

5.1 HOURS OF WORK AND BREAK PERIODS

Policy

The Village establishes hours of work and rest periods to ensure employees work efficiently to meet the demands of the regular Village business hours.

Guidelines

- A. A normal work schedule for regular full-time employees consists of either a 40 hour week or a 37.5 hour week, depending on each employee's position and department.
- B. Different work schedules may be established by each Department Director in order to meet job assignments and provide necessary Village services. Part-time and temporary employees work the hours as assigned by the Department Director.
- C. The scheduling of lunch breaks is at the discretion of the supervisor or Department Director in a matter that will allow that Department/Division to continue operating throughout the workday. Meal periods vary according to Department and the position of the employee.
- D. Non-exempt employees who work;
 - At least 4.5 hours should receive a 15 minute *paid* break
 - At least 6 hours should receive a 20 minute *paid* break
 - At least 7.5 hours should receive at least a 30 minute uninterrupted *un-paid* meal period

Effective Date: January 1, 2000
Revised: September, 2019

5.2 OFFICIAL HOLIDAYS

Policy

The Village provides employees with paid holidays as declared annually by the Village Manager. A list of official holidays will be provided to all employees each year.

Guidelines

- A. The following employees are entitled to receive paid holidays:
- all regular full-time employees
 - all regular part-time employees hired before July 1, 1992 and who work more than 1000 hours per year
- B. All eligible employees shall receive the following paid holidays:
- New Year's Day
 - Martin Luther King's Birthday (floating holiday in Public Works)
 - Memorial Day
 - Independence Day
 - Labor Day
 - Veteran's Day (floating holiday in Public Works)
 - Thanksgiving Day
 - Friday following Thanksgiving
 - Last working day before Christmas
 - Christmas Day
- C. If a holiday falls on Sunday, the following Monday shall usually be observed as the holiday. If a holiday falls on Saturday, the previous Friday shall usually be observed as the holiday. The Village Manager may, in selected years, change the date of observance of some holidays.
- D. If an employee is on vacation when a holiday occurs, the employee will not need to take a vacation day for the holiday.
- E. Employees will be allowed time off from work to observe recognized religious holidays not observed by Village policy. Accrued vacation, compensatory time or unpaid leave may be used, provided advance approval is received from the Department Director. Any reasonable request will not be arbitrarily denied.

Effective Date: January 1, 2000

Revised: September, 2019

5.3 FLOATING HOLIDAYS

Policy

The Village provides employees with two floating holidays each calendar year in lieu of certain official holidays as designated by the Village Manager. Employees in the Public Works Department receive four floating holidays each calendar year.

Guidelines

- A. The following employees are entitled to floating holidays:
 all regular full-time employees
 all regular part-time employees hired before July 1, 1992 and who work more than 1000 hours per year
- B. For eligible part-time employees, floating holidays will be granted on a prorated basis based on the number of hours worked.
- C. Floating holidays may be taken at any time during the calendar year subject to advance approval of the Department Director. Floating holidays may only be taken as full days and may not be carried over into the following year. If a floating holiday is not taken in the calendar year in which it is granted, it is forfeited.
- D. During the first calendar year of employment, floating holidays shall be granted as follows:

<u>Start date</u>	<u>Eligible for</u>
January 1 through June 30	two days
July 1 through October 31	one day
November 1 through December 31	none

Effective Date: January 1, 2000
Revised: September, 2019

5.4 VACATION

Policy

The Village grants vacation time with pay to eligible employees based on the length of service and, for part-time employees, the number of hours worked.

Guidelines

- A. The following employees are eligible to accrue vacation time:
- All regular full-time employees
 - All regular part-time employees hired before July 1, 1992 and who work more than 1000 hours per year
- B. Each employee begins on January 1 of each year with a bank of vacation hours equal to the amount of hours carried over plus the amount the employee will accrue in that calendar year.
- C. For any employee who is re-employed by the Village, eligibility for vacation time will be based on the new hire date. There is no credit for any benefit for prior Village employment.
- D. Vacation time for regular full-time employees is accrued as follows:

Years of completed continuous service	Hours per work week	Accrued hours per month	Annual vacation days accrued
Upon hire	37.5	6.250	10
	40	6.667	10
After four years of service	37.5	9.375	15
	40	10	15
After nine years of service	37.5	10.625	17
	40	11.333	17
After 14 years of service	37.5	12.5	20
	40	13.333	20
After 19 years of service	37.5	13.750	22
	40	14.667	22
After 20 years of service	37.5	14.375	23
	40	15.333	23
After 23 years	37.5	15	24
	40	16	24
After 24 years	37.5	15.625	25
	40	16.667	25

For eligible part-time employees, vacation shall be accrued on a pro-rated basis.

