



## **LEAVE OF ABSENCE POLICY**

*For the purpose of policy interpretation, Mcmillan Memorial Library employees are considered both employees of the Library as well as employees of the City of Wisconsin Rapids. Policy wording may include either references to "City" employees or "Library" employees, both of which apply if approved by the McMillan Memorial Library Board.*

### **Purpose:**

This policy is being developed to ensure consistency is applied for leaves of absence. This policy is not intended to cover leaves under Family and Medical Leave. If an employee is eligible for family medical leave, they are required to use protected time under FMLA prior to using leave time under this policy.

### **Policy:**

The City recognizes that there are times when an employee may need to be away from work and is not covered under Family and Medical Leave or Military Leave laws. An employee who takes a leave of absence under this policy must use all paid time available to them prior to taking the leave unpaid. This includes the use of frozen sick banks.

1. A leave of absence may be requested for the following purposes:

- a) If an employee has a serious health condition resulting in an inability to work and the employee is not eligible for FMLA, they may request a leave of absence.
- b) In addition, an employee who has exhausted his/her FMLA and who is unable to return to work due to a serious health condition may request an additional leave of absence.
- c) If an employee's immediate family member has a serious health condition and the employee needs to provide care to the family member, they may request a leave of absence.
- d) Intermittent leave under this policy is generally not permitted. It may be allowed as a reasonable accommodation pursuant to ADAAA laws or under certain limited circumstances.

2. Benefits will be impacted as follows:

- a) Benefits will end as follows: At the end of the month in which FMLA is exhausted. Or, if the employee is not eligible for FMLA, at the end of the month in which the leave of absence ends.
- b) If applicable, COBRA continuation will be offered once the employer contributions end, and the employee is no longer eligible for the group health plan. COBRA continuation will be offered for all applicable benefit plans.
- c) Employees continue to be responsible for payment of their portion of insurance premiums during an approved leave. While receiving pay, the employer will continue to make payroll deductions to collect the employee's share of the premium. During periods of unpaid leave, the

employee may choose to pre-pay, pay each pay period, or make catch payments for their portion of the premiums. If the employee does not pre-pay or make periodic payments, the employer reserves the right to collect any and all past due employee contributions for benefits.

d) WRS benefits will be administered according to WRS plan documents.

e) Flexible Spending Accounts. If an employee misses flex deductions for one or more pay periods, the employee will have the option to pay the missed deductions when they return to work or lower the annual election amount by the total amount of missed deductions.

3. An employee who accepts other employment for remuneration or profit while on a leave of absence will be considered, at that time, to have voluntarily terminated their employment with the City.

**Procedures:**

1. If circumstances should arise that require a need for a leave of absence, an employee should request a leave of absence. The employee must complete a leave of absence form. The leave must be approved by the supervisor and the Library Director. The decision to approve a leave of absence depends on the nature for the request and the impact the leave has on the department. A leave of absence that places a significant hardship on the department may be denied.

2. During a leave of absence, it is the employee's responsibility to provide their manager with frequent updates and an anticipated date of return to work.

3. Prior to returning to work, an employee must deliver a signed physician form to HR indicating that the employee has been released to return to work (if the leave is for the employee's own serious health condition.) If there are physician restrictions, the manager will need to determine if the City is able to accommodate the restrictions.

4. If an employee is unable to return after an eight-week leave of absence, their employment may be terminated. Extensions beyond eight (8) weeks may be available under limited circumstances and will require approval from the Library Director

Adopted by the McMillan Memorial Library Board of Trustees, April 17, 2024.