

North Suburban Library System

FAMILY AND MEDICAL LEAVE POLICY

The North Suburban Library System is committed to compliance with the Family and Medical Leave Act of 1993 (the “FMLA”). The FMLA allows eligible employees to take up to 12 weeks of job-protected, unpaid leave per year for certain specified reasons, and up to a total of 26 workweeks of leave to care for a family member who is a “covered servicemember” recovering from injury or illness incurred during active duty military service.

A description of your rights and responsibilities under the FMLA is included in Appendix A at the end of this handbook.

The following is a description of The North Suburban Library System’s specific policies and procedures relating to FMLA leave.

ELIGIBILITY

FMLA leave is available only to certain eligible employees. To be an “eligible employee” under the FMLA, you must:

- 1) have been employed by The North Suburban Library System for a total of at least 12 months; and
- 2) have worked at least 1,250 hours for The North Suburban Library System during the twelve months before the date on which your leave is to begin.

REASONS FOR FMLA LEAVE

If you are an eligible employee, you may take leave under the FMLA for the following reasons:

- For a serious health condition that makes you unable to perform the essential functions of your job;
- For the birth of your child, and to care for your newborn child;
- For the placement with you of a child for adoption or foster care;
- To care for your spouse, child (who is under 18 years of age or incapable of self-care due to a physical or mental disability), or parent (not a parent-in-law), who has a serious health condition;
- To address “qualifying exigencies” that arise because your spouse, son, daughter, or parent is on active duty or call to active duty status with the National Guard or Reserves in support of a contingency operation; or

- To care for a spouse, son, daughter, parent, or next of kin who is a “covered servicemember,” while the covered servicemember is undergoing medical treatment, recuperation, or therapy; is in outpatient status; or is on the temporary disability retired list.

DEFINITIONS

Eligibility for FMLA leave will be determined in accordance with the definitions set forth in the FMLA and the applicable FMLA regulations in effect at the time your eligibility for leave is being determined. The following definitions are summaries provided for your convenience, and are not intended to modify the definitions set forth in the FMLA or the applicable regulations, to modify any rights that may exist under the FMLA, or to create any right to leave not otherwise required by the FMLA.

Serious Health Condition

For purposes of the FMLA, “serious health condition” means an illness, injury, impairment, or physical or mental condition that involves:

- 1) In-patient care (*i.e.*, an overnight stay) in a hospital, hospice, or residential medical care facility, or any period of incapacity or subsequent treatment connected with such in-patient care; or
- 2) Any period of incapacity (*i.e.*, inability to work, attend school, or perform other regular daily activities due to the condition, treatment for the condition, or recovery from treatment), which is:
 - a. More than three consecutive calendar days and involves in-person treatment by a health care provider, a nurse under direct supervision of a health care provider, or by a provider of health care services (*e.g.*, a physical therapist) under orders of, or on referral by a health care provider, followed by a second in-person treatment visit that occurs (absent extenuating circumstances) within 30 days of the first day of incapacity; or
 - i. One in-person treatment by a health care provider, a nurse under direct supervision of a health care provider, or by a provider of health care services (*e.g.*, a physical therapist) under orders of, or on referral by a health care provider, that results in a continuing regimen of continuing treatment under the supervision of a health care provider; or
 - b. Due to pregnancy or prenatal care; or
 - c. Due to a chronic condition that requires periodic visits (at least twice per year) for treatment by a health care provider, or by a nurse under direct supervision of a health care provider, that continues over an extended period of time, and that may cause episodic rather than a continuing period of incapacity (for example, asthma, diabetes, epilepsy, etc.); or
 - d. Permanent or long-term conditions for which treatment may not be effective, but for which you or your family member are under the continuing

supervision of (but need not be receiving active treatment by) a health care provider; or

- 3) Any period of absence to receive multiple treatments (including any period of recovery therefrom) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive, full calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.) or kidney disease (dialysis).

