



# Metropolitan Library System

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## **EMPLOYEE MANUAL**

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## **INTRODUCTION**

Legal responsibility for the Metropolitan Library System (hereinafter referred to as “MLS” or the “System”) is vested in the Board of Directors, which is the policy-forming body of the System. The responsibilities of the Board include selection and appointment of the Executive Director, who is the administrative officer of the System. The Executive Director’s responsibility is to implement the policies and decisions of the System Board as they affect employees. The Executive Director is in overall charge of the System personnel and is responsible for the hiring and termination of all employees, the assignment of duties, employee morale, establishing standards of service and implementation of staff development. The Executive Director may suggest to the MLS Board additional changes to these guidelines that may be deemed advisable.

MLS operates an “Open Door” policy, which encourages maximum communication between employees and all levels of management. Staff members should remember that providing service to the membership is the very reason for their position with the System.

This Personnel Handbook is not a contract and should not be construed as one. Nothing in this handbook is intended to be an offer or a promise of employment, or of continued employment. All employees of MLS are employees at will. Statements of benefits and/or policies, which are set forth in this Handbook, are not intended to confer any rights or privileges upon any employee, or to entitle any employee to be or remain employed by the System. The System reserves the right to discipline or discharge any employee at any time, with or without cause or notice.

MLS and its employees retain the mutual right to terminate the employment relationship “at will” with or without warning, notice or cause.

This Handbook supersedes any and all other handbooks and written or oral representation concerning the nature of the employment relationship with MLS.

The Board of Directors of MLS reserves the right, in its sole discretion, to alter, modify, amend or delete any provision contained in this Handbook, and may take such action without previous notice to MLS employees. The Board of Directors further reserves the right to deviate from any term or provision of this Handbook in its sole discretion based on the facts in any particular situation. In no case, however, does any such action alter the prevailing “at will” employment relationship.

Any agreement or assurances governing the terms or conditions of employment that differ in any way from the provisions of this Handbook must be in writing and must be formally adopted or approved by the Board of Directors.

## I. ABSENTEEISM

Regular and predictable attendance is a job requirement and an essential function of every position with the System. Poor attendance will be reflected in an employee's performance review and is subject to disciplinary action. As soon as an employee realizes s/he will be absent, or not able to report for work at the scheduled time, s/he shall notify their immediate supervisor. Ordinarily this would be done no later than one-half hour prior to the scheduled time for reporting to work. If the employee's immediate supervisor is not available, the next higher-level manager should be notified, up to the Executive Director. A voice mail or e-mail message providing the reason for the absence and the estimated time of return is sufficient notification if direct contact cannot be made. Employees who are absent for three or more days without calling are considered to have voluntarily resigned their position.

## II. APPOINTMENTS

A written letter of application and a resume shall precede employment. References will normally be required. Completion of a signed and dated MLS employment application form is required.

For some positions, the immediate supervisor and the Human Resources Director handle interviews and hiring decisions. The Executive Director may interview and select the personnel for select positions. All appointments shall be made on the basis of merit and in accordance with the salary schedule adopted by the Board.

## III. EQUAL EMPLOYMENT OPPORTUNITY

It is the System's policy to provide equal employment opportunities in all personnel practices without regard to race, age, color, sex, religion, national origin, sexual orientation, political affiliations, physical or mental disability, marital status, ancestry, military status and discharge from military service (except dishonorable), all in accordance with applicable law.

## IV. CLEAN INDOOR AIR POLICY

Smoking is not permitted at any time in MLS buildings. This policy applies to employees, guests, and all other individuals in MLS buildings or on MLS property.

## V. COPYRIGHT OWNERSHIP POLICY

It is the policy of the Board of Directors of MLS, that copyright in all works produced by MLS employees within the scope of their employment shall be held by MLS. MLS shall also have the right to determine whether any work

published by its employees within the scope of their employment shall be published, and whether published work shall be registered for copyright purposes. If MLS determines not to publish any work produced by an employee within the scope of his or her employment, or determines not to register that work for copyright, MLS shall retain sole ownership of the work.

A written Agreement on Copyright Ownership shall be provided to the employee to sign and will be kept on file.

## VI. E-MAIL/INTERNET USE

### Purpose

To describe MLS's policy regarding the use and monitoring of communications systems, including electronic and telephone communications systems, including, but not limited to mail, email, telephone systems, voice mail, facsimiles, video equipment and tapes, tape recorders and recordings, pagers, cellular phones, computer networks, the Internet, and computer directories and files.

### Policy

It is the policy of the MLS to provide or contract for the communication services and equipment necessary to promote the efficient conduct of business. All business equipment, electronic and telephone communications systems, and all communications and stored information transmitted, received, or contained in the MLS's information systems are the MLS's property and are to be used primarily for job-related purposes. To ensure the proper use of communications systems and business equipment, the MLS may monitor the use of these systems and equipment from time to time.

The MLS software and business equipment, including, but not limited to: facsimiles, computers, and copy machines is primarily for job related use. Employees are prohibited from using codes, accessing files, or retrieving any stored communication without prior clearance from an authorized MLS representative. No employee may use a pass code unknown to the MLS.

Employees who violate this policy are subject to disciplinary action, up to and including termination. As a condition of employment, employees will be required to sign a consent form acknowledging their understanding and agreement to comply with this policy.

### Procedure

1. Electronic systems are owned/leased and maintained by the MLS, and electronic communications are the sole property of the MLS. Excessive

personal use of electronic systems and the excessive distribution of personal messages by employees are prohibited. Personal software shall not be installed or stored on MLS electronic equipment unless approved by MLS.

