

§524 LEAVES OF ABSENCE

This policy covers various types of leaves that an employee may take under Illinois law or per Diocesan policy. It does not directly address paid time off such as vacation or sick time, although some of the leaves below can tangentially affect the same. Many of the types of leaves listed below are based on Illinois statutory law. The main purpose of this policy is to bring awareness to Diocesan agencies, parishes, and school about the types of leave required under the law. Since the law can change, it is important to review the most current statute when granting a particular type of leave. Copies of the most recent statutes can be requested from the Office of the General Counsel or the Office for Human Resources. Likewise, questions on leave and eligibility can also be directed to the Office of the General Counsel or the Office for Human Resources. Nothing in this policy is intended to diminish or affect the Religious Freedom and Conscience rights of the Diocese or her agencies, parishes, or schools under the First Amendment of the United States Constitution or the Illinois Religious Freedom Restoration Act.

§524.01 Family Bereavement Leave

§524.01.1. Eligibility

524.01.1. Policy Per the Illinois Family Bereavement Leave Act, eligible employees are allowed up to two weeks (10 working days) of unpaid bereavement leave over and above the paid bereavement leave to attend the funeral (or alternative service) of a covered family member, make arrangements necessitated by the death of the covered family member, grieve the death of the covered family member, or be absent from work for reasons including a miscarriage, a failed adoption match or an adoption that is not finalized because it is contested by another party, a diagnosis that negatively impacts pregnancy or fertility, or a stillbirth. In the event of the death of more than one covered family member in a 12-month period, the employee will be given up to a total of six weeks of unpaid bereavement leave in a 12-month period.

Procedures

- a) For the purpose of this leave, “Child” is defined as the employee’s son or daughter who is a biological, adopted, or foster child, a stepchild, a legal ward, or a child to whom the employee is standing in loco parentis.
- b) “Covered Family Member” includes an employee’s child, stepchild, spouse, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, or stepparent.
- c) Employees are eligible for leave after 1250 hours of service with the employer during the prior 12-month period.
- d) Leave must be completed within 60 days after the date on which the employee receives notice of his/her child’s death.
- e) The employee may substitute any available paid time off for leave taken under this policy. This leave may run concurrently with leave under the federal Family and

Medical Leave Act and/or any other leave, including paid leave, as permitted by state and federal law.

- f) The supervisor may, at their discretion, request the employee submit documentation of the need for bereavement days.

§524.01.2 Child Extended Bereavement Leave Act

524.01.2. Policy Per the Child Extended Bereavement Leave Act, eligible employees are entitled to use a maximum of 12 weeks of unpaid leave if the employee experiences the loss of a child by suicide or homicide.

Procedures

- a) For the purpose of this leave, "Child" is the same as defined above for the Family Bereavement Leave.
- b) Employees are eligible for leave if they are full-time employee working at least 30 hours per week for at least 2 weeks.
- c) Leave may be taken in a single continuous period or intermittently in increments of no less than 4 hours, but leave must be completed within one year after the employee notifies the employer of the loss.
- d) Employees are required to provide advance notice of his/her intention to take leave, unless providing such notice is not reasonable or practical. An employee may be required to provide reasonable documentation such as a death certification, obituary, or written verification of a death or funeral. It may be required for the documentation include the cause of death.
- e) Employees may substitute any available paid time off for leave taken under this policy. This leave may run concurrently with other forms of leave as permitted by state and federal law. An employee who uses leave under the Child Extended Bereavement Leave Act because of the death of a child may not take leave under this Act because of the death of the same child.
- f) Employees who return to work within the prescribed time and on the same basis as employed prior to taking leave under this Act shall be reinstated at the same or comparable position at not less than the salary before they left and applicable benefits. The employee will not lose any benefits that accrued before leave was taken.

§524.02 Family/Medical Leave (FMLA)

§524.02.1. Allowable Term of Absence

524.02.1 Policy The Diocese of Springfield in Illinois and its agencies shall allow a continuous family or medical leave of absence of up to 12 weeks within any calendar year for all

employees who have at least one full year of service, worked 1,250 hours in the previous year, and who are certified by their doctor to be unable to work due to medical reasons for themselves or immediate family members, or require the leave of absence for child care, including: birth, adoption, or foster care.