Ordinarily, the common cold, the flu, ear aches, upset stomach, minor ulcers, headaches other than migraines, routine dental or orthodontic problems, periodontal disease, *etc.*, are examples of conditions that do not meet the definition of a serious health condition and do not qualify for FMLA leave.

With regard to substance abuse (including alcohol abuse), FMLA leave may be taken only for treatment of substance abuse by or on referral from a health care provider. Absences caused by the employee's use of the substance, rather than for treatment, do not qualify for FMLA leave.

Health Care Provider

For purposes of the FMLA, "health care provider" means:

- A doctor of medicine or osteopathy who is authorized to practice medicine or surgery (as appropriate) by the state in which the doctor practices;
- Podiatrists, dentists, clinical psychologists, optometrists, and chiropractors (limited to treatment consisting of manual manipulation of the spine to correct a subluxation as demonstrated by X-ray to exist), authorized to practice in the state and performing within the scope of their practice as defined under state law;
- Nurse practitioners, nurse midwives, clinical social workers and physician assistants who are authorized to practice under state law and who are performing within the scope of their practice under state law;
- Christian Science practitioners listed with the First Church of Christ, Scientist in Boston, Massachusetts;
- Any health care provider from whom The North Suburban Library System or The North Suburban Library System's group health plan will accept certification of the existence of a serious health condition to substantiate a claim for benefits; and
- A health care provider listed above who practices in a country other than the United States, who is authorized to practice in accordance with the law of that country, and who is performing within the scope of his or her practice as defined under such law.

For purposes of the FMLA, “authorized to practice in the state” means that the health care provider is authorized by state law to diagnose and treat physical or mental health conditions.

Qualifying Exigency

For purposes of FMLA leave to address a “qualifying exigency” that arises because an employee’s spouse, son, daughter, or parent is on active duty or call to active duty status with the National Guard or Reserves in support of a contingency operation, the term “qualifying exigency” means the following:

- Issues that arise from the fact that a covered military member is notified of an impending call or order to active duty in support of a contingency operation seven or fewer days before the date of deployment. Employees are eligible for leave for this purpose for a period of seven calendar days beginning on the day the covered military member is notified of an impending call or order to active duty in support of a contingency operation;
- Attending military events and related activities, such as ceremonies, programs and briefings sponsored by the military, military service organizations, or the American Red Cross that are related to the active duty or call to active duty status of a covered military member;
- Attending to childcare and school-related activities arising from a covered military member’s active duty or call to active duty status, such as arranging for alternative childcare, providing childcare on an urgent, immediate need basis (but not on a routine, regular, or everyday basis), enrolling in or transferring a child to a new school or daycare facility, or attending meetings with staff at a school or daycare facility;
- Making financial and legal arrangements to address the covered military member’s absence while on active duty or call to active duty status;
- Acting as the covered military member’s representative before a government agency for purposes of obtaining, arranging, or appealing military service benefits while a covered military member is on active duty or call to active duty status and for a period of 90 days following the termination of the active duty status;
- Attending counseling provided by someone other than a health care provider for oneself, for the covered military member, or his or her child;
- To spend time with a covered military member who is on short-term, temporary rest and recuperation leave during the period of deployment. Eligible employees may take up to five days of leave for each instance of rest and recuperation;
- To attend to post-deployment activities, including official ceremonies and programs sponsored by the military for a period of 90 days following the termination of a covered military member’s active duty status, and to address issues arising from the death of a covered military member while on active duty status, such as recovering the body and making funeral arrangements; or

- Additional activities as agreed upon by The North Suburban Library System and the employee.

