

# ***Lakeland Library Cooperative***

Employee Handbook

## **601 Family and Medical Leave**

Effective Date: 05/14/2009

Revision Date:

In accordance with the Family Medical Leave Act, Lakeland Library Cooperative will provide medical leaves of absence without pay to eligible employees who are temporarily unable to work due to a serious health condition or disability. For purposes of this policy, serious health conditions or disabilities include inpatient care in a hospital, hospice, or residential medical care facility; continuing treatment by a health care provider; and temporary disabilities associated with pregnancy, childbirth, and related medical conditions. Family leave is also available for adoption, foster child placement, and care of a dependent child, spouse or parent with a serious health condition.

Eligible employees must have been employed for at least 12 months and worked for 1250 hours or more in the last twelve months. Also, to be eligible, there must be 50 or more employees working within 75 miles, as defined in the Act.

Employees in the following employment classifications may also request medical leave as described in this policy even if they are not otherwise entitled to Family Medical Leave:

- \* Regular full-time employees
- \* Regular part-time employees

Eligible employees should make requests for medical leave to the Cooperative Director at least thirty (30) days in advance of foreseeable events and as soon as possible for unforeseeable events.

Eligible employees must submit a statement by a health care provider verifying the serious health condition or temporary disability, the need for medical leave and the beginning and expected ending dates of the needed leave. Any changes in this information must be promptly reported by the employee to Lakeland Library Cooperative. Employees returning from medical leave must submit a health care provider's verification of their fitness to return to work.

Eligible employees are normally granted leave for the period of the disability, up to a maximum of 12 weeks within any 12-month period, calculated from the date of the requested leave. Employees will be required to first use any available paid leave time before taking unpaid family or medical leave. Any combination of paid and unpaid leave may not exceed this maximum 12 week limit. If the initial period of approved absence proves insufficient, consideration will be given to a request for an extension.

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Employees who sustain work-related injuries and are required by a medical service provider to be absent from work, are eligible for a medical leave of absence in accordance with this policy. Refer to Section 306 Workers' Compensation (above) for use of sick leave during state mandated waiting period for work related injuries.

Subject to the terms, conditions, and limitations of the applicable plans, insurance benefits under the group health plan will be provided by Lakeland Library Cooperative during the Family Medical Leave for eligible employees. Employees will be required to pay any current copayment on the premium and may be required to reimburse Lakeland Library Cooperative for any premium amounts paid if they do not return to work at the conclusion of the leave.

For non-eligible employees granted leave, insurance coverage's will be continued, with any required co-payment on premium, through the end of the month in which the approved medical leave begins. At that time, employees will become responsible for the full costs of these benefits if they wish coverage to continue beyond the end of that month.

When the employee returns from family or medical leave, these insurance benefits will again be provided by Lakeland Library Cooperative according to the applicable plans and policies in place at that time.

Benefit accruals, such as vacation, sick leave, or holiday benefits, will be suspended during the leave and will resume upon return to active employment.

Eligible employees returning from an approved Family Medical Leave will be returned to the same or equivalent position, unless their employment would have otherwise been terminated for legitimate reasons. Employees designated as "key" employees may not be eligible for reinstatement. The designation will be determined at the time the leave is requested.

Non-eligible employees who are granted leave will likewise be returned to their previous position, if it is still available, or to another open position if one is available for which they are qualified. Reinstatement will not result in a promotion.

So that an employee's return to work can be properly scheduled, any employee on medical leave is requested to provide Lakeland Library Cooperative with at least two (2) weeks advance notice of the date the employee intends to return to work. When a medical leave ends, an employee who has been released to return to work without restrictions will be reinstated to the same position, if it is available, or to an open and available equivalent position for which the employee is qualified. Where an employee has been released to return to work with some restrictions, Lakeland Library Cooperative will accommodate the employee's restrictions when reasonably possible. However, Lakeland Library Cooperative cannot guarantee reinstatement in all cases.

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If an employee fails to return to work on the agreed upon return date, the employee will have abandoned his/her job and forfeited any further return rights.

Lakeland Library Cooperative will not discriminate or retaliate against any employee for requesting leave or exercising their rights under the Family and Medical Leave Act. Employees should report any concerns to the Cooperative Director.

### Military Family Leave Entitlements:

\*Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation 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 twenty (26) weeks of leave to care for a covered service member during a single twelve (12) month period. A covered service member is 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 is on the temporary disability retired list.

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## **603 Leaves of Absence**

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Lakeland Library Cooperative may grant requests for leaves of absence without pay to eligible employees who wish to take time off from work duties to fulfill personal obligations. Such leaves will generally be considered only after all earned paid leave has been used. Employees in the following employment classification(s) are required to request a leave of absence as described in this policy:

- \* Regular full-time employees
- \* Regular part-time employees
- \* Part-time employees

Eligible employees may request a leave of absence only after having completed six (6) months of service. As soon as eligible employees become aware of the need for a leave of absence, they should request a leave from the Cooperative Director.

A leave of absence may be granted for a period of up to a maximum of eight (8) weeks within any twelve (12) month period. If this initial period of absence proves insufficient, consideration will be given to a written request for a single extension of no more than 8 weeks.

Requests for a leave of absence will be evaluated based on a number of factors, including anticipated workload requirements and staffing considerations during the proposed period of absence.

Subject to the terms, conditions, and limitations of the applicable plans, insurance benefits will be provided by Lakeland Library Cooperative until the end of the month in which the approved a leave of absence begins. At that time, employees will become responsible for the full costs of these benefits if they wish coverage to continue beyond the end of that month. When the employee returns from a leave of absence, benefits will again be provided by Lakeland Library Cooperative according to the applicable plans.

Benefit accruals, such as vacation, sick leave, or holiday benefits, will be suspended during the leave of absence and will resume upon return to active employment.

When a leave of absence ends, every reasonable effort will be made to return the employee to the same position, if it is available, or to a similar open and available position for which the employee is qualified. However, Lakeland Library Cooperative cannot guarantee reinstatement in all cases.

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If an employee fails to report to work promptly at the expiration of the approved leave of absence period, Lakeland Library Cooperative will assume the employee has resigned.

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## **605 Military Leave**

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A military leave of absence will be granted to employees who are absent from work because of service in the U.S. uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). Advance notice of military service is required, unless military necessity prevents such notice or it is otherwise impossible or unreasonable.

The leave will be unpaid. However, employees may use any available paid time off for the absence.

Continuation of health insurance benefits is available as required by USERRA based on the length of the leave and subject to the terms, conditions and limitations of the applicable plans for which the employee is otherwise eligible.

Benefit accruals, such as vacation, sick leave, or holiday benefits, will be suspended during the leave and will resume upon the employee's return to active employment.

Employees on military leave for up to thirty (30) days are required to return to work for the first regularly scheduled shift after the end of service, allowing reasonable travel time. Employees on longer military leave must apply for reinstatement in accordance with USERRA and all applicable state laws.

Employees returning from military leave will be placed in the position they would have attained had they remained continuously employed or in a comparable position depending on the length of military service, in accordance with USERRA. Such employees will be treated as though they were continuously employed for purposes of determining benefits based on length of service.

Contact the Cooperative Director for more information or questions about military leave.