precedent for future requests for payment.

C. Funerals

Full and part-time employees are allowed one work week with pay at the time of the death of a member of their immediate family. A member of the immediate family or step-family is defined as:

- Parent
- Spouse
- Sibling
- Grandparent/Grandchild
- Child
- Person with whom the house is shared
- Mother-in-law or Father-in-law
- Brother-in-law or Sister-in-law
- Son-in-law or Daughter-in-law

Employees are allowed two days with pay for the funeral of the following family or step-family members:

- Niece, Nephew
- Cousin, Aunt or Uncle

No time off with pay will be allowed for the funeral of friends. Exceptions may be made by the Executive Director for the funerals of former or current employees.

D. Sick Time

Full-time employees are allowed 12 days of sick time with pay per year as accrued. All employees must report cases of illness daily to their supervisor personally as soon as they know they will not be able to work. Employees are strongly recommended to carry minimum of 8.0 hours of sick time after their 90 day training period is up.

After missing three consecutive work days, the library may require a duly authorized practitioner's report before allowing an employee to return to work following the absence from work. Light duty will be allowed when accommodations can be made.

E. Vacations

Full-time employees earn paid vacation time (credited at a rate of 1/24th of the annual total per pay period) at the annual rates listed below:

- 20 workdays: Employees in pay classes Associate, P.I., P.II., P.III, P.IV. All other employees after 10 years of service.
- 15 workdays: Employees in all other pay classes in the 6th through 10th year of service.
- 10 workdays: Employees in all other pay classes in the 1st through 5th year of service.

Years of service will be calculated from the original date of employment, i.e., part-time employees who become full-time will have their service date reflect the date of their part-time employment. Vacation days will be calculated from the part-time date of employment.

Vacation is available as it is earned. Vacation time should be taken in multiples of 1 day.

Supervisors may make exceptions for the use of vacation time in 1 hour increments at their discretion.

On April 30th of each year, employee's vacation time may not exceed 150 hours. Time in excess of 150 hours will be converted to sick time. *(Effective May 1, 2017)*

Employees may not borrow against unearned vacation periods to extend a vacation period.

Requests for vacation must be made at least two weeks in advance of the desired time. Managers may make exceptions at their discretion. The department manager shall resolve conflicts in vacation requests on the basis of a rotation policy, on the factors in the personal life of an employee which justify a time priority, or in the order of transmittal dates. The granting of the vacation periods is left to the discretion of the department manager.

F. Personal Days

3 days of personal time per year (credited one hour per pay period at a rate of 1/24 of their time) are allowed all full-time employees. Part-time employees with 2 years of service will be awarded a proportionate amount of personal time based on their hours of work.

Personal days are not cumulative, and may not be carried from one year to the next or paid upon separation.

XI. Unpaid Absence

A. Religious Holiday or Services

An employee may be granted time off to attend services or religious holidays provided the request is made two weeks in advance. Schedule adjustments may be requested within the same work week.

B. Unpaid Absence

Unpaid absence may be granted at the discretion of the Executive Director.

XII. Welfare and Economic Benefits

A. Insurance

The Library offers medical, vision and dental coverage to all full-time employees. Life insurance is provided for all full-time employees. Employees may select family health coverage at additional cost. Disability benefits are provided to participants of the Illinois Municipal Retirement Fund.

B. Work Related Injuries

All accidents must be reported within 24 hours to the Human Resource Manager with information on the date and hour of the accident, a brief description of the accident, and the names of any witnesses. It shall be the responsibility of the Human Resource Manager to submit all reports to the insurance company.

C. Retirement

Eligible employees are covered by the provisions of the Illinois Municipal Retirement Act. Participation for all personnel whose position requires at least 1000 hours per year is obligatory.

XIII. Grievances

A. General

The Board reserves the right to review and alter decisions of the Executive Director on all personnel matters upon petition by an affected employee.

B. Procedure

When a grievance develops, the employee should discuss the problem with the employee's Department Manager. If the problem is not resolved at that point, the employee may discuss the matter with the Assistant Director, with the knowledge of their Department Manager. After this meeting, if the employee so chooses, he/she may then meet with the Executive Director. In the event the employee still feels aggrieved, an appeal may be made to the Library Board. The employee shall forward the grievance in writing through and with the full knowledge of the Executive Director. The employee has the right to be accompanied by any individual of his or her choice to any subsequent oral hearing before the Library Board. The written statement of the employee's grievance, the written recommendations of the Executive Director, and the Library Board's decision shall become a part of the permanent records of the Library.

Policies that are required by statute are automatically amended to reflect any changes in said statute.

