

LEAVES OF ABSENCE

Bereavement Leave

All full-time regular employees of Adler and part-time regular employees working at least 30 hours per week are entitled to five days of paid bereavement leave to attend the funeral of a member of their immediate family— i.e., spouse, partner, child, parent, grandparent, grandchild, sibling, guardian, or any person who is a permanent resident of the employee’s household. Employees also may be eligible, at Adler’s discretion, for three (3) days of bereavement leave in the event of the death of another family member, including an aunt or uncle. The Human Resources office should be notified, however, and informed of the relationship of the deceased to the employee. Employees who utilize Bereavement Leave should provide the Human Resources office with written documentation of the leave, to be filed in that employee’s personnel file.

Family Medical Leave (FMLA) and Military Leave

Eligibility for Leave

An employee is eligible to request available FMLA leave if (a) he or she has been employed by Adler for at least twelve (12) months and (b) he or she has worked at least 1,250 hours within the 12 months immediately preceding the start of leave.

Qualifying Circumstances for Leave

Eligible employees can take up to 12 work weeks of unpaid leave during a 12 month period for the following reasons:

1. birth of a child
2. placement of child into the employee’s family for adoption or foster care
3. to care for an immediate family member (spouse, domestic partner, child or parent) with a serious health condition
4. when the employee is unable to work because of a serious health condition
5. up to 12 weeks of leave for certain qualifying exigencies arising out of a covered military member's active duty status, or notification of an impending call or order to active duty status, in support of a contingency operation, and
6. up to 26 weeks of leave in a single 12-month period to care for a covered service member recovering from a serious injury or illness incurred in the line of duty on active duty. Eligible employees are entitled to a combined total of up to 26 weeks of all types of FMLA leave during the single 12-month period.

*Note: A “serious health condition” is an illness, injury, impairment, or physical or medical condition that (a) involves inpatient care in a hospital, hospice, or residential medical care facility, or (b) involves continuing treatment by a health care provider and either requires an absence from work, Adler or other regular activities of more than three (3) calendar days.

Amount of Leave Available

Eligible employees are limited to a total of 12 work weeks of FMLA leave during any 12- month period. This is a “rolling” 12-month period, which is measured backwards from the dates of any requested leave. Leave for a new child or placement of a child (qualifying circumstance #1 and #2 above) cannot be taken later than 12 months after the birth or placement of the child.

Leave because of a serious health condition (qualifying circumstance #3, #4, #5 and #6 above) can only be taken during such time as there is a medically certifiable health condition and/or documented military obligation or injury. If a husband and wife are both eligible employees, they are limited to a combined total of 12 work weeks of leave during a 12 month period if the leave is taken for a new child or to care for a parent with a serious health condition.

FMLA Leave is Unpaid

FMLA leave, under this policy, is always unpaid. However, if paid leave is available to the employee under the same circumstances pursuant to a different law or University policy, that paid leave must be taken concurrently with the FMLA leave. For instance, employees must exhaust their paid sick and vacation time. This time runs concurrently with FMLA leave.

Benefits While on FMLA Leave

1. **Health Benefits:** If the employee wishes, Adler will maintain his or her health benefits during the FMLA leave on the same terms and conditions as if the employee continued to work. The employee is required to continue to pay 15% of his or her insurance (if PPO) and 100% of any spouse, domestic partner or dependent coverage. The employee must make advance payment arrangements with the Human Resources office and must fully comply with those arrangements throughout the leave or risk termination of the health benefits. Adler may recover any benefit payments it has made on the employee’s behalf during the leave if the employee does not return to work after the leave expires, unless the employee does not return because of the continuation, recurrence, or onset of a serious health condition, or other circumstances beyond the employee’s control.
2. **Retirement Vesting:** FMLA leave will be treated as continuous service for purposes of vesting and eligibility to participate in any applicable retirement program.
3. **No Other Benefits:** Employees do not receive or accrue any other employment benefits while on FMLA leave.

