



**DATE:** April 9, 2026

**MEMO TO:** Gina Roberts, Chair  
Finance Committee

**FROM:** Mary E. Kann  
Director of Administration

**Agenda Item #** 11.2

**RECOMMENDATION:** (1) Recommend approval of an Ordinance amending Personnel Policy 4.8 – Leave of Absence; and (2) approve amendments to the Procedures Section of Personnel Policy 4.8.

**STRATEGIC DIRECTION SUPPORTED:** Leadership

**FINANCIAL DATA:** There is no immediate direct financial impact to these changes.

**BACKGROUND:** Staff recommends changes to the District’s Personnel Policy 4.8 – Leave of Absence to align with changes in State law.

On August 15, 2025, the Governor signed into law the Family Neonatal Intensive Care Leave Act (the “Act”) with an effective date of June 1, 2026. The Act provides employees with unpaid leave to care for a child who is a patient in a Neonatal Intensive Care Unit (“NICU Leave”). Eligible employees will be entitled to take up to 20 calendar days of unpaid NICU Leave in one continuous period, or on an intermittent basis.

The District’s Procedures Section of Personnel Policy 4.8 is being amended to clarify the eligibility, notification and documentation requirements for NICU Leave. All employees, regardless of their employment status or length of employment, are entitled to this type of leave.

Staff recommends that amendments to Personnel Policy 4.8 – Leave of Absence and the related Procedure be approved.

**REVIEW BY OTHERS:** Director of Finance, Deputy Director of Human Resources & Risk, Manager of Board Operations, Corporate Counsel.

**MOTION:** Motion to (1) recommend approval of an Ordinance amending Personnel Policy 4.8 – Leave of Absence in the District’s Personnel Policies & Procedures; and (2) approve an amendment to the Procedures Section of Personnel Policy 4.8 in the form attached to staff’s April 9, 2026, memorandum, effective on June 1, 2026, and conditioned upon Board of Commissioners approval of the recommended Ordinance.



**LAKE COUNTY FOREST PRESERVE DISTRICT  
LAKE COUNTY, ILLINOIS**

**AN ORDINANCE AMENDING PERSONNEL POLICY 4.8 – LEAVE OF ABSENCE**

**WHEREAS**, on March 19, 1976, the Lake County Forest Preserve District (the “District”) passed and approved certain Personnel Policies & Procedures, which have been amended from time to time (the “Policies”); and

**WHEREAS**, the State of Illinois has enacted the Family Neonatal Intensive Care Leave Act with a June 1, 2026 effective date, which provides certain unpaid leave benefits to an employee whose child is a patient in a neonatal intensive care unit; and

**WHEREAS**, it is in the best interests of the District to amend the Policies with respect to Policy 4.8 Leave of Absence (the “Policy”) for conformity with the Family Neonatal Intensive Care Leave Act; and

**WHEREAS**, the amended Policy shall be in the form of Exhibit A attached to this Ordinance and incorporated herein by this reference (the “Amended Policy”);

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Commissioners of the Lake County Forest Preserve District, Lake County, Illinois, **THAT**:

**Section 1: Recitals.** The recitals set forth above are incorporated as a part of this Ordinance by this reference.

**Section 2: Approval of New Policy.** The Amended Policy is hereby approved, and the Policies are hereby amended to include the Amended Policy.

**Section 3: Effective Date.** This Ordinance shall be in full force and effect on June 1, 2026, provided that it is first passed and approved in the manner provided by law.

PASSED this \_\_\_\_ day of \_\_\_\_\_, 2026

AYES:

NAYS:

APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2026

\_\_\_\_\_  
Jessica Vealitzek, President  
Lake County Forest Preserve District

ATTEST:

\_\_\_\_\_  
Julie Gragnani, Board Secretary  
Lake County Forest Preserve District

Exhibit No. \_\_\_\_\_



## Exhibit A

### 4.8 Leave of Absence

*Effective Date: August 15, 1980*

*Revision Date: June 14, 1984, December 5, 1985, June 19, 1987, October 8, 1993, May 27, 1994, August 14, 1998, December 14, 2001, June 21, 2002, October 14, 2005, February 7, 2008, April 9, 2013, July 11, 2018, November 7, 2019, February 6, 2020, May 10, 2022, January 12, 2023, May 10, 2023, [June 1, 2026](#)*

#### Policy

Regular full-time and regular part-time employees may request a leave of absence for Extended Medical Leave, time off under the Family and Medical Leave Act and its provisions for Military Family Leave (“FMLA”), [Family Neonatal Intensive Care Leave \(“NICU”\)](#), School Visits, and Victims’ Economic Security, and Safety law (“VESSA”). [NICU leave is also applicable to temporary employees.](#)

The eligibility for, and the duration of, a leave of absence vary with the nature of the leave, and in most cases are set by law, as described below.