- E. Employees beginning employment from the first through the 15th day of the month shall accrue a full month's vacation hours. Employees beginning from the 16th through the end of the month shall accrue one-half of a month's vacation hours.

- F. Employees on inactive status for more than 30 days cease to accrue vacation hours during the time in unpaid status.
- G. An employee who transfers from one department to another shall retain the vacation accrued from the previous position.
- H. Vacation schedules are to be determined by the Department Director. While due consideration for employee convenience should be given, the needs of the Village in scheduling workloads is controlling. Requests for vacation leave must be filed on the appropriate form and approved in advance. If approved, vacation may be taken in half-hour increments; however, the minimum amount of vacation taken must be one hour.
- I. Vacation should normally be taken in the year in which it is accrued. An employee will not be allowed to carry over more than the equivalent of 30 vacation days to the next calendar year without the written approval of the Village Manager.
- J. Upon termination of employment, the employee shall be paid for any unused, accrued vacation hours. Employees terminating employment from the first through the 15th day of the month shall accrue one-half of a month's vacation hours. Employees terminating employment from the 16th through the end of the month shall accrue a full month's vacation hours. If an employee uses vacation hours that have not been accrued and then leaves the employment of the Village, the amount of vacation hours that have not been accrued will be deducted from the employee's final paycheck.
- K. An employee whose employment is terminated during the first six months will forfeit all vacation accrued.

Effective Date: January 1, 2000

Revised: June 2004

Revised: September 2014 effective January 1, 2015

Revised: September, 2019

Revised: September , 2020

5.5 SICK LEAVE

Policy

The Village gives eligible employees one day of sick leave at the completion of each calendar month of Village employment which may be used for personal illness, an illness in the immediate family, or for attending a personal healthcare appointment or one for an immediate family member.

Guidelines

- A. The following employees accrue sick leave:
 - all regular full-time employees
 - all regular part-time employees hired before July 1, 1992 and who work more than 1000 hours per year
- B. For employees assigned a 40 hour work week, one sick day is equal to eight hours. For employees assigned a 37.5 hour work week, one sick day is equal to 7.5 hours. For eligible part-time employees, sick leave is accrued on a pro rata basis.
- C. For any employee who is re-employed by the Village, all eligibility for sick leave will be based on the new hire date. There is no credit for any benefit for prior Village employment.
- D. Employees can accumulate a maximum of 240 sick days at any one time, which is equal to 1800 hours for employees working 37.5 hour work weeks and 1920 hours for those working 40 hour work weeks.
- E. Sick leave may be used when an employee is sick or disabled, there is an illness in the employee's immediate family, or when the employee or immediate family member has a healthcare appointment. For purposes of this Policy, immediate family is defined as an employee's mother, father, brother, sister, spouse, child, mother-in-law, father-in-law, grandparent, grandparent-in-law, grandchild, stepparent, stepchild, son-in-law, daughter-in-law, brother-in-law, and sister-in-law.
- F. Employees beginning employment with the Village prior to the 15th of the month will receive one full sick day credit for that month. Employees beginning employment on or after the 15th of the month will receive one-half sick day credit for that month.
- G. Sick leave may be taken in half-hour increments.
- H. In the case of an absence from work due to an illness or illness in the employee's immediate family, an employee is required to notify their supervisor as soon as possible, preferably no later than the morning of the absence. If the illness lasts more than one day, the employee may be required to call their supervisor each day of their absence in order to be eligible for sick pay.
- I. Upon an employee's return to work, all sick leave taken is to be recorded on a Leave Request Form, which must be approved by the Department Director.
- J. An employee with an illness of more than 30 days should review the benefits available under their applicable disability retirement plan.