Advance Notice of FMLA Request by Employee

Employees requesting FMLA must give Adler at least 30 days advance notice when the need is foreseeable. When 30 days’ notice is not possible, the employee must provide notice as soon as practicable and generally must comply with Adler’s normal call-in procedures unless his/her condition precludes him/her from doing so. Notice must be given to your supervisor and must include sufficient

factual information for Adler to decide whether there are qualifying circumstances. After receiving the notice, Adler will inform the employee whether he/she is eligible under the FMLA. If the employee is eligible, Adler will inform the employee about any additional information the employee must provide to qualify for FMLA as well as the employee's rights and responsibilities concerning FMLA leave. If the employee is not eligible for FMLA leave, Adler will inform him/her why not. Copies of all documentation must be provided to the Human Resources office.

Documentation

Adler requires the following documentation from the requesting employee and the employee must submit the documentation that is appropriate for his/her specific situation:

- Form WH 380 E (Certification of serious illness for employee)
- Form WH 380 F (Certification of serious illness for family member)
- Form WH 384 (Certification of qualifying exigency for military family leave)
- Form WH 385 (Certification for serious injury or illness of covered service member for military family leave)
- The suggested work and leave schedules.

Intermittent or Reduced Leave

Employees may take medical leave intermittently or on a reduced leave schedule when medically necessary as determined by a doctor.

Return to Work

It is the basic assumption of both the FMLA and this policy that employees request leave with the expectation of returning to work at the conclusion of the leave. Adler may periodically require employees who are on FMLA to report on their current status and plans to return to work.

Upon returning from FMLA leave, employees will either be restored to their prior position, with the same pay and benefits, or, in Adler's discretion, to a similar position which has equivalent benefits, pay, and other terms. However, an employee has no greater right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed by Adler during the FMLA leave period. Therefore, if changes in Adler's business occur during an employee's FMLA leave and the employee would have been terminated, laid off or reassigned had he/she been on active status, the employee is not guaranteed for reinstatement. Under certain conditions, employers can exempt key employees who are in the highest paid 10% of their workforce. Job restoration may be denied to these employees to prevent substantial or grievous economic injury to Adler's operations. If this decision is made, Adler will notify the employee as soon as possible.

Maternity and Other Parental Leave

Employees who wish to take FMLA leave because they are becoming a parent or foster parent are entitled to 12 weeks of FMLA leave to care for a newborn child or to care for an adopted or foster child

newly placed with them. Childbearing employees can choose to take advantage of their short-term disability benefit. Pregnancy is covered for a six-week disability amount, however, please note that this includes one week of elimination: showing loss of income. This means from the date of delivery; the employee must use one week of leave before receiving the next five weeks of paid leave at 60% of their regular salary/pay. If the employee chooses to do so, she must then exhaust her vacation and sick time (which runs concurrently with FMLA leave). Such paid leave will run concurrently and will constitute FMLA leave. Employees may also choose not to partake in short-term disability thereby only using vacation and sick time. Non-childbearing and adoptive or foster parents shall be entitled to one week of paid leave (running concurrently and constituting FMLA leave). After exhausting their paid leave, employees on maternity or other parental leave will receive the remainder of the 12 weeks of FMLA leave as unpaid leave. Please see HR for further details.

Military Leave

Employees who perform military service such as: active duty, active duty training, inactive duty training, initial active duty for training and full-time reserve and National Guard duty will be granted military leave in accordance with the Uniformed Services Employment and Re-Employment Rights Act. Covered services include the Army, Navy, Air Force, Marine Corps, Coast Guard, Army National Guard, Air National Guard and Commissioned Corps of the Public Health Service, or any other uniformed services designated by the President of the United States in time of war or emergency. This policy is only intended to be a summary and overview of the Act. To the extent this policy on military leave is inconsistent with the Act, the Act shall control and supersede this policy.

All employees are entitled to leave and reemployment following service in the uniformed service with the exception of those temporary employees who have brief or non-recurrent positions. Extended military service leaves of no more than five years (unless statutory exceptions apply) will be granted to employees absent from work due to service in the uniformed services.

Any employee requesting military leave must provide Adler written notice in the form of official military orders, if possible, in advance of the leave. Employees on military leave may, but are not required to, use their paid time off as part of their leave.

To preserve the employee's reemployment rights, an employee must apply for reemployment as follows: If the service is less than 31 days, employees have 24 hours following their return from service to report for their next scheduled work period. If the service is between 31 and 180 days, employees will have 14 days following return from service to reapply for reemployment. If the service is for more than 181 days, employees will have 90 days following return from service to reapply for employment. Adler will extend the deadlines for employees who are hospitalized as a result of their service in accordance with the Act.