2. MLS will, or reserves the right to, monitor the use of electronic systems and to review or inspect all material stored therein. No communications are guaranteed to be private or confidential.
3. The use of personal passwords, assigned to the employee, is not grounds for an employee to claim privacy rights in the electronic or communications systems. MLS reserves the right to override personal passwords. Employees may be required to disclose passwords or codes to MLS to allow access to the systems.
4. MLS's prohibition against sexual, racial, and other forms of harassment is extended to include the use of electronic and telecommunications systems. Offensive, harassing, vulgar, obscene, or threatening communications are strictly prohibited, as are sexually oriented messages or images. Communications that may defame or disparage MLS, employees, patrons or vendors, are also prohibited from general publication on any electronic systems. Employees who receive email or other information on their computers which they believe violate this policy should immediately report this activity to their supervisor.
5. Privileged or confidential material, such as, but not limited to, attorney-client communications should not be exchanged haphazardly by e-mail, facsimiles, etc.
6. Employees are prohibited from disseminating, printing, or copying copyrighted materials or in any other way violating copyright laws. The electronic posting of copyrighted information is also prohibited, unless MLS or the employee has created the information or owns the rights to it.
7. Employees must be aware of the possibility that electronic messages that are believed to have been erased or deleted can frequently be retrieved by systems experts and can be used against an employee or MLS. Therefore, employees should be cautious and use the systems only in the appropriate manner and consult with systems experts to guarantee that information to be deleted is truly eliminated from the system.
8. Employees should exercise care so that no personal correspondence appears to be an official communication of MLS. Personalized MLS stationery and business cards may only be issued by MLS. Employees may not use MLS stationery or postage for personal letters.

9. Violation of this policy can result in discipline, up to and including termination of employment.

## VII. DEFINITIONS OF EMPLOYMENT CLASSIFICATIONS

It is the intent of MLS to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. Accordingly, the right to terminate the employment relationship, at will, at any time, is retained by both the employee and MLS.

Each employee is designated as either NONEXEMPT or EXEMPT according to federal and state wage and hour laws. NONEXEMPT employees are entitled to overtime pay and are under the specific provisions of federal and state wage and hour laws. EXEMPT employees are excluded from specific provisions of federal and state wage and hour laws.

In addition to the above categories, each employee will belong to one other employment category:

1. REGULAR FULL-TIME EMPLOYEES work 1950 hours per year (37.5 hours per week) and receive full benefits subject to the terms, conditions and limitations of each benefit program.
2. PART-TIME EMPLOYEES hired by the System to work no more than 999 hours per year are paid at an hourly rate with no other benefits, except those required by law.
3. REGULAR PART-TIME EMPLOYEES working 1,000 - 1559 hours per year are paid an agreed rate. Employees working 1,560 – 1,949 hours per year are paid an agreed rate, and receive benefits on a prorated basis, subject to the terms, conditions and limitations of the individual benefit

## VIII. DEDUCTIONS FROM PAY

It is the policy of MLS not to take any improper pay deductions that would be in violation of the Fair Labor Standards Act, its regulations (specifically Section 541.602(a)), or relevant state law or local ordinance.

Employees who believe their pay has been improperly deducted should report such improper deduction immediately to the Director of Human Resource Services. The complaint will be promptly investigated and the results of the investigation will be reported to the complaining employee. If the employee is unsatisfied with the findings of the investigation, the employee may appeal the decision to the Executive Director.

Any employee whose pay is improperly deducted shall be reimbursed for such improper deduction no later than the next pay period after the improper deduction is communicated to management.

#### IX. DRUG- and ALCOHOL-FREE WORKPLACE

MLS has a strong commitment to its employees to provide a safe and healthy work environment. MLS expects all employees to report for work in a condition to perform their duties. The presence of drugs or alcohol on the job and the influence of these substances on employees during working hours are inconsistent with these objectives. MLS's policy with respect to drugs and alcohol is as follows:

The illegal use, sale, or possession of narcotics, drugs or controlled substances; including, but not limited to, marijuana, cocaine, PCP, heroin, LSD, amphetamines, and barbiturates while on the job or on MLS property is a dischargeable offense. Any illegal substances will be turned over to the appropriate law enforcement agency and may result in criminal prosecution. The possession, distribution or use of alcoholic beverages by any MLS employee is prohibited during working hours. Individuals found using alcohol will be subject to disciplinary action up to and including discharge.

Employees will not be permitted to work while under the influence of drugs or alcohol. Individuals who appear to be unfit for duty will be relieved from duty and may be requested to take a physical examination at a designated medical facility. Refusal to comply with a physical examination or failure to pass the examination may result in disciplinary action, up to and including discharge.

This policy does not prohibit employees from the lawful use and possession of prescribed medications. Employees must however, consult with their doctors about the medications' effect on their ability to work safely, and promptly disclose any restrictions to their supervisor. Employees should not, however, disclose underlying medical conditions unless specifically directed to do so.

Off-the-job illegal drug and/or alcohol use which could adversely affect an employee's job performance or which could jeopardize the safety of other employees, the public, or MLS facilities, or where such usage adversely affects the public trust in the ability of MLS to carry out its responsibilities, is also cause for disciplinary action, up to and including discharge.

Employees who are arrested for off-the-job drug activity may be considered in violation of this policy. In deciding what action to take, MLS will investigate the matter, taking into consideration the nature of the charges, the employee's present assignment and record with MLS, and the impact of the employee's arrest on the conduct of MLS business.

Employees are encouraged to request assistance through reputable sources in the community in dealing with a personal alcohol or drug-related problem. Their employment will not be jeopardized so long as an approved treatment program is successfully completed, and they continue to observe MLS policy regarding drugs and alcohol.

Employees who wish to report drug and alcohol use in violation of this policy should contact a member of management. MLS will make every effort to protect anonymity and such information will be treated in confidence.

Employees are required to notify a member of management of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.

## X. EMPLOYEE CONDUCT

1. Personal Appearance – Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the business image the Metropolitan Library System presents to visitors and the public. Employees are, therefore, required to dress in appropriate business attire in keeping with their specific job and to behave in a professional, businesslike manner. Employees who have questions about the dress code should speak to their supervisors.
2. Guidelines for Appropriate Conduct – The successful operation and the reputation of the Metropolitan Library System are built upon each employee exhibiting a high degree of personal integrity and an adherence to principles of good ethical conduct at all times. Each employee needs to exercise sincere respect for the rights and feelings of others and refrain from any behavior that might be harmful to oneself, one's coworkers, and/or MLS, or the public at large. Employee conduct which interferes with the effective operation of MLS business is prohibited. The performance standards listed below, and others which may be established from time to time, are not all-inclusive. Rather they are published to provide a general understanding of what the System considers to be unacceptable conduct. These performance standards are merely examples of the types of misconduct for which employees may be disciplined or dismissed. Unacceptable conduct not specifically listed may, nonetheless, result in disciplinary action up to and including discharge. Violations of any of the performance standards set forth below may result in disciplinary action and/or discharge.
  - Failure or refusal to follow instructions issued by management.
  - Insubordination.
  - Neglecting job duties/responsibilities.