Covered Servicemember

For purposes of FMLA leave to care for a covered servicemember, a “covered servicemember” is a current member of the Armed Forces, including the national Guard or Reserves, or who is a member of the Armed Forces, the National Guard or Reserves on the temporary disability retired list, who has a serious injury or illness incurred in the line of duty on active duty for which he or she is undergoing medical treatment, recuperation, or therapy, or otherwise in outpatient status, or otherwise on the temporary disability retired list. Former members of the Armed Forces, Reserves, or National Guard, and those on the Disability Retired List, are not “covered servicemembers.”

To be entitled to leave to care for a covered servicemember, an employee must be the covered servicemember’s spouse, son or daughter, parent, or next of kin. “Next of kin” means the nearest blood relative, other than spouse, parent, son or daughter, in the following order of priority: blood relatives granted legal custody over the covered servicemember by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins. If the covered servicemember has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA, that relative (and only that relative) will be the covered servicemember’s next of kin. When no such designation is made and there are multiple family members with the same level of relationship to the covered servicemember, all such family members are considered the covered servicemember’s next of kin.

AMOUNT OF LEAVE

Generally, eligible employees are entitled to take up to 12 weeks of leave in a single 12 month period for the reasons specified above.

For the purposes of this policy, The North Suburban Library System will use a “rolling” 12 month period measured backward from the date an employee uses any FMLA leave. Available leave is determined by subtracting the number of weeks of FMLA leave taken during this 12 month “look back” period from the 12 week total allowed.

Any leave taken for the birth or care of a child or the placement of a child for adoption or foster care must be completed within one year after the date of birth or placement.

If both you and your spouse are employed by The North Suburban Library System and eligible for FMLA leave, you will be permitted to take only a combined total of 12 weeks of leave during a 12-month period if leave is for the birth and care of a child, the placement of a child for adoption or foster care, or to care for a parent (not a parent-in-law) with a serious health condition.

Eligible employees are also entitled to up to 26 workweeks of leave in a single 12 month period to care for a spouse, son, daughter, parent, or next of kin who is a “covered servicemember.”

The 12 month period for leave to care for a covered servicemember begins on the first day that an employee takes leave to care for a covered servicemember. During this period, the employee is entitled to a combined total of 26 workweeks of leave for any FMLA-qualifying reason, no more than 12 weeks of which may be for reasons other than to care for a covered servicemember. This leave is applied on a per-covered-servicemember, per-injury basis, meaning that an employee is entitled to only one 26-workweek allotment of leave per covered servicemember (unless the covered servicemember is later re-injured in the line of active duty). If both you and your spouse are employed by The North Suburban Library System and are eligible for FMLA leave, you will be permitted to take only a combined total of 26 workweeks of leave during the single 12 month period for this reason.

HOW TO REQUEST FMLA LEAVE

If you need to take time off for reasons that you believe qualify for FMLA leave, you must comply with The North Suburban Library System's attendance policy under the Attendance Section, pages 12-13 of the Personnel Policies. To request time off under this policy, you must notify Human Resources and fill out a Leave Request Form (Appendix B). If necessary, Human Resources will contact you to request additional information or documentation regarding your absence. Failure to comply with this policy or to provide documentation or information requested by Human Resources may result in delay or denial of requested time off, and/or discipline up to and including termination of employment. (*Leave Request Form, Appendix B*)

Foreseeable Leave

If you know of your need for time off 30 or more days in advance, you must notify Human Resources and submit the Leave Request Form no later than 30 days before your time off begins, absent extenuating circumstances. If you provide less than 30 days' notice of your time off, you will be required to explain why it was not practicable for you to provide 30 days' notice.

If you know of your need for time off in advance but cannot provide 30 days' notice, you must notify Human Resources of your time off and submit the Leave Request Form as soon as practicable under the circumstances. In most cases, this will mean the same day you learn of your need for time off, or the next business day.

When scheduling time off, you will be expected to consult with your supervisor and Human Resources to work out a schedule for leave that, to the extent possible, meets your needs without unduly disrupting The North Suburban Library System's operations.