[For discretionary leave.](#) The District believes that a balance must be struck between the need for a leave of absence, the scheduling requirements of the organization, and the essential job function of regular attendance.

Accordingly, no extended medical leave will be granted on an open-ended basis, and a definite period of time must be specified; however, extensions of definite time periods will be reviewed on a case-by-case basis. In determining the feasibility of continuing time off for extended medical leave, the District will take into account the employee’s exhaustion of FMLA leave.

Employees granted leave under the FMLA, including Military Family [Leave, and](#) under the state [NICU leave and](#) VESSA law, are guaranteed employment by the District in the same position or an equivalent position, to the extent required by those laws. If, at the end of an extended leave beyond the legally job-protected leave, the employee’s position is no longer available, the employee will be offered a comparable position, if such a position arises within one (1) year of the expiration of the leave. Any employee that refuses re-employment in the same position or a comparable position loses their re-employment rights under this section.

The Department Director, with Executive Director approval, may fill a position vacated by an employee through leave of absence with a temporary employee. One of the conditions of the status of this temporary placement is that when an incumbent returns from their leave of absence, the services of the temporary employee will no longer be required. However, should the duration of absence from an extended medical leave be such that it is untenable to continue to hold the position open, the District reserves the right to fill the vacant position on a permanent basis.



## 4.8 Leave of Absence

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### Procedure

#### Extended Medical Leave

1. To be eligible for an extended medical leave of absence related to an employee's own illness/injury without pay, an employee must have used all of their accrued benefit time or have applied for and be receiving disability payments under the Illinois Municipal Retirement Fund (IMRF) and exhausted all FMLA time (if applicable).

The employee must request an extended medical leave on an Unpaid Leave Request form. The employee must attach to this request a statement from a physician certifying the nature, extent and probable period of illness or disability. The District may require, at its expense, its own examining physician conduct a physical examination to determine the nature and extent of illness or disability. No extended medical leave will be granted on an open-ended basis. A physician's formal indication of a probable return to work date is a condition to the granting of this leave.

2. An extended medical leave must be approved by the Human Resource Division, Department Director, and the Executive Director.
3. The Director of Administration shall require a statement from the employee's physician upon their request to return to work to ensure that they are able to perform the duties required.
4. An employee on extended medical leave of absence does not accrue vacation leave or sick leave for the period of the unpaid leave of absence. An employee will be retained on the health plan under the same conditions that applied before leave commenced. To continue health coverage, the employee must continue to make any contributions that they made to the plan before taking leave within thirty (30) days of invoice. Failure to pay the employee portion of the health insurance premiums may result in loss of coverage.

If an employee fails to return to work after the expiration of the leave, the employee will be required to reimburse the District for payment of health insurance premiums during the



extended medical leave, unless the reason the employee fails to return is the presence of a serious health condition which prevents the employee from performing their job or to circumstances beyond the employee's control.

5. Law Enforcement Officers. A law enforcement officer who suffers any injury in the line of duty which causes them to be unable to perform their duties shall continue to be paid by the District on the same basis as before the injury without deduction from sick leave, compensatory time or vacation leave for as long as the injury lasts, but no longer than one (1) year. During the leave, the employee may not receive any compensation from any other employer or they forfeit their rights to paid leave. The employee receives service credits for this period under the SLEP program and they must remit any compensation for loss of time to the Administration Department within fifteen (15) calendar days after receipt of the payment. The request for paid leave under this part must be approved by the Department Director and the Director of Administration. The Director of Administration may order an examination by a District designated physician, at District expense, before approving such paid leave. The physician shall determine the nature and extent of the leave. The Director of Administration may also order periodic medical examinations by a District designated physician to determine eligibility for continuing payments.

#### Family and Medical Leave.

1. Employees who have been employed for at least one (1) year, and for at least 1,250 hours during the preceding 12-month period are eligible for family and medical leave as regulations permit. An employee must first use all of their accrued paid vacation, sick, or personal leave and the remainder of the leave period will consist of unpaid leave. If the employee qualifies for IMRF disability payments, the employee will not be required to use their paid benefit time once they satisfy IMRF's waiting period. If the employee stops receiving IMRF disability payments while still on Family Medical Leave, the employee will then be required to use any available benefit time for the remainder of the leave. If the employee does not have benefit time available, the leave will be unpaid.

Spouses who are both employed by the District and eligible for FMLA leave will be limited to a combined total of 12 weeks of FMLA leave during any 12-month period if the leave is taken for birth of the employee's child or the care for a child after birth or placement with the employee for adoption or foster care or to care for the employee's parent with a serious health condition.