- Engaging in unauthorized personal business during work hours.
  - Falsifying records.
  - Discourtesy in dealing with co-workers or patrons.
  - Failure to give proper notice when unable to report for work or to continue work.
  - Unexcused or excessive absenteeism.
  - Abuse of sick leave privileges.
  - Abuse or misuse of MLS property, materials or supplies.
  - Unauthorized use of System property and equipment including telephones, copy machines and mail service.
  - Threatening, harassing or inflicting bodily harm to co-workers or patrons.
  - Making false and malicious statements concerning employees or MLS.
  - Intentionally discriminating against employees in violation of applicable laws.
  - Violation of the MLS drug/alcohol policy.
  - Violating MLS policies, rules, regulations or practices.
3. Disciplinary Action – If an employee’s performance, work habits, overall attitude, conduct, or demeanor becomes unsatisfactory in the judgment of MLS, based on violations of the above or of any other MLS policies, rules or regulations, that employee may be subject to disciplinary action as follows:
- First offense: verbal warning
  - Second offense: written warning
  - Third offense: disciplinary suspension
  - Fourth offense: discharge

MLS is not necessarily required to go through the entire disciplinary action process. Discipline may begin at any step, dependent upon the severity of the incident. The progressive disciplinary steps and the failure to follow the steps in every situation does not in any way create a contractual right to continued employment.

4. Performance Evaluation – Supervisors and employees are encouraged to discuss job performance and goals on an informal ongoing basis. Periodic written evaluations of employee performance may be conducted in order to recognize good job performance or to provide appropriate suggestions for improvement when necessary. The process for conducting employee performance evaluations is outlined in the MLS Policies and Procedures Manual.

## XI. HIRING OF RELATIVES

Members of an employee's immediate family will be considered for employment on the basis of their qualifications. Immediate family may not be hired, however, if employment would create actual or substantial interference with the business operations of the Library System or would violate Illinois law or applicable conflict of interest laws.

This policy must also be considered when assigning, transferring, or promoting an employee. For the purposes of this policy, immediate family includes: mother, father, husband, wife, son, daughter, sister, brother, the above in-law relationships and step-children.

Employees who marry or establish close personal relationships may continue employment as long as it does not result in the above. If the conditions outlined above should occur, attempts may be made to find a suitable position within the Library System to which one of the employees can transfer. If accommodations of this nature are not feasible, the employees will be permitted to determine which of them will resign.

## XII. NO SOLICITATION/DISTRIBUTION

In the interest of maintaining a proper working environment and preventing interference with work and inconvenience to others, employees may not distribute literature or printed materials of any kind, sell merchandise, solicit financial contributions, or solicit for any other cause during working time. Employees who are not on working time (e.g., those on lunch hour or breaks) may not solicit employees who are on working time for any cause or distribute literature or printed material of any kind in working areas at any time. Non-employees are likewise prohibited from distributing material to or soliciting employees on the Library System premises at any time.

## XIII. EMPLOYEE SAFETY AND SECURITY

To safeguard the property of our employees, our patrons, and the Library System, and to help prevent the possession, sale, and use of illegal drugs on the Library System's premises, and in keeping with the spirit and intent of the

Library System's drug-free workplace policy, the Library System reserves the right to question employees and all other persons entering and leaving our premises, and to inspect any packages, parcels, purses, handbags, briefcases, lunchboxes, or any other possessions or articles carried to and from the Library System's property. In addition, the Library System reserves the right to search any employee's office, desk, files, locker, or any other area or article on our premises. In this connection, it should be noted that all offices, desks, files, lockers, and so forth, are the property of the Library System and are issued for the use of employees only during their employment with the Library System. Inspections may be conducted at any time at the discretion of the Library System. Employees working on or entering or leaving the premises who refuse to cooperate in an inspection, as well as employees who after the inspection are believed to be in possession of stolen property or illegal drugs, will be subject to disciplinary action up to and including discharge.

#### XIV. WHISTLEBLOWER COMPLIANCE

The System prides itself on its adherence to all federal, state, and local laws/regulations, including business ethics policies. Therefore, the System asks that any violation of federal, state, or local law or regulation, including any financial wrongdoing witnessed or learned of by an employee of the System be reported immediately to the Director of Human Resource Services to allow the System to investigate and, if applicable, correct the situation or condition.

If the Director of Human Resource Services is involved or believed to be involved in the matter being reported, employees may, in the alternative, make a report to the Executive Director. The System will conduct an investigation and take appropriate action within a reasonable period of time. Such complaints will be held in confidence to the extent the needs of the investigation permit.

"Financial wrongdoing" may include, but is not limited to:

- questionable accounting practices;
- fraud or deliberate error in financial statements or recordkeeping;
- deficiencies of internal accounting controls;
- misrepresentations to Board Members or the accounting department (including deviation from full reporting of financial conditions).

If any employee reports in good faith what the employee believes to be a violation of the law and/or financial wrongdoing to the System or to a federal, state, or local agency or assists in an investigation concerning financial wrongdoing, it is the System's policy that there will be no retaliation taken against the employee, including but not limited to discharge, harassment, or disciplinary action, by the System or any of its employees. Retaliation against

an employee who makes a good-faith report pursuant to this policy is grounds for discipline up to and including termination.

## XV. HOURS OF WORK

Full-time employees shall regularly work 37 ½ hours per week. Necessary overtime for MLS nonexempt employees (as defined under the Fair Labor Standards Act) must be approved in advance by the immediate supervisor. Failure to obtain pre-approval for overtime may result in discipline up to and including termination.

Compensatory Time: Eligible employees are nonexempt employees who are subject to the federal Fair Labor Standards Act (FLSA). Exempt employees under the terms of the FLSA are not eligible employees.

Determination of Overtime Hours: Overtime hours are any hours worked in a given work week in excess of forty (40) hours. The beginning day of the work week for each eligible employee shall commence at 12:01 a.m. each Monday.

Accrual of Compensatory Time: For each hour of overtime worked by an eligible employee in a given work week, one and one half (1-1/2) hours of compensatory time shall accrue. Eligible employees may accrue not more than two hundred and forty (240) hours of compensatory time, computed as one and one half hours of compensatory time for not more than 160 hours of overtime work.