Website of the Waukegan Public Library
Revised and maintained by:

Richard Lee, Executive Director

Send comments to richardlee@waukeganpl.info

Appendix
Pay Ranges

Classification	Hourly minimum	Hourly maximum
Support – Page	\$10.00	\$13.00
Support – Clerk 1	\$12.00	\$16.00
Support – Clerk 2	\$15.00	\$20.00
Support – Specialist	\$16.00	\$26.00
Professional – Assistant	\$18.00	\$28.00
Professional – Coordinator	\$20.00	\$30.00
Professional – Librarian	\$24.00	\$34.00
Administration – Department Manager	\$26.00*	\$40.00*
Administration – Assistant Director	\$40.00*	\$52.00*

*Exempt classifications are not paid hourly rates, but annual salaries. Listed is the hourly equivalent based on a 37.5 hour work week.

WAUKEGAN PUBLIC LIBRARY FAMILY AND MEDICAL LEAVE OF ABSENCE POLICY

This policy contains information consistent with and in addition to the information contained in the "Employee Rights and Responsibilities" (found on the next page) and is meant to provide additional information about the Waukegan Public Library's specific policies and procedures under the Family and Medical Leave Act. In the event of any conflict between the "Employee Rights and Responsibilities" and this policy, the "Employee Rights and Responsibilities" will prevail.

Basic Leave Entitlement

Employees may be eligible to take up to 12 weeks of unpaid family/medical leave within a 12-month period and be restored to the same or an equivalent position upon return provided that the employee has worked for the Waukegan Public Library for at least 12 months AND worked at least 1250 hours in the last 12 months AND if at least 50 employees are employed by the Waukegan Public Library within 75 miles. The "12-month period" is measured in a rolling 12-month period from the beginning of the employee's last FMLA leave.

Reasons for Leave: If an employee is eligible, the employee may take family/medical leave for any of the following reasons: (1) the birth of a child and in order to care for such child; (2) the placement of a child with the employee for adoption or foster care; (3) to care for a spouse, son, daughter or parent ("covered family member") with a serious health condition; or (4) because of the employee's own serious health condition which renders the employee unable to perform the functions of the employee's position. Leave because of reasons one and two above must be completed within the 12-month period beginning on the date of birth or placement. In addition, spouses employed by the Waukegan Public Library who request leave because of reasons one or two or to care for an ill parent may only take a combined aggregate total of 12 weeks leave for such purposes during any 12-month period.

Military Family Leave Entitlement

If an employee is eligible, the employee may use the 12-week FMLA leave entitlement to take military family leave. This leave may be used to address certain qualifying exigencies related to the covered active duty or call to covered active duty of a spouse, son, daughter or parent. Qualifying exigencies may include (1) attending certain military events; (2) arranging for alternative childcare; (3) addressing certain financial and legal arrangements; (4) attending certain counseling sessions; (5) addressing issues related to short-notice deployment; (6) spending time with a covered family member who is resting and recuperating; (7) attending post-deployment briefings; and (8) for certain activities relating to the care of the military member's parent who is incapable of self-care where those activities arise from the military member's covered active duty.

An employee may also be eligible for up to 26 weeks of leave to care for a covered service member during a single 12-month period. *This single 12-month period begins with the first day the employee takes the leave.* A covered service member includes: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy or is in outpatient status; or (2) is

on the temporary disability retired list; or (3) a covered veteran, meaning one who is undergoing medical treatment, recuperation or therapy for a serious injury or illness and: "(i) was a member of the Armed Forces (including a member of the National Guard or Reserves); (ii) was discharged or released under conditions other than dishonorable; and (iii) was discharged within the five-year period before the eligible employee first takes FMLA military caregiver leave to care for the veteran."

Improper Use of Leave: Employees may not be granted a FMLA leave to gain employment or work elsewhere, including self-employment if an employee misrepresents facts in order to be granted an FMLA leave, the employee may be subject to immediate termination.

Notice of Leave: If the FMLA leave of absence is foreseeable, the employee must give the Waukegan Public Library at least 30 days notice in accordance with the usual procedure for requesting a leave of absence. Failure to provide such notice may be grounds for delay of the leave. Where the need for leave is not foreseeable, the employee is expected to notify the Waukegan Public Library as soon practicable and, absent unusual circumstances, in accordance with the Waukegan Public Library's normal leave procedures. To request FMLA leave, please see Human Resources for the Notice of Eligibility and Rights and Responsibilities paperwork.