Unforeseeable Leave

If you are unable to notify Human Resources of your need for time off and submit a Leave Request Form before the day on which your time off begins, you must call Human Resources to report your expected absence no later than 1 hour before you are scheduled to begin work. (If you call outside of business hours, you are to leave a message with your supervisor to report your absence.)

If you are not reasonably able to call in at least 1 hour before your scheduled start time, you must contact Human Resources as soon as practicable. If you are unable to call Human Resources personally, a spokesperson (such as your spouse, an adult family member, or another responsible party) may contact Human Resources on your behalf.

When you contact Human Resources, you must provide the following information:

- The specific reason for your absence, with sufficient information to allow The North Suburban Library System time to evaluate your request;
- When you expect to return to work; and
- A telephone number where you may be reached for further information.

Calling in “sick” without providing further information is not acceptable.

As soon as practicable, you also must submit a completed *Leave Request Form (Appendix B)* to Human Resources.

You must follow the above procedure *each day you are absent*, unless your absence for that day has been scheduled and approved in advance.

Leaving During Work Hours

If you report late to work or must leave work during work hours for any reason, you must immediately notify your supervisor and Human Resources, and provide the information specified above. You must also submit a completed *Leave Request Form (Appendix B)* to Human Resources before you leave the premises. In certain exceedingly rare circumstances, it may not be possible for you to submit a completed *Leave Request Form* to Human Resources before you leave work. In these circumstances, you must submit a *Leave Request Form* as soon as practicable, and explain why you could not do so before you left work.

INTERMITTENT AND REDUCED SCHEDULE LEAVE

When taking FMLA leave for your own serious health condition, to care for a family member with a serious health condition, or to care for a covered servicemember, you may take FMLA leave on an intermittent or reduced schedule basis, if the required health care provider’s certification indicates that this is medically necessary. FMLA military family leave may also be taken on an intermittent or reduced schedule basis when necessary due to a qualifying exigency.

If you require intermittent or reduced schedule leave, you will be expected to consult with Human Resources to work out a schedule for such leave that meets your needs without unduly disrupting The North Suburban Library System’s operations, subject to approval by the health care provider.

Likewise, if you need FMLA leave due to planned medical treatment for your own or a family member’s serious health condition, you will be expected to consult with Human Resources to work out a treatment schedule that best suits your needs and the needs of The North Suburban

Library System, subject to approval by the health care provider. In some circumstances, The North Suburban Library System may alter your existing job (while maintaining existing pay and benefits), or may temporarily transfer you to a different position with equivalent pay and benefits, to better accommodate your intermittent or reduced schedule leave.

The North Suburban Library System may consider requests for intermittent or reduced schedule leave due to the birth, adoption or foster placement of a child, but is not obligated to grant such requests, and will do so only at its sole discretion.

ELIGIBILITY NOTICE

After you give notice of your need for FMLA leave, The North Suburban Library System will provide you with a written notice advising you whether or not you are an “Eligible Employee” under the FMLA. The North Suburban Library System will provide this eligibility notice within five business days after you give notice of your need to leave, absent extenuating circumstances. *(Eligibility and Rights & Responsibilities Notice, HR Form C)*

If you later make another request for FMLA leave within the same 12-month period, The North Suburban Library System may elect not to provide another eligibility notice, unless your status as an eligible employee has changed. Note that even if you are an “eligible employee” under the FMLA, your request for leave may be denied if The North Suburban Library System determines that your leave is not for an FMLA-qualifying reason, or if you have exhausted all available leave under the FMLA. *(Eligibility Notice-Not Eligible, HR Form D or Eligibility Notice-Leave Exhausted, HR Form E)*

At the same time as it provides the eligibility notice, The North Suburban Library System will provide you with a written notice advising you of any applicable rights and responsibilities relating to your requested FMLA leave. *(Eligibility and Rights & Responsibilities Notice, HR Form C)*

REQUIRED CERTIFICATION

It is your responsibility to provide The North Suburban Library System with any information needed to determine whether your leave qualifies as FMLA leave. The FMLA requires you to respond to reasonable requests for information regarding your leave, and your failure to do so may result in delay or denial of your requested leave. In addition, you may be required to provide the certifications described below.