- K. In the case of a personal extensive illness or illness of an immediate family member, employees should review the options available to them under the Family and Medical Leave Act and the policy on Special Leaves of Absence.
- L. Upon separation, employees will not be paid for unused sick leave.
- M. At their time of retirement, eligible employees are eligible to receive, at Village cost, one month of basic health and major medical insurance coverage for each six days of unused sick leave accumulated at the time of retirement. Eligible IMRF employees have a choice to convert their six days of unused sick leave days to one month of basic health and major medical insurance coverage or convert those days to additional IMRF service credit instead of using the days for insurance coverage.
- N. The Village retains the right to audit, monitor, and/or investigate sick leave usage and, if an employee is suspected of abuse or if the employee has prolonged or frequent absences, to take corrective action, including such actions as discussing the matter with the employee, requiring that the employee provide sufficient medical certification, instituting sick leave verification calls, and/or taking disciplinary action, up to and including termination.
- O. The Village may require that an employee provide sufficient medical certification in order to be approved for sick pay. Circumstances under which the Village may require medical certification and what medical certification may be required include but are not limited to the following: a) suspicious absences, b) frequent or prolonged absences, c) patterns of absences, and d) absences immediately before or after a holiday or other scheduled day off work. Medical certification may not be deemed “sufficient” unless it verifies that the employee or family member was examined by a doctor or a licensed health care professional on the day of the absence or related to the day of the absence or other appropriate verification.

Effective Date: January 1, 2000
Revised: May 1, 2003
Revised: May 1, 2005
Revised: August, 2005
Revised: May 1, 2008
Revised: July 1, 2009
Revised: August, 2010
Effective: May 1, 2013
Revised: September, 2019
Revised: September , 2020

5.6 LEAVE OF ABSENCE WITHOUT PAY

Policy

This policy establishes uniform procedures for managing an employee's leave of absence without pay. The Village Manager may grant a written request for a leave of absence without pay for a period longer than 30 days but not to exceed six months. Leaves of absence of less than 30 days may be granted by the Department Director.

Guidelines

- A. To be eligible for a leave of absence without pay an employee must have used all of their available vacation time, sick time, floating holiday time and compensatory time earned.
- B. Employees may request a leave of absence without pay by submitting a request in writing to their Department Director setting forth the reason for and expected duration of the leave. Department Directors can grant a leave for up to 30 days. The Village Manager may grant a written request for a leave of absence without pay for a period longer than 30 days but not to exceed six months in duration.
- C. For requests for leaves longer than 30 days, the Department Director shall review the request and recommend either approval or disapproval of the request, based on the needs of the department. For a leave of 30 days or more, the Department Director and the Director of Human Resources shall review the request and forward to the Village Manager for approval or disapproval.

Requests for a leave for medical reasons may require written documentation from the employee's health care provider.

- D. Any employee on a leave of absence for more than 30 days will not accrue sick time or vacation time or be eligible for holiday pay.
- E. If a leave of absence without pay is granted, regardless of its duration, there is no guarantee that the employee's job will remain unfilled or that the position will not be eliminated or changed by reorganization. If the employee's job is still vacant upon the conclusion of the leave of absence, the employee shall resume the position with the same status. If the position no longer exists or is filled by a regular employee, the employee may be placed in a suitable alternate position or their employment may be terminated.
- F. A leave of absence without pay for more than 30 days will not count toward an employee's creditable service for computation of benefits. Additionally, the employee's entire monthly premium for health, major medical and life insurance while the employee is on a leave of absence for more than 30 days must be paid by the employee if the employee wishes to continue coverage.

Effective: January 1, 2000

Revised: January, 2009

Revised: February, 2011

Revised: July 2015

Revised: September, 2020

5.7 FAMILY AND MEDICAL LEAVE

Policy

Pursuant to the Family and Medical Leave Act (FMLA), as now or hereafter amended, all eligible employees are entitled to take up to 12 weeks (or 26 weeks as described below) of job-protected leave during any 12-month period for certain family and medical reasons.