Procedures

- a) For the purpose of this leave, “Immediate Family Member” is defined as an employee’s spouse, son or daughter, parent, or someone in the employee’s household.
- b) Requests for leave should be submitted to the appropriate supervisor in writing preferably at least 30 days in advance where practical. In emergency situations, written notice must be provided as soon as possible. The request should include the reason for the leave as well as the dates the employee expects to begin and end the leave.
- c) A leave of absence is only available to those employees who intend to return to work.
- d) Intermittent leave for medical reasons (e.g. every Wednesday and Friday off for treatment) will be limited to the equivalent of 12 weeks of time off on a cumulative basis within any calendar year. Employees may be transferred to a different position for intermittent or reduced workweek leave.
- e) Normally, employees are considered to be on family or medical leave continuously from their first day of absence for a qualifying reason to the date of their return or the date 12 weeks after their first date of absence.
- f) When both the employee and spouse are eligible for family/medical leave and both work for the Diocese of Springfield in Illinois, the maximum combined leave for the birth of a child or adoption/foster care of leave is 12 weeks. This type of leave aggregation does not apply to leave needed for the employee’s own serious health condition, to care for a spouse or child with a serious health condition, or because of a qualifying event.

§524.02.2. Compensation

524.02.2. Policy Eligible employees on family/medical leave shall be compensated to the extent that they have accumulated sick days or other available paid time off benefits.

Procedures

- a) Employees on a family/medical leave of absence may be required to use unused personal and/or vacation days at the employer’s option.
- b) Employees shall not be compensated for holidays occurring while on family/medical leave unless they choose to use accumulated sick days or vacation days. This only applies to those on inactive status by nature of an approved leave.

§524.02.3. Benefits

524.02.3.1. Policy No additional sick days, personal days or vacation days shall be allocated to the employee on a family/medical leave. However, if the employee returns to work on a full-time or regular-part-time basis within the family/medical leave period, they shall resume having paid time off benefits allocated to them as they would normally have.

524.02.3.2. Policy During the family/medical leave period, the Diocese shall continue to maintain the health insurance coverage of the employee. The employee must continue to make timely payments of his/her share of the premiums for such coverage. Failure to pay premiums within 30 days of when they are due may result in a lapse of coverage.

§524.02.4. Reinstatement

524.02.4.1. Policy Employees returning from a medical leave of absence due to their own illness shall be required to submit a written release from their doctor before reporting to work.

524.02.4.2. Policy Employees who return to work within the prescribed time and on the same basis as employed prior to taking a family/medical leave shall be reinstated at the same or comparable position at not less than the salary before they left and applicable benefits. The employee will not lose any benefits that accrued before leave was taken.

§524.02.5. Termination

524.02.5. Policy Employees who fail to return to work by the specified date of their family/medical leave shall be considered to have voluntarily resigned their position. At that time, the employee shall have the same options as any other terminating employee regarding benefits.

Procedures

- a) Employees may be required to provide periodic reports on his/her status and intent to return to work. Failure to provide the information may affect the employee's leave and/or employment status.

§524.03 Domestic/Sexual/Other Violence Leave

§524.03.1. Eligibility

524.03.1. Policy Under the Victims' Economic Security and Safety Act (VESSA), eligible employees are allowed unpaid violence leave (violence leave) for a qualifying reason, with a guarantee of restoration to the same or an equivalent position on return from leave.

Procedures

- a) Domestic Violence Leave is available to:
 - a. Seek medical attention for, or recover from, physical or psychological injuries caused by the violence against the employee or the employee's family or household member.
 - b. Obtain victim services for the employee or the employee's family or household member.
 - c. Obtain psychological or other counseling for the employee or the employee's family or household member.
 - d. Participate in safety planning, including temporary or permanent relocation or other actions to increase the employee or the employee's household or family member's safety from future violence.
 - e. Seek legal assistance to ensure the health and safety of the employee or the employee's household or family member, including participating in court proceedings related to the violence.
 - f. Attend the funeral of a family or household member who is killed in a crime of violence.
 - g. Make arrangements necessitated by the death of a family or household member who is killed in a crime of violence.
 - h. Grieve the death of a family or household member who is killed in a crime of violence.

§524.03.2. Allowable Term of Absence

524.03.2 Policy Eligible employees may take up to 12 weeks of unpaid leave within a 12-month period for reasons of subparagraphs (a)-(e) of §524.03.1. Eligible employees may take up to 2 weeks of unpaid leave for the reasons of subparagraphs (f)-(h) of §524.03.1, which must be completed within 60 days after the date on which the employee receives notice of the death of the victim.

Procedures

- a) Leave is based on a 12-month period, looking back from the date the leave would begin.
- b) Leave under this policy may be taken intermittently or on a reduced schedule basis.
- c) The employee must provide the appropriate supervisor with at least 48 hours' notice, except in emergency situations or where such notice is not otherwise practical. In all cases, either before or after the employee takes leave under this policy, his/her supervisor will require him/her to submit a sworn certification that his/her absence is one of the qualifying reasons above. The parish, school or agency may require supplemental information.