Medical Certification - Leave for Employee's Own or a Covered Family Member's Serious Health Condition: If the employee is requesting leave because of the employee's own or a family member's serious health condition, the employee and the relevant health care provider must supply appropriate medical certification. The medical certification must be provided within 15 days after it is requested, or as soon as reasonably possible under the circumstances. Failure to provide requested medical certification in a timely manner may result in denial of leave until it is provided. The Waukegan Public Library, at its expense, may require an examination by a second health care provider designated by the Waukegan Public Library, if it reasonably doubts the medical certification you initially provide. If the second health care provider's opinion conflicts with the original medical certification, the Waukegan Public Library, at its expense, may require a third, mutually agreeable health care provider to conduct an examination and provide a final and binding opinion. The Waukegan Public Library may also require medical recertification periodically during the leave and employees may be required to present a fitness for duty verification upon their return to work following a leave for the employee's own illness specifying that the employee is fit to perform the essential functions of the job.

Certification for a Qualifying Exigency: If the employee is requesting leave because of a qualifying exigency arising out of a covered family member's active duty or call to active duty, the employee must supply a copy of the covered military family member's active duty orders or other documentation issued by the military indicating that the covered military member is on active duty or call to active duty (including the dates of the active duty service). The Waukegan Public Library may also request additional information pertaining to the leave.

Certification for Service Member Family Leave: If an employee is requesting leave because of the need to care for a covered service member with a serious injury or illness, the Waukegan Public Library may require the employee to supply certification completed by an authorized health care provider of the covered service member. In addition, the Waukegan Public Library may also request additional information pertaining to the leave.

Certification for Serious Injury or Illness of a Veteran for Military Caregiver

Leave: If an employee is requesting leave because of the need to care for a covered veteran with a serious injury or illness, the Waukegan Public Library may require the employee to supply certification completed by an authorized health care provider of the covered veteran. In addition, the Waukegan Public Library may request additional information pertaining to the leave.

Substitution of Paid Leave: FMLA leave is unpaid leave. If you request leave for any FMLA-covered reason, you may be required to exhaust any remaining applicable paid time. The exhaustion of this paid leave does not extend the leave period. In addition, if you are eligible for any additional paid leaves, such as short term/long term disability or worker's compensation, these leaves will also run concurrently with FMLA leave (where appropriate) and will not extend the leave period. When using paid leave in conjunction with FMLA, employees must comply with the requirements of the applicable paid leave policy.

Benefits During Leave: During an approved FMLA leave, the Waukegan Public Library will maintain the employee's health benefits as if the employee continued to remain actively employed. Payment of the employee's portion of medical benefits will be determined by the Notice of Eligibility and Rights & Responsibilities paperwork administered by Human Resources. Employees on FMLA leave will not accrue benefit time or during the time the employee is on unpaid status or is receiving MRF disability payments, or worker's compensation payments.

Intermittent Leave: Leave because of a serious health condition, to care for a service member with a serious injury or illness or because of a qualifying exigency may be taken intermittently (in separate blocks of time due to a single covered health condition) or on a reduced leave schedule (reducing the usual number of hours an employee works per workweek or workday) if necessary. If leave is unpaid, the Waukegan Public Library will reduce the employee's salary based on the amount of time actually worked. In addition, while the employee is on an intermittent or reduced scheduled leave, the Waukegan Public Library may temporarily transfer the employee to an available alternate position which better accommodates the recurring leave and which has equivalent pay and benefits. A fitness for duty certification may be required to return from an intermittent absence if reasonable safety concerns exist concerning the employee's ability to perform job duties.

Job Restoration: If the employee wishes to return to work at the expiration of the leave, the employee is entitled to return to the same position or to an equivalent position with equal pay, benefits and other terms and conditions of employment. If the employee takes leave because of the employee's own serious health condition, the employee may be required to provide medical certification that the employee is fit to perform the essential functions of the job. Employees failing to provide the certification will not be permitted to resume work until it is provided.

EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY AND MEDICAL LEAVE ACT

Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- for incapacity due to pregnancy, prenatal medical care or child birth;
- to care for the employee's child after birth, or placement for adoption or foster care;
- to care for the employee's spouse, son, daughter or parent, who has a serious health condition; or
- for a serious health condition that makes the employee unable to perform the employee's job.

Military Family Leave Entitlements

Eligible employees whose spouse, son, daughter or parent is on covered active duty or call to covered active duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is: (I) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical

treatment, recuperation or therapy, is otherwise on outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness*;
or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.*

***The FMLA definitions of "serious injury or illness" for current service members and veterans are distinct from the FMLA definition of "serious health condition".**

Benefits and Protections

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least 12 months, have 1,250 hours of service in the previous 12 months*, and if at least 50 employees are employed by the employer within 75 miles.

***Special hours of service eligibility requirements apply to airline flight crew employees.**

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and

responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility. Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

- interfere with, restrain, or deny the exercise of any right provided under FMLA ; and

- discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer. FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.