For additional information on FMLA, go to www.dol.gov/agencies/whd/fmla

Guidelines

- A. To be eligible for FMLA leave, employees must have worked for the Village for 12 months. Regular part-time employees must have worked 1250 hours in the preceding 12 months to be eligible for FMLA leave.
- B. When both spouses are employed by the Village, they are jointly entitled to a combined total of 12 weeks of FMLA leave for the birth or placement of a child for adoption or foster care or to care for a parent who has a serious health condition, or a combined aggregate total of 26 weeks leave for care for an injured service member.
- C. An employee may not be granted an FMLA leave to gain employment or work elsewhere, including self-employment. If an employee misrepresents facts in order to be granted an FMLA leave, he/she will be subject to immediate termination.
- D. The Village permits an adoptive father or an adoptive mother to use sick time in conjunction with the adoption of a child to care for the adopted child.
- E. Military Family Leave Entitlements. Eligible employees with a spouse, son, daughter, or parent on active duty or called 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 addressing issues that arise from (1) short notice of deployment (limited to up to seven days of leave); (2) attending certain military events and related activity; (3) arranging childcare and school activities; (4) addressing certain financial and legal arrangements; (5) attending certain counseling sessions; (6) spending time with covered military family members on short-term temporary rest and recuperation leave (limited to up to five days of leave); (7) attending post-deployment reintegration briefings; (8) arranging care for or providing care to a parent who is incapable of self-care; and (9) any additional activities agreed upon by the employer and employee that arise out of the military member's active duty or call to active duty.

The 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 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 and 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.

- F. Employees on FMLA leave are required to use all accrued paid leave before going unpaid. Accordingly, the Village requires employees to first use their accrued sick leave prior to using other accrued leave. Employees may substitute vacation, floating holidays, comp time etc. after their sick leave accruals are depleted for the duration of their own serious health condition. Employees may substitute vacation, floating Holidays, comp, etc, for sick time during FMLA leave due to a serious health condition of a family member, to care for a seriously ill or injured family member in the military, to care for a newborn or newly placed child or for a qualifying exigency arising out of a family member's active duty or call to active duty status in support of a contingency operation.
- G. Employees may also use FMLA leave intermittently or as part of a reduced workweek whenever it is medically necessary. If the need to use FMLA leave is foreseeable and based on planned medical treatment, the employee is responsible to schedule the treatment in a manner that does not unduly disrupt the Village's operations. In some cases, the Village may temporarily transfer an employee using intermittent leave or a reduced work week to a different job with equivalent pay and benefits if another position would better accommodate the intermittent leave or reduced work schedule.
- H. The Village uses a 12-month period measured backward from the date an employee's FMLA leave is taken. Each time an employee uses FMLA leave, the Village computes the amount of FMLA leave the employee has taken in the past twelve months, subtracts it from the 12 or 26 week maximum and the balance remaining is the amount the employee is entitled to take at that time. For example, if an employee has taken four weeks of FMLA leave beginning July 1, 2008, the employee only has eight weeks of FMLA leave remaining until July 1, 2009, for reasons other than an injured service member.
- I. An employee granted FMLA leave pursuant to this policy continues to be covered under the Village's group health and dental plans, life insurance plan, employee assistance program and long-term disability plan under the same conditions as coverage would have been provided if they had been continuously employed during the leave period.
- J. Normal payroll deductions will be made for the employee portion of insurance premiums during any period of paid FMLA leave. The employee is responsible for paying the employee portion of insurance premiums during periods of unpaid FMLA leave. The Village will provide written notice to the employee on unpaid FMLA leave as to how the Village wants the employee's share of the premiums to be paid. Insurance benefits may be terminated if payment by the employee is more than 30 days late. Employee contribution amounts are subject to any change in rates that occur while the employee is on FMLA leave. At the end of the FMLA leave, when the employee returns to work, any unpaid insurance premiums will be deducted from the employee's paycheck.
- K. An unpaid FMLA leave of more than 30 days does not count toward an employee's creditable service for computation of benefits for seniority, IMRF and other benefits.
- L. An employee who utilizes FMLA leave will be restored to the same job or a job with equivalent status, pay, benefits, and other employment terms. However, the employee's job protection rights are the same as if the employee had not been on FMLA leave. Thus,

if the employee's position would have been eliminated or the employee would have been terminated if not on FMLA leave, the employee does not have the right to be reinstated.