#### 12-Month Period Defined.

A Family and Medical (FMLA) leave of up to twelve (12) weeks (twenty-six (26) weeks to care for a designated family member undergoing treatment for or recovering from a serious injury or illness that occurred while on active duty in the Armed Forces) may occur in the twelve (12) month period measured backward from the date the employee used FMLA previously. This is a "rolling" twelve (12)-month period. Each time an



employee takes -FMLA, the amount of FMLA still available to them is the leave time not taken during the past twelve (12) months.

2. Reasons for Leave. During any twelve (12) month period eligible employees may be granted -a total of twelve (12) weeks of combined unpaid family leave and paid vacation, sick, and personal leave for the following reasons:
  1. the birth of the employee's child and in order to care for the child within one year of birth;
  2. the placement of a child with the employee for adoption or foster care within one year of placement;
  3. to care for a spouse, child or parent who has a serious health condition;
  4. an employee's own serious health condition that makes the employee unable to perform the essential functions of their job; or
  5. due to a spouse, son, daughter or parent being on active duty or having been notified of an impending call or order to active duty in the US Armed forces.

During any twelve (12) month period eligible employees may be granted a total of twenty-six (26) weeks of combined unpaid family leave and paid vacation, sick, and personal leave to care for a spouse, son, daughter, parent or nearest blood relative undergoing medical treatment for, or recovering from, a serious injury or illness that occurred while on active duty in the US Armed Forces.

3. Application for Leave. An employee must submit a Family/Medical Leave Request to the Human Resources Division. The completed application must state the reason for the leave, the duration of the leave, and the starting and ending dates of the leave. The application for leave must be submitted at least thirty (30) calendar days before the leave is to begin. If leave is to begin in less than thirty (30) calendar days, an employee must give notice to their immediate supervisor and to the Human Resources Division as soon as the necessity for the leave arises.
4. Medical Certification of Leave. An application for leave based on the serious health condition of the employee, employee's spouse, child or parent must also be accompanied by a Medical Certification Statement completed by the applicable health care provider. With respect to family military leave, this certification is also required for care of a nearest blood relative.



5. Benefits Coverage During Leave. An employee will be retained on the health plan under the same conditions that applied before leave commenced. To continue health coverage, the employee must continue to make any contributions that they made to the plan before taking leave. Failure to pay the health insurance premiums within 30 days of invoice may result in loss of coverage.

If the employee fails to return to work after the expiration of the leave, the employee will be required to reimburse the District for payment of health insurance premiums during the family leave, unless the reason the employee fails to return is the presence of a serious health condition which prevents the employee from performing their job or to circumstances beyond the employee's control.

6. Return To Employment. Upon return from leave an employee will return to their former position or be placed in an equivalent position with equivalent pay, benefits, and other terms and conditions of employment.
7. Modification of Leave. An employee who requests to modify their original FMLA request due to the continuation, recurrence or onset of their own serious health condition or of the serious health condition of the employee's spouse, child or parent, must submit a request for the modification, in writing, to the Human Resources Division. This written request should be made as soon as the employee realizes that they will not be able to return at the expiration of the leave period.
8. An employee on family and medical leave does not accrue vacation leave or sick leave for the portion of the leave that is an unpaid leave.

#### Family Neonatal Intensive Care Leave

1. All employees regardless of their full-time, part-time or temporary status or length of employment, -with a child in the Neonatal Intensive Care Unit (NICU), will be entitled to use up to twenty (20) calendar days of unpaid leave under the Family Neonatal Intensive Care Leave

2. Eligible employees may choose to take NICU leave in one continuous period of twenty (20) calendar days or on an intermittent basis. If an employee chooses to take NICU leave on an intermittent basis, it must be taken in increments of a minimum of two (2) hours. An employee covered under NICU leave won't be required to use their accrued paid vacation, sick or personal leave but can use them if any accrued benefit time is available to them. An employee on unpaid NICU leave does not accrue vacation leave or sick leave for the period of the unpaid NICU leave.

An employee taking NICU leave cannot be required to provide a replacement worker while on leave.

3. Application for the NICU Leave. An employee will be required to provide "Reasonable Verification" of the child's length of stay in the NICU for the approval of the leave. The



employee must request this leave on an unpaid NICU Leave Request form.

4. Benefits Coverage During Leave. An employee will be retained on the health plan under the same conditions that applied before leave commenced. To continue health coverage, the employee must continue to make any contributions that they made to the plan before taking leave. Failure to pay the health insurance premiums within 30 days of invoice may result in loss of coverage.

5. Return to Employment: Upon return from leave an employee will return to their former position or be placed in an equivalent position with equivalent pay, benefits, and other terms and conditions of employment.