Use: An eligible employee who has accrued compensatory time shall be allowed to use said time within a reasonable period following accrual so long as the operations of MLS are not unduly disrupted. Compensatory time shall not be counted as hours worked in the period in which such hours are used.

Payment on Termination: An eligible employee who is terminated, and who has accrued compensatory time, shall be monetarily reimbursed for such accrued compensatory time at a rate not less than the average rate of pay for the preceding three years, or the final regular rate of pay, whichever is higher.

Records: Records shall be maintained to evidence the overtime hours worked by each eligible employee in a given work week, if any, and the number of hours of compensatory time accrued by each eligible employee, if any.

Monetary Reimbursement in Lieu of Compensatory Time: Nothing herein shall prohibit MLS, at its option, of freely substituting payment via monetary reimbursement, in whole or in part, for compensatory time off; and an overtime payment monetarily reimbursed does not affect subsequent granting of compensatory time in future work weeks or work periods. Monetary

reimbursements to an employee for accrued compensatory time may be made at any time except that on termination, such payment shall be made pursuant to this policy. No employee shall otherwise have the right to receive, upon request, monetary reimbursement in lieu of accrued compensatory time.

Effective Date: These procedures shall be effective as of 6/30/2005 and the accrual of compensatory time shall commence as to any overtime hours worked after such date.

It is expected that MLS exempt employees (as defined under the Fair Labor Standards Act) will sometimes work an irregular schedule in performance of their duties.

Flexible Work Arrangements (FWAs) may be authorized on a case-by-case basis, based on job related factors, and include Flextime, Compressed Workweek, Telecommuting, Job Sharing, and Part-time status.

Hours of work, including FWAs, may be changed at the discretion of the Executive Director, to meet the demands of System operations.

1. If the normal work week for MLS non-exempt employees includes a holiday when the System would be closed, excluding Saturdays or Sundays, no overtime compensation or compensatory time will be paid for work performed on those days so long as such non-exempt employee does not work more than 40 hours in the work week.
2. Part-time employees shall work the hours assigned to them. The Executive Director shall have the discretion to fix the hours of work of such employees based on the recommendations of the employee's supervisor.

a. Breaks

- i. Employees are allowed a relief period of 15 minutes during each half-day's schedule of 3.75 hours. Break-time should be coordinated with coworkers and supervisors to ensure coverage.
- ii. Break periods do not accumulate and are not to be used for making up time, leaving early, or lengthening a lunch/dinner break.
- iii. Employees working more than 7 and 1/2 hours in a work day must take an unpaid meal break beginning no later than the end of the fifth hour. Lunch times are set at the discretion of the immediate supervisor.

## XVI. INDIVIDUALS WITH DISABILITIES (ADA)

MLS supports the Americans with Disabilities Act of 1990 and will attempt to provide reasonable accommodations for people with disabilities in the workplace unless such accommodations would present an undue hardship for MLS.

Reasonable accommodations apply to all employees and include hiring practices, job placement, training, pay practices, promotion and demotion policies and layoff and termination procedures.

A qualified person with a disability is any individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the job the individual has or wants, and does not pose a direct threat to the health or safety of himself /herself or other individuals in the workplace.

MLS will not deny health insurance to an individual based on that person's diagnosis or disability. All persons with disabilities have equal access to health insurance coverage provided to all employees. Preexisting condition clauses and pre-existing condition exclusions included in insurance policies offered by MLS will remain in effect.

A summary plan description (SPD) which explains some of the benefits in greater detail is available from Human Resources. The actual plan documents, which are available by making a written request to Human Resources are the final authority in all matters relating to benefits described in this guide or in the SPD and will govern in the event of any conflict. Additionally, MLS reserves the right to change or eliminate any benefits at any time in accordance with applicable law.

## XVII. INSURANCE

Full-time employees and part-time employees with benefits that qualify have access to medical, dental, vision, life, short-term and long-term disability coverage, provided for the individual employee of MLS and qualifying spouse or dependants, in accordance with the current plans authorized by the Board of Directors. New employees, that qualify, are eligible for paid health benefits on the first day of the first full month of employment.

## XVIII. LEAVE POLICIES

### Holidays

Full-time employees, and part-time employees with benefits, shall be allowed the following holidays with pay, in addition to vacation time. If a holiday falls on

a regularly scheduled workday for part-time employees with benefits, the holiday will be granted to the part-time employee on a pro-rated basis.

New Year's Day	January 1
Memorial Day	May
Independence Day	July 4
Labor Day	September
Thanksgiving Day	November
Christmas Day	December 25

If one of the Holidays listed occurs on a Saturday or Sunday, the Friday preceding or the Monday following the Holiday may be designated as a non-work day at the discretion of the Executive Director. Otherwise, a day-in-lieu of the Holiday that occurs on a Saturday or Sunday can be scheduled with the employee's immediate supervisor.

An employee may celebrate religious holidays that are meaningful to them but not part of the MLS holiday schedule. Employees may request to use vacation time, personal time, take unpaid time off or discuss other potential arrangements with a supervisor. Employees should notify a supervisor of such a need at least two weeks in advance of the holiday.

### Personal Leave

Full-time employees, and part-time employees with benefits, shall be allowed four (4) Personal Days per fiscal year, which are to be scheduled at least 24 hours in advance with their immediate supervisor. Personal leave days are granted to part-time employees with benefits on a pro-rated basis. Personal Leave days are for personal business that cannot be accomplished during an employee's non-working hours. Personal Leave days expire at the end of the fiscal year. Unused Personal Leave days cannot be "carried over" and will not be paid out upon termination of employment. Personal leave can be taken in ¼ hour increments.

### Jury Duty/Witness Service

Employees who are required to perform jury duty service receive full pay, based on the regular work period, for the duration of the time spent on jury duty. Employees remain on the payroll during jury duty service, and employees may keep any compensation paid to them by the Court System. Employees who receive a jury duty summons should notify their supervisor as soon as possible.

### Leave of Absence

Occasionally, for personal, or other reasons, an employee may need to apply for a personal leave of absence when the employee does not qualify for a leave under another MLS policy. Under these circumstances, the employee may qualify for a leave of absence. The amount of leave granted will be at the sole discretion of MLS.