- M. If an employee does not return to work at the end of the FMLA leave period for any unapproved reason, the employee may be subject to discipline, up to and including termination, in which case, the employee shall reimburse the Village for all insurance premiums paid by the Village on the employee's behalf during the unpaid portion of the FMLA leave.
- N. After exhausting all 12 weeks of FMLA leave, an employee who needs additional time off should look to the Village's policies on sick leave and/or special leaves of absence to request additional time off.
- O. For FMLA leave for an employee's own serious health condition or that of a child, spouse or parent, a medical certification form is required. The medical certification form must be completed by the health care provider, including the date on which the condition commenced, the probable duration of the condition, appropriate medical facts, and, if the leave is to care for a family member, a statement that the employee is needed to care for that family member. If the FMLA leave is for the employee's own serious health condition, a fitness for duty certification signed by the health care provider is required prior to the employee's return to work. Taking of FMLA leave may be denied if any of the above requirements are not met. It is the employee's responsibility, not the health care provider's, to ensure that the Village receives the fully completed medical certification by the deadline. If the Village does not receive a fully completed certification by the deadline (unless there is a legitimate reason for the delay), or if the certification does not confirm an FMLA-qualifying condition, the employee's absences will be treated according to the Village's absenteeism policy.

Employees shall provide 30 days advance notice to their Department Director when the need for FMLA leave is foreseeable. If the employee does not receive 30 days advance notice of the need for time off, the employee must report the need for time off promptly after learning of the need.

- P. If determined to be necessary, the Village may require a second opinion as to an employee's or family member's serious health condition. In such cases, the Village will select the health care provider and pay for the second opinion. If there is a conflict between the original certification and the second opinion, the Village may require the opinion of a third health care provider. The Village and the employee will jointly select the third health care provider and the Village will pay for the third opinion. The third opinion will be considered final.

Revised: January 2000

Revised: August 1, 2005

Revised: July 1, 2009

Revised: January 2013

Revised: September 2020

5.8 BEREAVEMENT AND FUNERAL LEAVE

Policy

The Village provides a paid leave due to death in the immediate family for up to three working days and, by permission of the Village Manager, two additional days.

Guidelines

- A. The following employees are eligible for bereavement and funeral leave:
 - all regular full-time employees
 - all regular part-time employees hired before July 1, 1992 and who work more than 1000 hours per year
- B. Immediate family is defined as an employee's mother, father, brother, sister, spouse, child, mother-in-law, father-in-law, grandparent, grandparent-in-law, grandchild, stepparent, stepchild, son-in-law, daughter-in-law, brother-in-law, and sister-in-law.
- C. Under the Illinois Child Bereavement Leave Act, employees may use ten work days of bereavement leave to grieve the death of the employee's child, attend services in relation to the death of the employee's child, or make arrangements necessitated by the death of the employee's child. Up to six weeks of leave will be authorized if more than one child dies within a 12-month period.
- D. An employee must notify their immediate supervisor of the need for bereavement and/or funeral leave within 24 hours of the start of the absence.

Effective Date: January 1, 2000
Revised: August, 2020

5.9 MILITARY LEAVE

Policy

The Village complies with all applicable Federal and State laws for granting military leave for those employees who are absent due to active military service, training or related obligations. All employees who serve are covered by the Illinois Services Employment and Re-employment Act (ISERRA).