#### School Visits.

Employees are allowed up to eight hours leave to visit their children's schools during the school year. An employee may take up to four hours of school visitation leave in one day. The leave may be taken if the employee has exhausted all accrued vacation, compensatory, or personal leave. A written request for leave must be submitted at least seven calendar days in advance to the Human Resources Division. In emergency situations, the employee shall provide notice to their supervisor within 24-hours prior to their absence or, if 24 hours is not practical in light of the timing or nature of the emergency, within such time period as is practical.

#### Victims' Economic Security and Safety Act (VESSA) Leave

1. An employee who is a victim of domestic violence, sexual assault, gender violence, or any other crime of violence or who has a family or household member who is a victim of domestic violence, sexual assault, gender violence, or any other crime of violence, may receive up to twelve (12) weeks of unpaid leave per twelve (12) month rolling time period for the following reasons:
  1. To seek medical attention for, or recovery from, physical or psychological injuries caused by domestic violence, sexual assault, gender violence, or any other crime of violence to the employee or the employee's family or household member;
  2. To obtain victim services for the employee or employee's family or household member;
  3. To obtain psychological or other counseling for the employee or the employee's family or household member;
  4. To participate in safety planning, including temporary or permanent relocation or other actions to increase the safety of the victim from future domestic violence, sexual violence, or any crime of violence; or
  5. To seek legal assistance to ensure the health and safety of the employee or the employee's family or household member, including participating in



court proceedings related to the violence.

The 12-month "rolling" time period is determined by measuring backwards from the date the employee is placed on leave. In determining eligibility and how much VESSA leave an employee may be entitled to, the District will subtract any VESSA time that the employee used during the preceding twelve months from the 12-week entitlement.

The definition of "family or household member" means a spouse or party to a civil union, parent, grandparent, child, grandchild, sibling, or any other person related by blood or by present or prior marriage or civil union, other person who shares a relationship through a child, or any other individual whose close association with the employee is the equivalent of a family relationship as determined by the employee, and persons jointly residing in the same household..

Time off under VESSA is unpaid unless the employee has benefit time available, and chooses to use that benefit time during their leave. Employees on unpaid VESSA leave accrue no benefit time. If the employee qualifies for IMRF disability payments, the employee may use these benefits once they satisfy IMRF's waiting period. If the employee stops receiving IMRF disability payments while still on VESSA leave, the leave will be unpaid.

2. Eligibility Requirements. The employee must provide Human Resources with certification that (1) the employee or the employee's family or household member is a victim of domestic violence, sexual assault, gender violence or any other crime of violence, (2) the leave is for one of the reasons permitted under VESSA (see preceding paragraph). The employee must provide a sworn statement and one of the following:
  1. Documentation from a victim services organization, attorney, member of the clergy, or medical or other professional from whom the employee or the employee's family or household member has sought assistance or;
  2. police or court record or;
  3. other corroborating evidence.

All employees are eligible to apply for VESSA leave, including part-time and introductory employees.

3. Applying for VESSA Leave. Unless it is impractical to do so, the employee must provide Human Resources with at least 48 hours advance notice, of the intent to take VESSA leave. To apply for VESSA leave, the employee should bring the sworn statement and certifying documents (see above) to Human Resources and request and complete a time off request form.



If advance notice is not possible, the employee must provide the sworn statement and application for VESSA leave within a reasonable period of time, which in most cases will not exceed five (5) calendar days after leave is requested or the employee is tentatively placed on VESSA leave. The remaining certifying documents must be provided within fifteen (15) calendar days after leave is requested, or the employee is tentatively placed on VESSA leave, whichever occurs first. Once on leave, the employee is expected to remain in regular contact with Human Resources and give periodic updates.

An employee who is eligible or who appears to be eligible for VESSA leave may be placed on VESSA leave by the District even if the employee has not applied for such leave.

4. Intermittent VESSA Leave. Employees may take VESSA leave on an intermittent basis or on a reduced work schedule. Employees needing intermittent leave must attempt to schedule their leave so as to not disrupt the District's operations. The employee's Director may temporarily assign an employee to an alternative position with equivalent pay and benefits that better accommodates the employee's intermittent schedule. The employee's intermittent VESSA leave will be unpaid unless they choose to use accrued benefit time.
5. Reasonable Accommodation. Accommodations will be made in a timely fashion and exigent circumstances will be considered in determining if the accommodation is reasonable. An example of a workplace accommodation is "assistance in documenting domestic violence, sexual assault, gender violence or any other crime of violence that occurs at the workplace or in work-related settings".
6. Benefits Coverage During Leave. While on VESSA leave, employees who are participants in the District's health plan will remain covered, under the same conditions that applied before the leave began. During the leave, the employee must continue to make the same contributions that they made to the plan before the leave began, and failure of the employee to pay their share of the health insurance premiums may result in loss of coverage.
7. Reinstatement. Any employee who takes VESSA leave is entitled to be restored to the same or equivalent position with equivalent pay, benefits, and other terms and conditions of employment.