The employee must apply in writing for this leave of absence and submit the request to the Executive Director. The request should set forth the reason for the leave, the date on which the employee wishes the leave to begin and the date on which the employee will return to active employment with MLS. The granting of a leave of absence, and the terms and conditions surrounding the leave of absence, are at the sole discretion of MLS. While MLS will make every effort to reinstate the employee to his/her previous position, there are no guarantees.

Failure to return from a leave of absence at the time agreed will normally result in immediate termination of employment.

#### Paid Leave For Death In Family

Leave with pay, not to exceed three working days, may be granted to full-time employees and part-time employees with benefits following the death of a member of the immediate family. The amount of paid leave for part-time employees with benefits will be granted on a pro-rated basis. In most cases, these three days are taken either consecutively or immediately following the date of death. There are instances when delays are caused by the circumstances of death, the need to allow travel time to a family that is widely dispersed, etc. Employees should notify the Executive Director and their immediate supervisor of the death in the family at the earliest possible opportunity. MLS reserves the right to request proof of the need for leave pursuant to this policy.

A member of the immediate family, for the purpose of this policy, is defined as any member who is the mother, father, husband, wife, sibling (including step- and half-siblings), child, grandparent or grandchild, daughter-in-law, son-in-law, mother in-law, father in-law, legal dependent, and domestic partner.

#### Military Leave

Leaves of absence without pay for Military or Reserve duty are granted to all employees of MLS. Employees called to active Military duty or to Reserve or National Guard training, or volunteering for the same, should submit copies of their Military orders to their supervisor as soon as is practicable. Employees will be granted a Military leave of absence without pay for the period of Military service in accordance with applicable Federal and State laws. Employees who are reservists or members of the National Guard are granted time off without

pay for required Military training. Their eligibility for reinstatement after the completion of their Military duty and training benefit continuation/eligibility issues are determined in accordance with applicable Federal and State laws. Employees may elect, but are not required, to use any vacation entitlement for the absence. Training leaves will not normally exceed two weeks per year, plus reasonable travel time.

### Sick Leave

Full-time employees and part-time employees with benefits shall earn sick leave at the rate of one day per month worked, cumulative to 180 working days. Sick leave for part-time employees with benefits will be accumulated on a pro-rated basis. Sick leave can be taken in ¼ hour increments.

If an employee has exhausted all of his/her accumulated sick leave, vacation and compensatory time credits, advanced sick leave credits may be granted at the discretion of the Executive Director.

An employee may use his/her accumulated sick leave in the case of immediate family illness. (Immediate family, for the purpose of this policy, is defined as parent, spouse, child, or domestic partner.)

In the case of major illness, application may be made for disability pay under the provisions of the Illinois Municipal Retirement System (IMRF) provided such employee is covered by IMRF.

There will be no payment for unused sick leave upon termination of employment. However, when an employee retires, unused, unpaid sick leave may be used as a credit for service under IMRF, up to the maximum allowed.

Employees wishing to take sick time must notify MLS in advance when possible. Be prepared to explain the reason for the absence and give an expected date of return to work. Employees must personally contact MLS on a daily basis during all absences unless notified otherwise. MLS reserves the right to require a doctor's report explaining the condition and the doctor's restriction that the employee not work. Ordinarily any absence due to illness over three consecutive days requires a report from the attending doctor. MLS also reserves the right to request an employee to submit a fitness for duty release upon return to work.

Three consecutive days of absence without notice to MLS constitutes job abandonment and results in termination of an employee as a voluntary separation.

### Vacation

Full-time non-exempt staff and part-time non-exempt staff with benefits shall accrue vacation time at a rate of 1 day per month, or 12 seven-and-one-half hour days in their first year of employment. This rate will increase to provide one additional vacation day for each year of service, to a maximum of 20 seven-and-one-half hour days per year. Vacation time for part-time non-exempt staff with benefits will be accrued on a pro-rated basis. Vacation pay is paid at the employee's rate of pay in effect at the time the vacation is taken. Vacation time is not earned during any leave of absence that exceeds four weeks.

Full-time exempt staff shall accrue vacation time at a rate of 1.66 days per month, or 20 seven-and-one-half hour days per year.

No more than 5 vacation days may be carried over into the next fiscal year without the approval of the Executive Director. Requests for vacation time of one week or more must be received and approved by the employee's immediate supervisor one month prior to the start of the extended vacation.

Requests for vacation time less than one week must be received and approved by the employee's immediate supervisor at least 5 days prior to the actual date(s) off. Vacation time can be used in ¼ hour increments.

Upon termination of employment, an employee will be paid for earned, unused vacation time.

### Family Medical Leave Act

#### Statement of Policy:

Eligible employees may use unpaid family and medical leave for up to 12 weeks per 12-month period for any one or more of the following reasons:

- A. The birth of a child and in order to care for such child or the placement of a child with the employee for adoption or foster care (leave for this reason must be taken within the 12-month period following the child's birth or placement with the employee); or
- B. In order to care for an immediate family member (spouse, child, or parent) of the employee if such immediate family member has a serious health condition; or
- C. The employee's own serious health condition that makes the employee unable to perform the functions of his/her position.

#### Definitions:

- A. "12-Month Period" - means a rolling 12-month period measured backward from the date leave is taken and continuous with each additional leave day taken.
- B. "Spouse" - does not include unmarried domestic partners. If both spouses work for MLS, their total leave in any 12-month period may be limited to an aggregate of 12 weeks if the leave is taken for either the birth or placement for adoption or foster care of a child or to care for a sick parent.
- C. "Child" - means a child either under 18 years of age, or 18 years of age or older who is incapable of self-care because of a mental or physical disability. An employee's "child" is one for whom the employee has actual day-to-day responsibility for care and includes a biological, adopted, foster or step-child.
- D. "Serious Health Condition" - means an illness, injury, impairment, or a physical or mental condition that involves:
1. Inpatient care; or
  2. Any period of incapacity requiring absence from work for more than three consecutive calendar days AND that involves continuing treatment by a health care provider; or
  3. Continuing treatment by a health care provider for a chronic or long-term health condition that is incurable or which, if left untreated, would likely result in a period of incapacity of more than three calendar days; or
  4. Prenatal care by a health care provider.
- E. "Continuing Treatment" - means:
1. Two or more visits to a health care provider; or
  2. Two or more treatments by a health care practitioner on referral from, or under the direction of, a health care provider; or
  3. A single visit to a health care provider that results in a regimen of continuing treatment; or
  4. In the case of a serious, long-term or chronic condition or disability that cannot be cured, being under the continuing supervision of, but not necessarily being actively treated by, a health care provider.

