

EXHIBIT A



Policy 5.5	Personal Leave		
<i>Effective Date:</i> 9/14/10 <i>Last Amended Date:</i> 2/28/12, 3/25/14, 10/15/2020, 11/12/24	<i>Applicable Law/Statute:</i> None	<i>Source Doc/Dept.:</i> None/HR	<i>Authorizing I.C. Sec:</i> None

PERSONAL LEAVE

5.5

POLICY

It is the policy of DuPage County to allow employees to take a Personal Leave of Absence without pay unless **accrued vacation, sick, and compensatory time is available** for extraordinary circumstances of personal need when it is determined to be in the best interest of both the County and the requesting employee.

ELIGIBILITY

- All full-time and part-time employees under County Board Jurisdiction.

GUIDELINES

- A.** A ~~p~~Personal ~~l~~Leave ~~is can be~~ initiated at the employee's request and is not to exceed ninety (90) **calendar** days unless approved by the County Board Chair~~man~~.
- B.** If an employee is not working due to illness, sickness, or injury which is not protected by the Family Medical Leave Act, the County may place an employee on a Personal Leave not to exceed ninety (90) calendar days unless approved by the County Board Chair.
- B. C.** An employee will be required to use any accrued vacation, sick, ~~or personal days~~, and compensatory time during an approved ~~p~~Personal ~~l~~Leave. If an employee does not have this time available, they will go unpaid during the length of the ~~p~~Personal ~~l~~Leave.
- D.** In most circumstances, an employee may be required to use any accrued vacation, sick time, and compensatory time during any unpaid portion of Personal Leave granted, providing this does not interfere with Workers' Compensation benefits, eligibility for IMRF disability benefits, or Parental Time. If an employee does not have this time available, they will go unpaid during the length of the Personal Leave. Personal Leave will run concurrently with any other applicable benefits. For instance, Workers' Compensation benefits, IMRF disability, or Parental Time, will be simultaneously designated as Personal Leave as well, if qualifying.

~~C. E.~~ Sick time, vacation time and personal days will not accrue while the employee is on a personal leave, nor will an employee be eligible for holiday pay. In addition, employees will not be eligible to receive jury duty/ court services pay or blood donation leave pay at any time during Personal leave, and will not be eligible to receive holiday pay or bereavement pay during Personal Leave. Additionally, future benefits and benefit accruals will be adjusted based upon the period of time the employee is on Personal Leave (i.e. sick time, vacation time, retention and service awards). Accrual of vacation and sick time will cease during any Personal Leave. In addition, employees will not be eligible to receive jury duty/ court services pay or blood donation leave pay at any time during Personal Leave and will not be eligible to receive holiday pay or Bereavement/Funeral Time. Unpaid leave is defined as time off during which the employee is not receiving any compensation for previously accrued benefit time (sick, vacation, or compensatory time). Additionally, future benefits and benefit accruals will be adjusted based upon the period of time the employee is on Personal Leave (i.e., sick time, vacation time, retention, and service awards).

~~D. F.~~ During a ~~p~~Personal ~~l~~Leave, an employee may continue participation in the County's benefit programs by paying the ~~total cost current employee rate~~ of those programs in which they are enrolled.

~~E. G.~~ The effective date of completion of an employee's probationary period, due date for performance appraisals and/ or eligibility for any salary adjustments while on a ~~p~~Personal ~~l~~Leave, will be adjusted to account for the break in service.

~~F. H.~~ Only extreme circumstances should be considered in granting a ~~p~~Personal ~~l~~Leave. All aspects of the employee's situation should be considered, including personal circumstances, length of employment, job performance, any prior disciplinary action, overall attendance, and probability of return.

~~G. I.~~ The ~~Chief Human Resources Officer~~ Director of Human Resources, or designee, will make every effort to place the employee in their former position. Personal ~~l~~Leave does not guarantee the ability to return to a former position. If the position is not available, the employee may be restored to a position of like status and pay, if available. If this is not possible, the employee will be separated.

~~H. J.~~ Before returning to work, the employee who is out due to their own serious health condition must provide a "fitness for duty" with a specific return date noting any restrictions. If restrictions are noted, the Department Head and Chief Human Resources Officer will determine whether and how the restrictions may be accommodated. If such certification is not received, their return to work will be delayed. Before returning to work, the employee who is out due to their own serious health condition must provide a written medical release from their physician with a specific return date noting any restrictions. If restrictions are noted, the Department Head and Director of Human Resources will determine whether and how the restrictions may be accommodated. If such certification is not received, their return to work will be delayed.

PROCEDURES

1. An employee must submit a written **application** request for Personal Leave (available in the Human Resources Department) at least thirty (30) days in advance, where practical or where leave is foreseeable, stating both the purpose and the beginning and ending dates of the leave. If the need for leave is not foreseeable, or the employee does not receive thirty (30) days advance notice themselves, notice is required as soon as practicable, generally within one (1) to two (2) days of learning of the need for leave.
2. Requests for **pPersonal lLeave** will be reviewed and approved or denied by the employee's Department Head and the **Chief Human Resources Officer Director of Human Resources**, or designee, according to County policy. The employee's Department Head and the **Chief Human Resources Officer Director of Human Resources** reserve the right to consider the operational needs of the department when reviewing the personal leave request.
3. A **pPersonal lLeave** request of more than ninety (90) **calendar** days must be approved by the County Board Chair**man**.
4. Personal Leave **will may** be considered on an intermittent **or-reduced-schedule**-basis. The employee's Department Head and the **Chief Human Resources Officer Director of Human Resources** reserve the right to consider the operational needs of the department when reviewing the personal leave request.
5. The County **will may** require that the employee obtain appropriate medical certification or supporting documentation stating the need for the leave of absence and the dates of absence. The employee is responsible for providing updated medical information as requested by the County during the leave.
6. Special consideration may be granted for employees seeking to participate in federal, state, or local government-sponsored humanitarian initiatives. Documentation specific to the request of the leave will be required in order to determine the approval and duration.
7. Normally, during a **pPersonal lLeave**, the workload of the employee on leave is absorbed by other employees. If this is not practical, the Department Head and **Chief Human Resources Officer Director of Human Resources**, or designee, may jointly determine whether the employee must be temporarily replaced.
8. The Supervisor or Department Head should inform the employee that their return status from a **pPersonal lLeave** is always subject to, and contingent upon, availability of their former position.
- ~~9. As soon as the personal leave is approved, the Supervisor or Department Head should forward a Personnel Payroll Change Form to the Human Resources Department noting that the employee is on personal leave.~~
- 10. 9.** If an employee was on Personal Leave due to their own serious health condition, the employee must provide documentation from their treating health care provider indicating they are able to perform the essential functions of their position before returning to work.

Documentation must include a list of restrictions that would impact their ability to perform their job.

~~11.~~ **10.** Employees may be required to provide periodic updates of their status and intent to return to work while on Personal Leave.

~~12.~~ **11.** If the employee does not return to active employment by the date agreed upon, the employee will be terminated.

12. Consistent with the County's policy regarding all types of leave, the following conduct is strictly prohibited in relation to Personal Leave:

- a.** Engaging in fraud, misrepresentation or providing false information to the County or any health care provider.
- b.** Having other employment during the leave, without prior written approval from the County.
- c.** Failure to comply with the employee's obligations under this policy.
- d.** Failure to timely return from the leave.

13. 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.