Certification for Serious Health Condition

If you are requesting FMLA leave due to your own serious health condition, or to care for a family member with a serious health condition, you will be required to provide a health care provider’s certification on a form that will be provided by The North Suburban Library System. *(Certification of Health Care Provider for Employee’s Serious Health Condition, HR Form F)*

It is your obligation to provide a complete and sufficient certification form to The North Suburban Library System within 15 calendar days after The North Suburban Library System requests it. If it is not practicable for you to provide a completed, sufficient certification form

within 15 days despite your diligent, good faith efforts to do so, you must contact Human Resources to explain the situation.

If you return a certification form but it is incomplete (i.e., one or more items are left blank) or insufficient (i.e., responses are vague, illegible, ambiguous, or non-responsive), Human Resources will notify you of the deficiency. You will then have 7 calendar days to provide a complete, sufficient certification. If it is not practicable for you to provide a completed, sufficient certification form within 7 days despite your diligent, good faith efforts to do so, you must contact Human Resources to explain the situation. (*Notice to Employee – Incomplete or Insufficient Certification, HR Form H; or Failure to Provide Certification, HR Form H (a)*)

Authentication and Clarification

The North Suburban Library System may contact the health care provider to authenticate a completed certification form by providing the health care provider a copy of the form and requesting verification that the information contained on the form was written or authorized by the health care provider who signed the document.

Additionally, The North Suburban Library System may request clarification of information on the certification form, and may ask you to sign, or have your family member sign, a release form authorizing the health care provider to communicate with The North Suburban Library System for the purpose of clarifying the certification. If the certification is unclear and you fail to provide a signed authorization or otherwise clarify the certification, The North Suburban Library System may deny your request for FMLA leave.

Second and Third Opinions

The North Suburban Library System may require you to obtain a second certification at The North Suburban Library System's expense from a health care provider designated by The North Suburban Library System. If the second health care provider's certification differs from your health care provider's certification, The North Suburban Library System may require you to obtain certification from a third health care provider, again at The North Suburban Library System's expense. The third health care provider will be designated or approved jointly by you and The North Suburban Library System. You and The North Suburban Library System are required to act in good faith to attempt to reach agreement on a third health care provider. The third opinion will be final and binding. (*HR Forms J & K*)

Recertification

If you take leave due to your own or a family member's serious health condition, you will generally be required to submit a complete and sufficient recertification from your health care provider every 30 days in conjunction with an absence. If your health care provider's initial certification specifies that the minimum duration of the condition for which you are taking leave is longer than 30 days, you will be required to submit a recertification in conjunction with an absence when the minimum duration expires, or every six months, whichever is less. You also may be required to provide a recertification if you request an extension of leave, the circumstances described in the original certification have changed significantly, or The North Suburban Library System receives information raising doubt as to your eligibility for FMLA

leave. The North Suburban Library System will provide you with the required recertification form when a recertification is required. (*Request for Recertification, HR Form I*)

Certification of a Qualifying Exigency

If you request FMLA leave due to a qualifying exigency arising out of the active duty or call to active duty status of a covered military member, you will be required to submit a complete and sufficient certification form provided to you by The North Suburban Library System, and to provide the documentation requested therein. You must provide this certification within 15 days after The North Suburban Library System requests it. If you submit a certification but it is incomplete or insufficient, The North Suburban Library System will notify you of the deficiency. You must correct the deficiency within 7 days after this notice. If it is not practicable for you to provide a complete and sufficient certification within these deadlines, you must contact Human Resources to explain the situation. (*Certification of Qualifying Exigency for Family Military Leave, HR Form L*)

If the qualifying exigency for which you are taking leave involves a meeting or appointment with a third party, The North Suburban Library System may contact the third party for purposes of verifying the meeting or appointment and the nature of the meeting or appointment. The North Suburban Library System also may contact an appropriate unit of the Department of Defense to request verification that the covered military member is on active duty or call to active duty status.