#### Coverage and Eligibility:

To be eligible for family/medical leave an employee must:

- A. Have worked for MLS for at least 12 months, not necessarily consecutively; and
- B. Have worked at least 1250 hours over the previous 12 month period.

Intermittent or Reduced Leave:

- A. An employee may take leave intermittently (a few days or a few hours at a time) or on a reduced leave schedule to care for an immediate family member with a serious health condition or because of a serious health condition of the employee when "medically necessary."
  - 1. "Medically necessary" means there must be a medical need for the leave and that the leave can best be accomplished through an intermittent or reduced leave schedule.
  - 2. The employee may be required to transfer temporarily to a position with equivalent pay and benefits that better accommodates recurring periods of leave when the leave is foreseeable based on scheduled medical treatment.
- B. An employee may take leave intermittently or on a reduced leave schedule for birth or placement for adoption or foster care of a child only with the employer's consent.
- C. For part-time employees and those employees who work variable hours, the family and medical leave entitlement is calculated on a pro rata basis. A weekly average of the hours worked over the 12 weeks prior to the beginning of the leave should be used for calculating the employee's normal workweek.

Substitution of Paid Vacation and Sick Time:

- A. An employee will be required to substitute accrued paid vacation time for any part of a family/medical leave taken for any reason.
- B. When an employee has used accrued paid vacation time for a portion of family/ medical leave, the employee may request an additional period of unpaid leave to be granted so that the total of paid and unpaid leave provided equals 12 weeks.
- C. An employee may be required to use accrued sick leave for all or a portion of medical leave.

**Notice Requirement:**

- A. An employee is required to give 30 days notice to MLS in the event of a foreseeable leave. A "Request for Family/Medical Leave" form (see attached) should be completed by the employee and returned to the Human Resources Department. In unexpected or unforeseeable situations, an employee should provide as much notice as is practicable, usually verbal notice within one or two business days of when the need for leave becomes known, followed by a completed "Request for Family/Medical Leave" form.
- B. If an employee fails to give 30 days notice for a foreseeable leave with no reasonable excuse for the delay, the leave will be denied until 30 days after the employee provides notice.

**Medical Certification:**

- A. For leaves taken because of the employee's or a covered family member's serious health condition, the employee must submit a completed "Physician or Practitioner Certification" form (see attached) and return the certification to the Human Resources Department. Medical certification must be provided by the employee within 15 days after requested, or as soon as is reasonably possible.
- B. MLS may require a second or third opinion (at its own expense), periodic reports on the employee's status and intent to return to work, and a fitness-for-duty report to return to work.
- C. All documentation related to the employee's or family member's medical condition will be held in strict confidence and maintained in the employee's medical records file.

**Effect On Benefits:**

- A. An employee granted a leave under this policy will continue to be covered under the MLS group health insurance plan, life insurance plan and long-term disability plan under the same conditions as coverage would have been provided if the employee had been continuously employed during the leave period.
- B. Employee contributions will be required either through payroll deduction or by direct payment to MLS. The employee will be advised in writing at the beginning of the leave period as to the amount and method of payment. Employee contribution amounts are subject to any change in rates that occurs while the employee is on leave.

- C. If an employee's contribution is more than 30 days late, MLS may terminate the employee's insurance coverage.
- D. If the employee fails to return from unpaid family/medical leave for reasons other than (1) the continuation of a serious health condition of the employee or a covered family member or (2) circumstances beyond the employee's control (certification required within 30 days of failure to return for either reason), MLS may seek reimbursement from the employee for the portion of the premiums paid by MLS on behalf of the employee (also known as the employer contribution) during the period of leave.
- E. An employee is not entitled to seniority or benefit accrual during periods of unpaid leave but will not lose anything accrued prior to leave.

**Job Protection:**

- A. If the employee returns to work within 12 weeks following a family/medical leave, the employee will be reinstated to his/her former position or an equivalent position with equivalent pay, benefits, status and authority.
- B. The employee's restoration rights are the same as they would have been had the employee not been on leave. Thus, if the employee's position would have been eliminated or the employee would have been terminated but for the leave, the employee would not have the right to be reinstated upon return from leave.
- C. If the employee fails to return within 12 weeks following a family/medical leave, the employee will be reinstated to the employee's same or similar position, only if available, in accordance with applicable laws. If the employee's same or similar position is not available, the employee may be terminated.

**Employee Blood Donation Leave**

**Statement of Policy:**

Eligible employees may use paid leave for up to one hour every 56 days to donate or to attempt to donate blood.

**Definitions:**

- A. "Eligible Employee" - means a full-time employee who has been employed for at least 6 months and who donates or attempts to donate blood.
- B. "Blood Donation" - means the act of donating blood in accordance with the nationally recognized medical standards for blood donation eligibility of the community blood bank as operated by the American Red Cross, America's Blood Centers, the American Association of Blood Banks, or other blood bank.

Amount of Leave:

An employee may use up to one hour of paid leave every 56 days to donate or to attempt to donate blood.

Notice, Approval and Verification Requirement:

An employee is required to give reasonable notice to the system in the event that the employee chooses to use leave under this policy. A request for leave under this policy must be in writing and must include the day the employee wishes to use the leave along with a written statement from the blood bank indicating that the employee has an appointment on the day requested for leave to donate or attempt to donate blood.

Upon the employee's return from an approved leave, the employee will be required to submit a written statement from the blood bank verifying that the employee kept the appointment.

Complaint Procedure:

Employees who believe that their leave has been improperly administered under this policy may file a complaint with the Director of HR & Facilities. The complaint will be promptly investigated and the results of the investigation will be reported to the complaining employee. If the employee is unsatisfied with the findings of the investigation, the employee may appeal the decision to the Executive Director.

## XIX. PERSONNEL FILES

It is the policy of MLS to maintain records of each employee which are related to the employee's position and performance.