Guidelines

- A. The Village of Arlington Heights recognizes that employees may be members of reserve components of the United States Armed Forces or Illinois National Guard. An employee who is a member of the United States Army, Navy, Air Force, Marines, Coast Guard, National Guard, or Reserves will be granted a leave of absence for military service, training or related obligations in accordance with applicable law.
- B. Employees who are called to, or volunteer for, active service with the Armed Forces must request a Leave of Absence as far in advance of the Leave as reasonably possible. The Village will continue its regular pension and other benefits, as if the employee were still active. Employees must continue to make benefit contributions if required by the respective pension or benefit providers.
- C. The Village will pay the employees serving on active duty in the Armed Forces the difference between the employee's regular compensation less the employee's military base pay. A copy of the military pay voucher shall be submitted prior to authorization of payment of wages to the employee for the period of Leave.
- D. Training: Employees shall receive a Leave of Absence for the purpose of attending training in any of the recognized branches of the United States Armed Forces or for the Illinois National Guard. An Employee on leave to attend annual training must receive his or her regular compensation, while an Employee on leave for basic, advanced or special training must receive salary compensation for the specified duration equal to the difference between the Employee's regular compensation and his or her military compensation (base pay). Employees must continue to receive and accrue benefits and seniority while on Leave for military training in appropriate cases.
- E. All requests for Leaves of Absence must be accompanied by a copy of Official Orders requiring such training or active duty upon request.
- F. Employees are encouraged to contact both the Village Finance Department and respective government personnel services to coordinate their Leave. Proof of Official Orders will be required prior to reporting for military service and upon returning to the Village service.
- G. Employees shall be reinstated to positions they held prior to taking leave for military service. Employees must submit an application for reemployment to the Village within ninety (90) days of returning from active duty. Employees on leave for military training

must return to their positions by the next business day after the conclusion of their training, or on the business day following employee's return home after reasonable commuting time from the training location.

- H. This Policy and benefit will be construed in accordance with the then-applicable laws and is subject to revision as necessary in the event of a change or development in the applicable military benefit laws.

Effective Date: January 1, 2000

Revised: September, 2012

Revised: January, 2019

Revised: September, 2020

5.10 JURY DUTY

Policy

Any employee summoned for jury duty shall receive their normal pay for any time lost while serving on jury duty, in addition to any money received from the court.

Guideline

- A. Employees must notify their supervisor or Department Director as soon as written notice regarding jury duty is received. Employees shall complete a leave request form to account for the leave.

Effective Date: January 1, 2000

Revised: January 2013
September, 2020

**5.11 ILLINOIS VICTIMS' ECONOMIC SECURITY AND SAFETY ACT
(VESSA)**

Policy

Pursuant to the Illinois Victims' Economic Security and Safety Act (VESSA), as now or hereafter amended, all employees who are victims of domestic, sexual, or gender violence, or who are the family or household member of such a victim, are entitled to take up to 12 weeks of job-protected unpaid leave during any 12-month period.

Guidelines

- A. VESSA leave shall be granted for any of the following reasons:
- Seeking medical attention for or recovering from physical or psychological injuries caused by domestic or sexual violence to the employee or the employee's family or household member;
 - Obtaining services from a victim services organization for the employee or the employee's family or household member;
 - Obtaining psychological or other counseling for the employee or the employee's family or household member;
 - Participating in safety planning, including relocation or taking other precautionary actions to help the employee or the employee's family or household member or;
 - Seeking legal assistance or other remedies to secure the health and safety of the employee or the employee's family or household member.
- B. Employees may also use VESSA leave intermittently or as part of a reduced workweek whenever it is necessary. An employee who is entitled to take paid or unpaid leave from employment may elect to substitute any period of such leave for an equivalent period of 12 workweeks of leave for any 12-month period. An employee can not take unpaid leave that exceeds the unpaid leave time allowed under, or is in addition to the unpaid leave time permitted by FMLA.
- C. The Village uses a 12-month period measured forward from the date an employee uses any VESSA leave. Each time an employee uses VESSA leave, the Village computes the amount of VESSA leave the employee has taken, subtracts it from the 12 weeks and the balance remaining is the amount the employee is entitled to take at that time. For example, if an employee has taken four weeks of VESSA leave beginning July 1, 2004; the employee only has eight weeks of VESSA leave remaining until July 1, 2005.
- D. An employee granted leave pursuant to this policy continues to be covered under the Village's group health and dental plans, life insurance plan, employee assistance program and long-term disability plan under the same conditions as coverage would have been provided if they had been continuously employed during the leave period.
- E. Normal payroll deductions will be made for the employee portion of insurance premiums during any period of paid VESSA leave. The employee is responsible for paying the employee portion of insurance premiums during periods of unpaid VESSA leave. The

Village will provide written notice to the employee on unpaid VESSA leave as to how the Village wants the employee's share of the premiums to be paid. Insurance benefits may be terminated if payment by the employee is more than 30 days late. Employee contribution amounts are subject to any change in rates that occur while the employee is on VESSA leave. At the end of the VESSA leave, when the employee returns to work, any unpaid insurance premiums will be deducted from the employee's paycheck.