§524.03.3. Compensation

524.03.3. Policy Domestic/Sexual/Other violence leave is unpaid. Employees may choose to use any available paid time off during the leave.

Procedures

- a) If an employee is also entitled to other forms of paid time off, such as bereavement time, this leave will run concurrently with the paid time off and not be extended beyond the eligible amount of time.

- b) If an employee is also entitled to other forms of unpaid leave, such as Family Bereavement Leave, the eligible employee will only be entitled to 12 weeks of unpaid leave total between the various forms of leave.

§524.03.4. Benefits

524.03.4.1. Policy No additional sick days, personal days or vacation days shall be allocated to the employee on a domestic violence leave. However, if the employee returns to work on a full-time or regular-part-time basis within the domestic violence leave period, they shall resume having paid time off benefits allocated to them as they would normally have.

524.03.3.2. Policy During the domestic violence leave period, the Diocese shall continue to maintain the health insurance coverage of the employee. The employee must continue to make timely payments of his/her share of the premiums for such coverage.

§524.04 Military and Emergency Services Leave

§524.04.1. Qualifying Exigencies and Entitlements under the FMLA

524.04.1 Policy The Diocese of Springfield in Illinois and its agencies shall allow unpaid leave of up to 12 weeks within any calendar year for all employees who have at least one full year of service, worked 1,250 hours in the previous year, and who have a qualifying exigency arising out of the fact that the employee's spouse, son, daughter or parent is a covered military member on active duty in support of a contingency operation.

Procedures

- a) Eligible employees must meet the qualifications under the FMLA and have a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves, or family members of active duty servicemembers, in support of a contingency operation. Qualifying exigencies include:
 - a. Attending certain military events;
 - b. Arranging for alternative childcare;
 - c. Addressing certain legal and financial arrangements;
 - d. Attending certain counseling sessions;
 - e. Certain periods for rest and recuperation;
 - f. Attending post-deployment reintegration briefings; and

- g. Arranging for alternative care for the military member's parent who is incapable of self-care.
- b) When both the employee and spouse are eligible for this leave and both work for the Diocese of Springfield in Illinois, the maximum combined leave due to a qualifying exigency is 12 weeks.
- c) All other compensation, benefits, reinstatement terms and conditions of termination of Family and Medical Leave apply (See §524.03).

§524.04.2. Military Caregiver Entitlements under the FMLA

524.04.2 Policy The Diocese of Springfield in Illinois and its agencies shall allow unpaid leave of up to 26 weeks within any calendar year for all employees who have at least one full year of service, worked 1,250 hours in the previous year, and who need to provide care for a covered servicemember with a serious injury or illness if the employee is the spouse, son, daughter, parent, or next of kin of the servicemember.

Procedures

- a) Eligible employees must meet the qualifications under the FMLA and have a spouse, son, daughter, parent, or next of kin who was on active duty or called to active duty status in the National Guard or Reserves, or family members of active duty servicemembers, in support of a contingency operation who have been seriously injured or got an illness in the line of duty.
- b) When both the employee and spouse are eligible for this leave and both work for the Diocese of Springfield in Illinois, the maximum combined leave to care for an injured or ill servicemember is 26 weeks.
- c) All other compensation, benefits, reinstatement terms and conditions of termination of Family and Medical Leave apply (See §524.03).

§524.04.3.1 Compensation

524.04.3.1 Policy Eligible employees on military-related leave shall be compensated to the extent that they have accumulated sick days or other available paid time off benefits.

Procedures

- a) Employees on a military-related leave of absence may be required to use unused personal and/or vacation days at the employer's option.
- b) Employees shall not be compensated for holidays occurring while on military-related leave unless they choose to use accumulated sick days or vacation days. This only applies to those on inactive status by nature of an approved leave.

§524.04.3.2 Benefits

524.04.3.2.1 Policy No additional sick days, personal days or vacation days shall be allocated to the employee on a military-related leave. However, if the employee returns to work on a full-time or regular-part-time basis within the military-related leave period, they shall resume having paid time off benefits allocated to them as they would normally have.

524.04.3.2.2. Policy During the military-related leave period, the Diocese shall continue to maintain the health insurance coverage of the employee. The employee must continue to make timely payments of his/her share of the premiums for such coverage. Failure to pay premiums within 30 days of when they are due may result in a lapse of coverage.

§524.04.3.3 Reinstatement

524.04.3.3 Policy Employees who return to work within the prescribed time and on the same basis as employed prior to taking a military-related leave shall be reinstated at the same or comparable position at not less than the salary before they left and applicable benefits. The employee will not lose any benefits that accrued before leave was taken.