Overview:

This policy establishes the guidelines to be used to establish employee personnel records, type of documents contained therein, and the security of personnel documents. Also covered is the release of personnel information to

employees and outside sources, the procedure employees are to use to review their personnel records, and what an employee needs to do if he or she disagrees with certain material filed in his or her record.

#### Procedures:

##### Information

Each employee's personnel file will contain only such information as is needed by MLS in conducting its business or is required by federal, state, or local law. This information will normally include the following: employment application/resumes; payroll information; performance appraisals; disciplinary records; school transcripts; letters of commendation; and promotion, demotion, reclassification justification, etc. All medical information will be maintained in a separate file.

##### Employee Access

Employees may review MLS personnel records pertaining to their employment up to two times per calendar year. Employees will notify the Director of Human Resource Services, who will schedule a time for inspection that is convenient for both the employee and MLS. If an employee wishes to make a copy of any documents in the file, the employee may be charged the cost of such copying services.

If, after inspecting his or her personnel records, the employee believes that certain material is irrelevant, inaccurate, or obsolete, the employee may submit a written request to the Director of Human Resource Services to correct the information in the file. The record will either be corrected or the employee will be informed why the information should remain in the file. If the employee is not satisfied with the decision, the employee shall be permitted to place a written statement of disagreement in the file.

##### Release of Information:

All requests from sources outside MLS for personnel information concerning applicants for employment, current employees, and former employees shall be directed to the Director of Human Resource Services. MLS will release information to outsiders in response to written requests only, and normally only after obtaining the written consent of the individual who is the subject of the inquiry, unless the inquiry is pursuant to an applicable law or court order. However, MLS may release the following information without first obtaining the consent of the individual involved: employment dates, position held, and location of job site.

Security:

To maximize the security of MLS personnel records, all files are kept in locked cabinets. Access to the files is on a need-to-know basis. Examples of individuals who would have a legitimate need to inspect personnel records include Executive Director, Director of Human Resource Services and Administrative Assistant for Human Resource Services and a department head who is considering an employee for a promotion, transfer, or other personnel action.

Update:

To keep personnel records up to date, employees are urged to notify MLS, of any changes in the following: name; address; telephone number; marital status; number of dependents; beneficiary designations for any MLS insurance, disability, pension, and profit sharing plans; and persons to be notified in case of emergency.

When a change in the number of dependents or marital status occurs, the employee should complete a new Form W-4 for income tax withholding purposes and forward it to the Payroll Department.

**XX. RETIREMENT**

All employees are required to participate in the retirement plan established through the Illinois Municipal Retirement Fund (IMRF). All employees who work in a position requiring 1,000 hours or more per year are automatically enrolled in the IMRF Fund. All eligible employees must contribute to the IMRF Fund. A booklet describing this program is distributed to eligible individuals during their orientation.

**XXI. SALARIES AND PAYROLL**

Both full- and part-time salaries are paid by check or direct deposit on a semi-monthly schedule of the fifteenth and the last day of each month. If the 15<sup>th</sup> or the last day of the month falls on a weekend or Holiday, payroll occurs the last working day prior to the scheduled date.

Non-exempt employees are required to complete a time sheet documenting the hours worked within each pay period. The time sheet must be given to the employee's immediate supervisor for verification and signature. The time sheets are then forwarded to the Finance Department within 2 days of the last day in each pay period.

**XXII. SEXUAL AND OTHER HARASSMENT / WORKPLACE VIOLENCE**

MLS is committed to maintaining a work environment that is free of discrimination. In keeping with this commitment, the System will not tolerate harassment of MLS employees by anyone including any supervisor, co-worker, vendor, patron, contractor, customer or other regular visitor.

Harassment consists of unwelcome conduct, whether verbal, physical, or visual, that is based upon a person's protected status, such as sex, color, race, ancestry, national origin, age, disability, or other legally protected group status. MLS will not tolerate harassing conduct that affects tangible job benefits, that interferes unreasonably with an individual's work performance, or that creates an intimidating, hostile, or offensive working environment.

The conduct forbidden by this policy specifically includes, but is not limited to: (a) epithets, slurs, negative stereotyping, or intimidating acts that are based on a person's protected status; and (b) written or graphic material circulated within or posted within the workplace that shows hostility toward a person or persons because of their protected status.

Sexual harassment deserves special mention. Unwelcome sexual advances, requests for sexual favors, and other physical, verbal, or visual conduct based on sex constitute sexual harassment when (1) submission to the conduct is an explicit or implicit term or condition of employment, (2) submission to or rejection of the conduct is used as the basis for an employment decision, or (3) the conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

All MLS employees are responsible to help assure that we avoid harassment. If an employee feels that they have experienced or witnessed harassment, they are to notify immediately their supervisor or any other member of MLS management who the employee would feel comfortable contacting. MLS forbids retaliation against anyone for reporting harassment, assisting in making a harassment complaint, or cooperating in a harassment investigation. MLS will preserve confidentiality to the extent the needs of the investigation permit.

The MLS policy is to investigate all such complaints thoroughly and promptly. If an investigation confirms that a violation of this harassment policy has occurred, MLS will take corrective action, including such discipline, up to and including termination of employment, as appropriate.

### XXIII. SOCIAL SECURITY

MLS participates in the Federal Insurance Contributions Act (FICA), commonly known as Social Security insurance. Participation is required of all employees, and payroll deductions are automatically made in accordance with current provisions of FICA.

## XXIV. TERMINATION OF EMPLOYMENT

Resignations/Retirement – MLS employees are requested to give at least two weeks notice in writing of their intended resignations. This request does not alter the employment “at-will” relationship wherein MLS and its employees retain the mutual right to terminate the relationship at any time with or without warning, notice or cause.

Final pay shall consist of regular pay due and accumulated vacation/other credits. An exit interview should be conducted on the employee’s last day of work. The purpose of the interview is to provide the departing employee with details about pay or benefit eligibility and to obtain the employee’s opinions about, and suggestions for, improvements in specific or general policies or practices of MLS. Normally, the employer’s compliance with reference requests will be limited to verification of an individual’s employment dates and earnings.

MLS reserves the right to accept an employee’s notice of resignation and to accelerate such notice and make the employee’s resignation effective immediately, or at any other date prior to the employee’s intended last day of work that MLS deems appropriate.

## XXV. VICTIMS’ ECONOMIC SECURITY & SAFETY ACT (VESSA)

Statement of Policy:

Eligible employees may use unpaid victims’ economic and security and safety leave for up to 12 weeks per 12-month period for any one or more of the following reasons:

- A. 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; or
- B. Obtaining services from a victim services organization for the employee or the employee’s family or household member; or
- C. Obtaining psychological or other counseling for the employee or the employee’s family or household member; or
- D. Participating in safety planning, temporarily or permanently relocating, or taking other actions to increase the safety of the employee or the employee’s family or household member from future domestic or sexual violence or ensuring economic security; or

- E. Seeking legal assistance or remedies to ensure the health and safety of the employee or the employee's family or household member, including preparing for or participating in any civil or criminal legal proceeding related to or derived from domestic or sexual violence.

Definitions:

- A. "12-Month Period" - means a rolling 12-month period measured backward from the date leave is taken and continuous with each additional leave day taken.
- B. "Family or Household Member" – means a spouse, parent, son, daughter, and persons jointly residing in the same household;
- C. "Parent"- means the biological parent of an employee or an individual who stood in loco parentis to an employee when the employee was a child.
- D. "Son or Daughter" means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is under 18 years of age, or is 18 years of age or older and incapable of self-care because of a mental or physical disability.
- E. "Domestic or Sexual Violence" - means domestic violence, sexual assault, or stalking.

Coverage and Eligibility:

Both full and part-time employees are eligible to apply for this leave.

Intermittent or Reduced Leave:

An employee may take leave intermittently (a few days or a few hours at a time) or on a reduced leave schedule.

Substitution Of Paid Time Off/Family/Medical Leave:

- A. An employee may elect to substitute accrued paid vacation, sick or personal time for any part of victims' economic security and safety leave. Such substitution will not extend the 12-week period.
- B. When the employee's need for the leave also qualifies as family/medical leave pursuant to the Family and Medical Leave Act (FMLA), or for short-term or long-term disability, these leaves will run concurrently with leave taken pursuant to this policy.

Notice Requirement:

An employee is required to give 48 hours notice to MLS in the event of a foreseeable leave. In unexpected or unforeseeable situations, an employee should provide as much notice as is practicable, usually verbal notice within one or two business days of when the need for leave becomes known.

Certification:

- A. For leaves taken pursuant to this policy, the employee may be required to submit a certification demonstrating the need for the leave. The certification must be provided by the employee as soon as reasonably possible, but in most cases, within 15 days after requested.
- B. The certification requirement may be satisfied by the submission of a sworn statement from the employee and one of the following:
  - Documentation from a victim services organization, attorney, clergy, or medical or other professional from whom the employee or the family/household member has sought assistance from in addressing domestic or sexual violence and/or its effects;
  - A police or court record; or
  - Other corroborating evidence.
- C. All documentation related to the employee's need for the leave pursuant to this policy will be held in strict confidence and will only be disclosed as required/permitted by law.

Effect On Benefits:

During an approved VESSA leave, MLS will maintain the employee's health benefits, as if the employee continued to be actively employed. If paid leave is substituted for unpaid VESSA leave, MLS will deduct the employee's portion of the health plan premium as a regular payroll deduction. If the employee's leave is unpaid, the employee must pay their portion of the premium during the leave. The employee's group health care coverage may cease if a premium payment is more than 30 days late. If the employee does not return to work at the end of the leave period, they may be required to reimburse MLS for the cost of the premiums paid by MLS for maintaining coverage during the employee's unpaid leave, unless the employee cannot return to work because of the continuation, recurrence, or onset of domestic or sexual violence or other circumstances beyond the employee's control.

Job Protection:

If the employee wishes to return to work at the expiration of their leave, the employee is entitled to return to their same position or to an equivalent position with equal pay, benefits and other terms and conditions of employment. If the employee takes leave because of their own medical condition, the employee is required to provide medical certification that they are fit to resume work. The employee may obtain return to Work Medical Certification forms from the Director of Human Resource Services. Employees failing to provide the Return to Work Medical Certification Form will not be permitted to resume work until it is provided.

Reasonable Accommodations:

MLS supports the Victims' Economic Security and Safety Act and will attempt to provide reasonable accommodations for people who are entitled to protection under this Act, unless such accommodations would present an undue hardship for MLS.

Reasonable accommodation applies to applicants and employees and may include adjustment to a job structure, workplace facility, or work requirement, transfer, reassignment, or modified schedule, leave, a changed telephone number or seating assignment, installation of a lock, or implementation of a safety procedure in response to actual or threatened domestic or sexual violence.

A qualified individual is an individual who, but for being a victim of domestic or sexual violence or with a family or household member who is a victim of domestic or sexual violence, can perform the essential functions of the employment position that such individual holds or desires.

Should an employee wish to request a reasonable accommodation pursuant to this policy, the employee should contact Human Resources.

## XXVI. WORKERS' COMPENSATION INSURANCE

The Metropolitan Library System provides a comprehensive workers' compensation insurance program at no cost to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits after a short waiting period or, if the employee is hospitalized, immediately. If an employee is injured or becomes ill on the job, they must immediately report such injury or illness to their supervisor, the Director of Human Resource Services or the Executive Director. This will enable an eligible employee to qualify for coverage as quickly as possible.

ACKNOWLEDGEMENT

I hereby acknowledge that I have received a copy of the foregoing Metropolitan Library System Employee Handbook describing my employment with the System. I understand that it is my responsibility to read and understand the policies and statements contained in the Handbook. I understand that this Handbook supersedes and revokes any and all prior Employee Handbooks or policies.

I understand that this Handbook is not a contract and that my employment with the System is not for any specific duration. I further understand that I am an employee "at will" who may be disciplined or discharged at any time, with or without cause or notice, just as I have the right to leave MLS with or without cause or notice at any time. I understand that no employee or agent of MLS has any authority to enter into any agreement with me for employment of any specific duration, or make any agreement contrary to any of the provisions in the foregoing Employee Handbook.

In all instances the official benefit plan texts, trust agreements and master contracts, as appropriate, are the documents that govern the fringe benefits and benefit programs provided by MLS.

Date: \_\_\_\_\_

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Employee's Printed Name

Witness:

\_\_\_\_\_