- F. An employee who utilizes VESSA leave will be restored to the same job or a job with equivalent status, pay, benefits, and other employment terms. However, the employee's job protection rights are the same as if the employee had not been on VESSA leave. Thus, if the employee's position would have been eliminated or the employee would have been terminated if not on VESSA leave, the employee does not have the right to be reinstated.
- G. If an employee does not return to work at the end of the VESSA leave period for any unapproved reason, the employee shall reimburse the Village for all insurance premiums paid by the Village on the employee's behalf during the unpaid portion of the VESSA leave.
- H. After exhausting all 12 weeks of VESSA leave, an employee who needs additional time off should look to the Village's policy on special leaves of absence to request additional time off.
- I. For VESSA leave, the employee is to provide 48 hours advance notice of the need for leave, if such notice is practicable. The Village cannot discharge or take other adverse action against an employee for taking an unscheduled leave if, within a reasonable time, the employee provides the employer with a sworn statement certifying that the leave was for one of the reasons cited in the law. Taking of VESSA leave may be denied if any of the above requirements are not met.
- J. The employee is required to provide supporting documentation, such as police or medical records, when those documents become available. The Village will keep confidential the fact that the employee sought leave under the law, the certification, and any supporting documents.
- K. The Village shall not fail to hire, refuse to hire, discharge, or harass any individual, or otherwise discriminate against any individual with respect to the compensation, terms, conditions, or privileges of the employment of the individual, or retaliate against an individual protected by VESSA.

Effective Date: June 1, 2004

Revised: August 2005

September, 2020

5.12 SCHOOL VISITATION RIGHTS

Policy

Pursuant to the Illinois School Visitation Rights Act, 820 ILCS 147/1 et seq., parents and guardians who are unable to meet with educators because of a work conflict have the right to an allotment of time during the school year to attend necessary educational or behavioral conferences at a primary or secondary school located in Illinois or a state which shares a common boundary with Illinois where their children attend.

Guidelines

- A. Regular employees scheduled to work full-time or part-time employees working at least 18.75 hours per week are eligible to request school visitation leave after they have at least six consecutive months of service with the Village of Arlington Heights immediately preceding a request for leave under this Act. Up to a total of eight hours per year, but no more than four hours on a given day, may be granted for school conference or activity leave if these activities cannot be scheduled during non-working hours. The employee must have exhausted all accrued vacation, personal or any other leave except sick leave or disability leave, before requesting school visitation rights.
- B. The employee shall provide written notice to the Village at least seven days in advance of the school visitation. In emergency situations, no more than 24 hours notice shall be required. The employee must consult with the supervisor to schedule the leave so as not to unduly disrupt the operations of the department.
- C. Within two days of the school visitation, the employee shall submit a verification statement from the school of the exact time and date the visitation occurred and ended. Failure to submit the verification statement to their supervisor within two working days of the school visitation subjects the employee to the standard disciplinary procedures imposed by the Village for unexcused absences from work.
- D. An employee who utilizes or seeks to utilize the rights afforded by the School Visitation Rights Act may request the opportunity to make up the time on a different day or shift as approved by the Department Director.

An employee is not required to make up the time taken, but if an employee does not make up the time, the employee will not be compensated for the leave. An employee who does make up the time will be paid the same rate as paid for normal working time.

If no reasonable opportunity exists for the employee to make up the time taken, the employee will not be paid for the time. A reasonable opportunity to make up the time taken does not include the scheduling of make-up time in a manner that would require the payment of overtime.

- E. If unpaid leave under this Act conflicts with the unreduced compensation requirement for exempt employees under the federal Fair Labor Standards Act, an employer may require an employee to make up the leave hours within the same pay period.

Effective August 2005
Revised: August, 2020