§524.04.3.4 Termination

524.04.3.4 Policy Employees who fail to return to work by the specified date of their military-related leave shall be considered to have voluntarily resigned their position. At that time, the employee shall have the same options as any other terminating employee regarding benefits.

Procedures

- a) a) Employees may be required to provide periodic reports on his/her status and intent to return to work. Failure to provide the information may affect the employee's leave and/or employment status.

§524.04.4. Family Military Leave

524.04.4. Policy Under the Illinois Family Military Leave Act, eligible employees who are the spouse, child or grandparent of a person called to military service with up to 30 days of unpaid military leave during the time federal or state deployment orders are in effect.

Procedures

- a) To be eligible for leave the employee must have at least one full year of service, worked 1,250 hours in the previous year, and be the spouse, parent, child or grandparent of a person called to military service lasting longer than 30 days with the state or the United States pursuant to orders of the Governor or the President. Spouse

is defined as an individual whom the employee is legally married in a marriage union that is recognized by the Catholic Church.

- b) If an employee is taking family military leave for five or more consecutive workdays, s/he must provide at least 14 day's advance notice of the intended date to take leave. If possible, the employee should consult with the appropriate supervisor to schedule leave so as not to unduly disrupt operations of the agency. When the leave is for less than five consecutive work days, then employee must provide advance notice as is practical. The supervisor may require verification of the employee's eligibility for leave from the proper military authority.
- c) Compensation, benefits, reinstatement and termination terms are the same as listed under 524.05.3.
- d) The employee may not take Family Military Leave until s/he has exhausted all accrued vacation, personal, compensatory, or any other leave granted, with the exception of sick and disability leave. Where applicable, time off under this policy will run concurrently with time off under the federal Family and Military Leave Act.

§524.04.5. Civil Air Patrol Leave

524.04.5. Policy Under the Illinois Civil Air Patrol Leave Act, employees who serve as a member of the Civil Air Patrol and who are called to perform a civil air patrol mission are entitled up to 30 days of unpaid leave.

Procedures

- a) To be eligible for leave the employee must meet the above criteria as well as have at least one full year of service and worked 1,250 hours in the previous year.
- b) The employee must provide at least 14 day's advance notice to the appropriate supervisor of the date which leave will commence if it will consist of five or more consecutive workdays. Employees must schedule the leave in consultation with his/her supervisor so not to unduly disrupt business operations. If leave is less than five consecutive workdays, then employee must provide advance notice as is practical.
- c) The employee may be required to provide certification from a civil air patrol authority of eligibility for the requested leave.
- d) Compensation, benefits, reinstatement, and termination terms are the same as listed under 524.05.3.

§524.04.6. Military Leave (USERRA)

524.04.6. Policy The agencies of the Diocese of Springfield in Illinois will comply with applicable federal and state law regarding military leave and re-employment rights. Unpaid military leave of absence will be granted to members of the uniformed services in accordance

with the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) and all applicable state law.

Procedures

- a) The employee must provide documentation for the need for leave to the appropriate supervisor.
- b) Compensation, benefits, reinstatement, and termination terms are the same as listed under 524.05.3.
- c) For more information regarding employment status, compensation, benefits and reinstatement upon return from military leave, contact the Director of the Office for Human Resources.

§524.04.7. Emergency Services Leave

524.04.7. Policy Under the Illinois Volunteer Emergency Worker Job Protection Act, employees who serve as an unpaid “volunteer emergency worker” are entitled to an unpaid leave when absent from work in order to respond to an emergency call received prior to the time the employee is schedule to report to work.

Procedures

- a) For purposes of this leave, “volunteer emergency worker” means a person who does not receive monetary compensation for his or her services as a volunteer firefighter, Emergency Medical Technician (licensed as an EMT-B, EMT-I, or EMT-P under the Emergency Medical Services (EMS) Systems Act), a volunteer ambulance driver or attendant, or a volunteer “First Responder”, as defined in Sec. 3.60 of the EMS Systems Act, to a fire department, fire protection district, or other governmental entity and who does not work in one of these capacities for any other fire department, fire protection district, or governmental entity for monetary compensation.
- b) Employees utilizing this leave shall make reasonable efforts to notify his/her supervisor of their service and shall continue to make reasonable notification efforts over the course of any absence.
- c) The supervisor may request an employee to provide a written verification from the supervisor or acting supervisor of the volunteer fire department or emergency medical services that the employee served as a volunteer emergency worker and the time thereof.
- d) Compensation, benefits, reinstatement, and termination terms are the same as listed under 524.05.3.