Any employee who takes military leave of no more than five years, reapplies for his or her position and otherwise complies with federal law will, if possible, be returned to the same or similar position he or she would have held had the leave never been taken.

Any employee returning from military leave will be treated as not having incurred a "break in service" for purposes of seniority and seniority-based benefits, e.g., vacation, retirement, etc. Employees on military leave are entitled to participate in non-seniority based benefit programs to the same extent as employees on other types of similar leave.

Employees who leave their employment to perform uniformed service for less than 31 days are entitled to continued coverage under Adler's health plan. Employees who leave their jobs to perform military service for more than 31 days, may elect continuation coverage for up to 24 months following the separation from employment at a cost of 102% of the applicable premium.

Military Leave - Family Military Leave Act Policy

An employee who is a spouse, partner or parent of an individual who has been called to active military service lasting longer than 30 days with the State or United States, pursuant to the orders of the Governor of Illinois or the President of the United States, may be eligible for up to 30 days of unpaid family military leave during the time federal or State deployment orders for the employee's spouse, partner or child are in effect.

To be eligible for family military leave, you must have been employed by Adler for at least 12 months and must have been employed for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of leave. You must have exhausted all accrued vacation leave, personal leave, and other leave that may be granted to you (except for sick and disability leave).

You must give Adler at least 14 days notice of the intended date upon which the family military leave will commence if leave will consist of 5 or more consecutive work days. If possible, you should consult with Adler to schedule the leave so as not to unduly disrupt University operations. Notice for leaves of less than 5 days shall be given as soon as is practicable. Adler will require certification from the proper military authority to verify your eligibility for family military leave.

Upon your return from family military leave, you will be restored to your position with equivalent seniority status, benefits, pay and other terms and conditions of employment unless your status has been changed for reasons unrelated to your taking of family military leave. Taking leave will not result in a loss of any employee benefit accrued before the date on which the leave commenced, but you will not accrue benefits such as sick or vacation days while on leave. During the leave, your benefits, such as health insurance, will be continued at your expense. At the discretion of Adler, the University may elect to pay for your benefits while on leave.

Pregnancy Discrimination Act

Women who require leave due to pregnancy, childbirth or related medical conditions are provided the same benefits as those provided other disabled employees.

Sick Leave

Paid sick leave is provided to offset loss of earnings because of a genuine illness. Sick leave cannot be used as personal leave or vacation. All full-time regular employees of Adler and part-time regular employees working at least 30 hours per week will be granted ten (10) days per year, up to a maximum of 30 accrued days. Interns may earn one (1) day per month to a maximum of ten (10) days.

Sick leave is granted by Adler University each fiscal year. Every September 1st, all full-time regular employees of Adler will receive ten (10) new sick days. Accumulated sick leave does roll over from one fiscal year to the next, to a maximum of 30 accrued days. Employees will not be compensated for unused sick leave in the event of their resignation or termination.

Sick leave may be taken for personal illness or illness within the immediate family. Employees are required to report all sick leave taken, within one week of taking it, to the Human Resources office by submitting the appropriate form. The supervisor of an employee on sick leave may also request, at any time, a written doctor's statement stating that the condition of the employee or the employee's immediate family member justifies the employee's sick leave.

Medical Absence

Employees who are absent from work for medical reasons for three or more consecutive days are asked to provide a note from their doctor authorizing a return to work.

Unpaid Leave of Absence

After being employed for at least six months, an employee may be eligible for a leave of absence for personal or confirmed medical reasons. A leave of absence without pay will be granted for pregnancy, provided the employee stops work no sooner than the sixth month of pregnancy and returns to work no later than two months after delivery with authorization from her physician. Accumulated sick days and vacation time may be used for portions of maternity leave.

Employees may be granted an unpaid leave of absence of up to one year for advanced education or temporary employment, the purpose of which is to improve educational qualifications or job skills.

Other leaves of absence will be considered by the President on an individual basis upon written request of the employee. Each request for a leave shall be considered depending upon its nature and probable effect on Adler's operation. During an extended leave of absence, compensation and benefits will not be available, except that insurance benefits can be continued at the individual's expense under COBRA.

