



02.04.16 **FAMILY BEREAVEMENT LEAVE**

Division: **College Employees**

Adopted: **10/2018, 11/2022**

Revised:

Reviewed:

The Family Bereavement Leave Act (Act) (820 ILCS 154/1 et seq. provides a maximum of two weeks (10 work days) of unpaid or continuous or intermittent leave for bereavement of an eligible employee's child or covered family member.

Eligibility

An employee is eligible for this leave under the Act as defined by Section 101(2) of the federal Family and Medical Leave Act of 1993 [29 U.S.C. 2601 et seq.]. An employee is entitled to take the leave under the Act to:

1. Attend the funeral (or alternative to a funeral) of a covered family member;
2. Make arrangements necessitated by the death of the covered family member;
3. Grieve the death of the covered family member; or
4. Be absent from work due to (i) a miscarriage; (ii) an unsuccessful round of intrauterine insemination or of an assisted reproductive technology procedure; (iii) a failed adoption match or an adoption that is not finalized because it is contested by another party; (iv) a failed surrogacy agreement; (v) a diagnosis that negatively impact pregnancy or fertility; or (vi) a stillbirth

A covered family member, as defined by the Act, means an employee's child, stepchild, spouse, domestic partner, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, or stepparent. Child is defined by the Act as an employee's son or daughter who is a biological, adopted, or foster child, a stepchild, a legal ward or a child of a person standing in *loco parentis*. Domestic partner covers civil unions, as well as individuals who are unmarried but in a committed personal relationship and is designated by the employee to the company as a domestic partner, in accordance with the Act.

Leave Under the Act

Employees are entitled to a maximum of two weeks (10 work days) of continuous or intermittent unpaid leave under the Act. In the event of the death of more than one covered family member or event during a 12-month period, employees may be entitled to up to 6 weeks of bereavement (two

weeks per family member or event) leave during the 12 month period. Family bereavement leave does not create a right for an employee to take unpaid leave that exceeds the unpaid leave time allowed under the Family and Medical Leave Act (FMLA). Employees can choose to substitute any amount of paid time [bereavement, vacation, personal, floater holiday] available to them to keep themselves whole from a scheduled pay status.

The employee must take any unpaid leave allowed under the Act within 60 days after being notified of the covered family member's death or the date on which an event listed in item 4 above occurs. Where possible and practical, an employee is required to provide 48 hours' advance notice of their intent to use unpaid leave under the Act. The College may ask for documentation verifying an employee's use of unpaid leave, such as a death certificate, published obituary, or written verification from a mortuary, funeral home, burial society, crematorium, religious institution or government agency. For leave resulting from an event listed above in item four, reasonable documentation may be requested but the employer may not require that the employee identify which category of event the leave pertains to as a condition of exercising rights under the Act.

Eligibility for unpaid leaves permitted by the federal Family and Medical Leave Act of 1993 will be considered separate from this policy.

Health Benefits

During the Family Bereavement Leave, the College will maintain health and life insurance as long as the employee has elected to substitute paid leave for their bereavement leave and has the sufficient time available to do so. To ensure the coverage continues, the employee must coordinate with Human Resources on a payment plan.

Related Institutional Procedures: