

Department Policy and Procedure Manual

Subject: Child Bereavement Leave Policy

Effective Date: 07/29/2016

Scope: Organization-wide

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I. Purpose

The purpose of this policy is to define the Medical Center's compliance with the Illinois Child Bereavement Leave Act (CBLA).

II. Policy Statements

A. The Medical Center provides job protected leave under the Child Bereavement Leave Act (CBLA), which allows for employees who have suffered the loss of a child to take up to 2 weeks (10 work days) of unpaid leave to:

1. Attend the funeral, or an alternative to a funeral, of a child;
2. Make arrangements necessitated by the death of a child; or
3. Grieve the death of the child.

III. Procedures

A. Eligibility and Duration

1. Leave under CBLA must be taken within 60 days after the employee receives notice of the death of a child. "Child" is defined as "an employee's son or daughter who is biological, adopted, or foster child, stepchild, a legal ward, or a child of a person standing in loco parentis."
2. Employees are entitled to up to 2 weeks (10 work days) of CBLA leave in a 12 month period. If an employee loses more than one child in any 12 month period, they are entitled to take up to 6 weeks of unpaid CBLA leave in that 12 month period.

B. CBLA Leave and Family and Medical Leave Act (FMLA): For employees on CBLA leave who are also eligible for FMLA leave, CBLA leave runs concurrently with FMLA when the reason for CBLA leave also qualifies under FMLA.

C. Notification and Application

1. Requests for CBLA leave should be made 48 hours in advance of the leave, or as soon as practicable.

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2. To apply for a CBLA leave, an employee must complete and submit:
 - a. A Leave of Absence application (selecting the CBLA and any other applicable reasons);
 - b. Death Certificate; or
 - c. Other corroborating evidence including a published obituary or written verification of death, burial, or memorial services from a mortuary, funeral home, burial society, crematorium, religious institution or government agency.

B. Compensation while on CBLA Leave: CBLA leave is unpaid leave. However, the Medical Center permits (but does not require) employees to use available Paid Time Off (PTO) during the period of their CBLA leave. All paid leave time, including time for which short term disability benefits are provided, may be substituted for any unpaid CBLA leave and runs concurrently with any CBLA leave time. Such paid time includes:

1. **Bereavement Time:** paid through Medical Center payroll. Paid time to attend funeral or memorial services. Please refer to Funeral/Bereavement Leave policy regarding paid bereavement time requirements.
2. **Paid Time Off (PTO)** – paid through Medical Center payroll. PTO is paid when the employee has available PTO hours, and the employee requests PTO be used.
3. **Short-Term Disability (STD)** benefit payments may be available to an employee if the employee is a benefits eligible employee and has a medical condition to substantiate the need for medical leave. This program is managed, approved and paid through the Medical Center's third party claims administrator. (Refer to the Short Term Disability Plan document for more information.)

C. Return from CBLA Leave

1. An employee who has been absent for CBLA leave and returns within 2 weeks (10 work days), shall be restored to the position of employment held by the employee when the leave commenced; or an equivalent position with equivalent pay, and benefits including life insurance, health insurance, PTO and pension accrued prior to the date leave commences, but is not entitled to accrue seniority or additional employment benefits during the leave.

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2. It is the employee's responsibility to report periodically to the supervisor on his/her status and intention to return to work.

- D. **Benefits:** During the CBLA leave, the Medical Center will maintain an employee's group health benefits on the same conditions as if the employee had continued working his/her regular schedule. If PTO is used during CBLA leave, the Medical Center will deduct the employee's portion of insurance and benefit deductions and contributions as long as the employee has sufficient funds to cover them. If leave is unpaid, the employee must make arrangements with Human Resources to pay his/her portion of the premium. Group health care coverage will cease if the premium payment is more than 30 days late, but the employee will be notified at least 15 days before coverage lapses. Additionally, if an employee fails to return from leave, the Medical Center may require repayment of any premium that was paid for maintaining the health coverage for the employee, unless the employee does not return because of continuing or recurring serious health condition or that of a covered family or household member, or because of other circumstances beyond the employee's control. (Please note: if insurance coverage is cancelled due to failure to pay premiums that is not a qualifying event to be offered COBRA continuation coverage.)

Benefit plan deductions and contributions cease during an unpaid leave.

CI. Cross References / Related Policies

Family and Medical Leave of Absence
Personal Leave & Non-FMLA Medical Leave of Absence
Victims Economic Safety and Security Act (VESSA)
Funeral/Bereavement Time off
Paid Time Off

Date Written: 08/30/2016

Date of Approvals [**as applicable**]:

Administrative Policy & Procedure Committee: 12/27/2016

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