Victims Economic Security And Safety Act Policy

Illinois employees may take unpaid leave under the Victims' Economic Security and Safety Act ("VESSA") to seek assistance in response to an act or threat of domestic violence, sexual assault, or stalking. An employee may take this leave to seek services for a victim of domestic or sexual violence if the victim is: 1) yourself; 2) a covered family member (spouse, child, parent); or 3) a household member (who is currently residing with you). VESSA leave is not allowed, however, if the employee's interests regarding the violent act are adverse to the victim's interests. The employee may take leave for a child who is a victim if that child is under age 18 or, if 18 years or older, the child is mentally or physically disabled and incapable of self-care. You are eligible to take up to 12 weeks of unpaid VESSA leave within any 12-month period and be restored to the same or an equivalent position upon your return from leave. If you misrepresent facts in order to be granted a VESSA leave, you will be subject to immediate termination.

VESSA leave is unpaid leave. You may choose, however, to use any accrued paid time off which would otherwise apply to the circumstances of the leave. For instance, if the leave was for you, because you are temporarily disabled due to domestic or sexual violence, you may use any accrued sick time for that portion of the leave. You may use accrued vacation or other personal time for any of the purposes allowed under the Act. The substitution of paid leave time for unpaid leave time does not extend the 12-week leave period. During an approved VESSA leave, Adler will maintain your health benefits, as if you continued to be actively employed. If paid leave is substituted for unpaid leave, Adler will deduct your portion of the health plan premium as a regular payroll deduction. If your leave is unpaid, you must pay your portion of the premium during the leave. Your group health care coverage may cease if you fail to make timely payments of your share of the premiums. If you do not return to work at the end of the leave period, you may be required to reimburse Adler for the cost of the premiums paid by Adler for maintaining coverage during your unpaid leave, unless you cannot return to work because of the continuance, onset or recurrence of domestic or sexual violence, or other circumstances beyond your control. If that is the case, you will be required to produce written certification to confirm the circumstances beyond your control. Vacation, sick time, or other benefits will not accrue while on unpaid VESSA leave. You will remain entitled to all of your benefits which accrued prior to your leave, however.

Employees requesting VESSA leave must provide proper certification for all absences. You must give Adler at least 48 hours prior notice, unless providing advance notice is not practicable under the particular circumstances. If you are unable to provide advance notice, you must provide notice when you are able to do so, within a reasonable period of time after the absence. Failure to provide the required notice may result in treatment of the absences as unexcused. You may be required to contact your supervisor on a regular basis regarding the status of your leave and your intention to return to work.

VESSA leave may be taken intermittently (in separate blocks of time) or on a reduced leave schedule (reducing the usual number of hours you work per workweek or workday).

VESSA leave will run concurrently with any other applicable leave. For instance, leave taken under VESSA which also qualifies under the Family and Medical Leave Act (“FMLA”) will be simultaneously designated as both VESSA and FMLA leave. Likewise, absences for which an employee receives sick time or short-term disability benefits for a purpose covered under VESSA will also be designated as VESSA leave.

If you wish to return to work at the expiration of your leave, you are entitled to return to your same position or to an equivalent position with equal pay, benefits and other terms and conditions of employment. However, you have no greater right to reinstatement or other benefits and conditions of employment than if you had not taken leave. You must return to work immediately after the expiration of your approved VESSA leave in order to be reinstated to your position or an equivalent position. If you take leave because of your own medical or psychological condition, you are required to provide medical certification that you are fit to resume work, according to Adler’s usual policies.

Adler will maintain your written certifications and other documentation regarding any requests for VESSA leave in a confidential file. Adler will not disclose the nature of your leave other than to those specific persons who need to know in order to ensure you receive your VESSA rights.

Adler strictly forbids any of its employees, managers or other representatives from discriminating, retaliating, or otherwise treating an employee unfavorably for requesting or taking VESSA leave or exercising any other rights under VESSA. If you feel you have been denied your VESSA rights or if you feel you have been treated unfavorably for having exercised any VESSA rights, you should immediately report such action to Human Resources. Adler will investigate your concerns and take corrective action if it determines that someone has violated Adler’s VESSA policy.

Voting Leave

All full-time regular employees of Adler and part-time regular employees working at least 30 hours per week will be given paid time off to vote in local, state, and national elections. Employees who are registered to vote may take up to a maximum of three hours off to vote. Supervisors may ask employees who are given paid time off to vote to supply proof that they actually voted in the election