



Policy 5.12		Family Bereavement Leave	
<u>Effective Date:</u> 1/1/2023	<u>Applicable Law/Statute:</u> 820 ILCS 154/1; PA 102-1050	<u>Source Doc/Dept.:</u> None/HR	<u>Authorizing I.C. Sec:</u> None
<u>Last Amended Date:</u>			

FAMILY BEREAVEMENT LEAVE

5.12

POLICY

It is the policy of DuPage County to comply with the provisions of the Family Bereavement Leave Act. This policy is meant to comply with the Family Bereavement Leave Act and is not intended to grant leave in addition to what the Act requires.

ELIGIBILITY

- All full-time and part-time employees who have worked at least 1,250 hours during the twelve (12) months preceding the leave and who have completed twelve (12) months of service are eligible to take Family Bereavement Leave.

GUIDELINES

- A.** An eligible employee is entitled to use a maximum of two (2) work weeks (10 workdays) of unpaid bereavement leave:
1. Attend the funeral or alternative to a funeral of a covered family member;
 2. Make arrangements necessitated by the death of a covered family member;
 3. Grieve the death of a 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 impacts pregnancy or fertility;
 - vi. a stillbirth.

B. In the event of the death of more than one covered family member in a 12-month period, an employee is entitled to up to a total of 6 weeks of Family Bereavement leave during the 12-month period. An employee may not take unpaid leave that exceeds the unpaid leave time allowed under, or is in addition to the unpaid leave time permitted by the Family and Medical Leave Act.

C. A “covered family member” include an eligible employee’s:

Child	Sibling	Grandchild	
Stepchild	Parent	Grandparent	
Spouse	Mother-in-law	Stepparent	
Domestic Partner	Father-in-law		
<ul style="list-style-type: none"> • <i>An Employee’s covered family member does not include a former spouse or a member of the former spouse’s family.</i> 			

D. The Family Bereavement Leave Act defines “child” 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.

E. The Family Bereavement Leave Act defines “assisted reproduction” as a method of achieving a pregnancy through an artificial insemination or an embryo transfer and includes gamete and embryo donation. “Assisted reproduction” does not include any pregnancy achieved through sexual intercourse.

F. Pursuant to the Family Bereavement Leave Act “domestic partner,” used with respect to an unmarried employees, includes:

- i. the person recognized as the domestic partner of the employee under any domestic partnership or civil union law of a state or political subdivision of a state; or
- ii. an unmarried adult person who is in a committed, personal relationship with the employee, who is not a domestic partner as described in paragraph (i.) to or in such a relationship with any other person, and who is designated to the employees employer by such employee as that employee’s domestic partner.

G. Family Bereavement Leave must be completed within sixty (60) days after the date on which the employee receives notice of the death of the covered family member or the date on which an event listed in Guidelines A, subparagraph 4 occurred.

H. DuPage County uses a rolling twelve (12) month calendar to calculate an employee’s Family Bereavement Leave, measured backward from the date leave is taken. Each

time an employee requests Family Bereavement Leave, DuPage County will compute the amount of available time based upon the date of the employee's previous Family Bereavement leave(s), if applicable.

- I. The County will provide basic life, medical and dental insurance coverage to an employee who is on Family Bereavement Leave at the current employee rates. If an employee is off work after exhausting their leave entitlement, the employee will be responsible for the entire premium, from that point forward. If an employee fails to pay their share of the premium, coverage may be canceled.
- J. Accrual of vacation and sick time will cease during any Family Bereavement Leave over thirty (30) days.

PROCEDURES

1. When leave is foreseeable, the employee is required to notify the Human Resources Department of the intention to take leave pursuant to this policy not less than forty-eight (48) hours before the date the leave is to begin. If the circumstances require the leave to begin in less than forty-eight (48) hours, the employee shall notify the Human Resources department as soon as practical.
2. In order to be granted Family Bereavement Leave, a request for said Leave must be approved by the Chief Human Resources Officer, or designee.
3. The County may require the employee to provide documentation for the need for Family Bereavement Leave. Documentation requirements may be satisfied by the following:
 - a. Death Certificate
 - b. Published obituary
 - c. Written verification of death from a mortuary, funeral home, burial society, crematorium, religious institution, or government agency.
 - d. Other documentation
5. While on Family Bereavement Leave the employee may elect to substitute accrued leave time, such as sick, vacation or personal days, for the leave.
6. If an employee fails to return from leave, the employee's supervisor should notify the Human Resources Department immediately.
7. Consistent with the County's policy regarding all types of leave, the following conduct is strictly prohibited in relation to Family Bereavement Leave:
 - a. Engaging in fraud, misrepresentation or providing false information to the County.
 - b. Having other employment during the leave, without prior written approval from the County.
 - c. Failure to comply with the employee's obligations under this policy.
 - d. Failure to timely return from the leave.

8. Employees who engage in such conduct will be subject to loss of benefits, denial or termination of leave, and discipline, up to and including discharge.

EXCEPTIONS

- An employee who is not eligible for Family Bereavement Leave may request a Personal Leave (Personnel Policy 5.5: Personal Leave).