Certification for a Covered Servicemember

If you request leave to care for a covered servicemember with a serious injury or illness, you will be required to obtain a certification from the servicemember's authorized health care provider on a form provided to you by The North Suburban Library System. Any one of the following may complete this certification: A U.S. Department of Defense ("DOD") health care provider; a U.S. Department of Veteran's Affairs health care provider; a DOD TRICARE network authorized private health care provider; or a DOD non-network TRICARE authorized private health care provider. (*Certification of Health Care Provider for Serious Injury or Illness of Covered Servicemember, HR Form M*)

The North Suburban Library System may contact the health care provider to authenticate a completed certification form by providing the health care provider a copy of the form and requesting verification that the information contained on the form was written or authorized by the health care provider who signed the document.

Additionally, The North Suburban Library System may request clarification of information on the certification form, and may ask that the covered servicemember sign a release authorizing the health care provider to communicate with The North Suburban Library System for the purpose of clarifying the certification. If the certification is unclear and you fail to provide a signed authorization or otherwise clarify the certification, The North Suburban Library System may deny your request for FMLA leave.

DESIGNATION OF FMLA LEAVE

The North Suburban Library System will provide you with a written notice advising whether your leave will be designated as FMLA leave. Absent extenuating circumstances, The North Suburban Library System will provide this notice within five business days after it receives sufficient information to determine whether your requested leave is for an FMLA-qualifying reason. If the North Suburban Library System does not provide the designation notice within the time specified above, the North Suburban Library System may retroactively notify you that time off will be designated as FMLA leave if the delay in providing this notice does not cause you harm or injury, or if you and the North Suburban Library System agree that the time off will be designated as FMLA leave. (*Designation Notice – Leave Approved or Not Approved, HR Forms, N & O*)

WHILE YOU ARE ON FMLA LEAVE

Unpaid Leave and Substitution of Paid Leave

FMLA leave is generally unpaid. However, if you have any accrued, unused vacation or sick days, this paid time off must be used concurrently with your FMLA leave, and must be exhausted before unpaid portion of your FMLA leave commences.

If you are taking FMLA leave due to your own serious health condition that renders you unable to work, any disability benefits for which you are otherwise eligible under a disability benefit plan or workers' compensation law may be used in conjunction with paid vacation or sick time, provided that total payments do not exceed 100% of your normal base pay, and provided that you comply with all applicable terms and conditions of the disability benefit plan or workers' compensation law.

Health Benefits

If you are enrolled in The North Suburban Library System's group health insurance plan and wish to continue this coverage while you are on FMLA leave, you will be responsible for paying the employee share of the premiums during any period of FMLA leave. The North Suburban Library System will provide you with instructions for paying health insurance premiums during your leave. The North Suburban Library System will continue to pay its share of the premiums for your group health insurance coverage while you are on FMLA leave, unless you notify The North Suburban Library System of your intent not to return to work following leave. If you do not pay your share of health insurance premiums while you are on FMLA leave, you may be dropped from plan coverage until you return to work.

If you do not return to work upon completion of your FMLA leave, you may be required to repay The North Suburban Library System for any premiums paid by The North Suburban Library System to maintain your group health insurance coverage during your leave, unless the failure to return to work was due to the recurrence or onset of a serious health condition or injury or illness of a covered servicemember, which would otherwise entitle you FMLA leave, or due to other circumstances beyond your control.

Other Benefits

The North Suburban Library System is not obligated to maintain life insurance or other benefits while you are on FMLA leave. To continue such benefits during any period of unpaid FMLA leave, you will be required to pay the entire cost of such benefits. The North Suburban Library System will provide you with instructions for making these payments.