§524.05 Blood and Organ Donation Leave

524.05.1. Policy Upon request, an eligible employee will be provided with leave with pay to donate blood or an organ. .

Procedures

- a) Eligible employees must be full-time, have been employed for at least 6 months, and obtain approval from the appropriate supervisor.
- b) Eligible employees will be provided with up to one hour of paid leave to donate, or attempt to donate, blood every 56 days in accordance with appropriate medical standards established by the American Red Cross, America's Blood Centers, the American Association of Blood Banks, or other nationally recognized standards.
 - i. The employee shall submit medical documentation of the appointment to donate blood. This document may consist of a written statement from the blood bank indicating the employee has an appointment. The supervisor may request the employee provide a written statement from the blood bank confirming that s/he kept the appointment.
 - ii. The employee will retain one hour of paid Blood Donation Leave if the attempt to donate blood is unsuccessful.
- c) Eligible employees may use up to 10 days of leave in any 12-month period to serve as an organ donor. Organ means any biological tissue of the human body that may be donated by a living donor, including, but not limited to, the kidney, liver, lung, pancreas, intestine, bone, and skin or any subpart thereof.
 - i. The employee shall submit medical documentation of the organ donation procedure prior to the appointment. The employee shall provide a medical release before returning to work.

§524.06 School Conference and Activities Leave

524.06.1. Policy An employee will be provided with up to eight hours of unpaid leave during any school year to attend school conferences, behavioral meetings, or academic meetings related to his/her child (including a biological, adopted, foster, or stepchild) if the conference or meeting cannot be scheduled during nonwork hours.

Procedures

- a) Leave can only be taken after all accrued vacation and personal time has been exhausted.
- b) The employee must provide written notice to the appropriate supervisor explaining the leave for need. In emergency situations, no more than 24 hours' notice is required. The employee may be asked to provide verification of the school visitation after returning from leave.

§524.07 Personal Leave

§524.07.1. Leave of Absence Duration

524.07.1.1. Policy The Diocese of Springfield in Illinois may allow a personal leave of absence of up to six (6) months, subject to prior approval by the pastor, parochial administrator, principal, or agency director, for all full-time and eligible regular part-time employees where other forms of leave are not applicable.

Procedures

- a) Requests of an unpaid personal leave must be submitted to the local administrator in writing at least 5 days in advance where practical. In emergency situations, written notice must be provided as soon as possible. The request should include the reason for the leave as well as the dates the employee expects to begin and end the leave.
- b) A leave of absence is only available to those employees who intend to return to work.
- c) Requests for unpaid personal leave may be denied or granted for any reason and are within the sole discretion of the local administrator. The local administrator will take into consideration job performance, attendance, and departmental requirements.

§524.07.2. Compensation

524.07.2.1. Policy Employees on a personal leave of absence shall use all available paid time off balances prior to taking unpaid time during a personal leave of absence.

524.07.2.2. Policy Holidays that occur during an unpaid personal leave of absence will not be paid.

§524.07.3. Benefits

524.07.3.1. Policy No additional sick days, personal days or vacation days shall be allocated to the employee on a personal leave of absence. However, if the employee returns to work on a full-time or regular part-time basis within the personal leave period, they shall resume having paid time off benefits allocated to them as they would normally have.

524.07.3.2. Policy During the personal leave of absence, the Diocese shall continue to maintain the health insurance coverage of the employee. The employee must continue to make timely payments of his/her share of the premiums for such coverage. Failure to pay premiums within 30 days of when they are due may result in a lapse of coverage.

§524.07.4. Reinstatement

524.07.4.1. Policy Employees returning from work within the prescribed time and in the same full-time/part-time status as of the time of the commencement of the leave shall be

reinstated in the same position if available. The parish, school, or agency cannot assure the ability to reinstate the employee to any position after his/her leave. If the parish, school, or agency is unable to reinstate the employee or if the employee refuses the offer of reinstatement to a different position, the employee's leave status will be changed to a voluntary termination.

524.07.4.2. Policy If an employee is unable to return to work within the prescribed time, s/he must request an extension of leave in writing at least 5 days in advance of the return date.

Procedures

- a) Leave extensions will be considered on a case-by-case basis.
- b) If the extension is denied, the employee must return to work on the originally scheduled return date or be considered to have voluntarily resigned from employment.

§524.07.5. Termination

524.07.5. Policy Employees who fail to return to work by the prescribed time of their personal leave shall be considered to have voluntarily resigned their position. At that time, the employee shall have the same options as any other terminating employee regarding benefits.