Consistent with Company policy for all types of leave, you will not accrue vacation or other benefits while you are on FMLA leave. Additionally, you will not be paid for holidays that occur during the leave. However, the leave period will be treated as continuous service (*i.e.*, no break-in-service) for purposes of vesting and eligibility to participate in The North Suburban Library System's retirement plan.

Employees cannot make voluntary contributions to The North Suburban Library System's 457 Deferred Compensation Plan while on unpaid FMLA leave. Payments for outstanding 457 Plan loans will not be required while the employee is on unpaid FMLA leave. Upon return to work, the loan amortization schedule will be recalculated to reflect increased payments necessary to repay the loan by the original repayment date.

REPORTING REQUIREMENTS DURING LEAVE

While on FMLA leave for a period of more than one work week at a time, you will generally be required to maintain consistent contact with Human Resources to verify your status and your intent to return to work on the scheduled date.

If you require an extension of FMLA leave, it is your responsibility to notify The North Suburban Library System at least two business days before the expiration of your initial leave. Conversely, if you are able to return to work before the expiration of your initial leave, you must notify The North Suburban Library System at least two business days before you return to work.

REINSTATEMENT AT THE CONCLUSION OF LEAVE

If your return from FMLA leave is timely and you have used the leave for the stated purpose, you generally will be reinstated to the same position you held when you began your leave, or to an equivalent position with equivalent benefits, pay and other terms and conditions of employment. However, you may not be reinstated if your employment would have terminated for reasons unrelated to your FMLA leave, or if you are unable to perform any essential functions of your job (with or without any required accommodations).

Additionally, the FMLA provides a limited exception to The North Suburban Library System's reinstatement obligation for "key" employees. A "key" employee is a salaried, FMLA-eligible employee who is among the highest-paid 10% of employees located within 75 miles of the work site in question. Under limited circumstances where restoration to employment will cause substantial and grievous economic injury to its operations, The North Suburban Library System may deny reinstatement to a key employee after FMLA leave. The North Suburban Library System will notify you if you are a "key" employee at the time leave is requested, will notify you if it decides to deny restoration, and will provide you a reasonable opportunity to return to work after providing such notice.

Before returning to work from FMLA leave lasting more than three consecutive work days (or for an absence of a shorter duration that gives rise to a reasonable safety concern regarding your ability to safely perform your job), you will be required to submit a certification from your health care provider that you are able to resume work. This certification must specifically confirm that you are able to perform the essential functions of your position, as set forth in the job description provided to you by The North Suburban Library System. (*Fitness For Duty Certification, HR Forms P & Q*)

PROHIBITIONS

Consistent with The North Suburban Library System's policy regarding all types of leave, the following conduct is strictly prohibited in relation to FMLA leave:

- Engaging in fraud, misrepresentation, or providing false information to The North Suburban Library System or any health care provider.
- Having other employment during the leave, without prior written approval from The North Suburban Library System.
- Failure to comply with the employee's obligations under this policy.
- Failure to timely return from the leave.

Employees who engage in such conduct will be subject to loss of benefits, denial or termination of leave, and discipline, up to and including discharge.

THE NORTH SUBURBAN LIBRARY SYSTEM'S COMMITMENT

The North Suburban Library System will not interfere with, restrain, or deny the exercise of any right provided by the FMLA, nor will it discharge or discriminate against any individual for opposing any practice or involvement in any proceeding relating to the FMLA. The North Suburban Library System recognizes the co-existence of state and/or local laws regarding family and medical leave. Where such laws apply and provide greater family and medical leave rights than the FMLA, The North Suburban Library System will comply with those laws.

Note:

The FMLA Policy can be found on the NSLS website, www.nsls.info. Click on "About NSLS" and scroll down to NSLS Personnel Policies. All forms are available from Human Resources as well as on the NSLS Intranet.