

BEREAVEMENT LEAVE

Employees will be granted up to three days of regularly scheduled work hours of paid bereavement leave due to the death of an immediate family member. “Immediate family member” is defined as the employee’s child (including stepchild or foster child), spouse or domestic partner, sibling, parent, parent-in-law, grandchild, grandparent, stepparent, and members of your household. Members of your household include those who live with you as their permanent residence. An employee who wishes to take time off due to the death of an immediate family member should notify their supervisor and/or Human Resources as soon as possible.

Additional paid or unpaid time or leave for persons not covered in the definition of “immediate family member” may be allowed in some circumstances at the discretion of RAILS, or the employee may be permitted to use other available paid or unpaid time off.

Furthermore, an employee who has been employed by RAILS for at least 12 months and worked at least 1,250 hours in the last 12 months may be entitled to take up to two (2) weeks of time off for the death of an immediate family member in accordance with the Illinois Family Bereavement Leave Act. Three days of this time will be paid pursuant to this bereavement policy, and employees may use available paid leave hours or take unpaid time off for the remainder of the two-week period.

In addition, all employees eligible for leave under FMLA will be eligible for up to seven (7) days of unpaid bereavement leave that must be taken within sixty (60) days of receiving notification of the child's family member’s death or within sixty (60) days of the date on which an event listed under paragraph (d) below occurs in order to:

- 1) Attend the funeral or alternative to a funeral of a family member,
- 2) Make arrangements necessitated by the death of the family member, and/or
- 3) Grieve the death of a family member, and/or

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; or (vi) a stillbirth.

In certain circumstances, RAILS may require an employee seeking leave under this policy to reasonable documentation of the need for leave. Documentation may include a death certificate, 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. For leave resulting from an event listed under reason (4) above, reasonable

documentation is a form provided by the Illinois Department of Labor, filled out by a health care practitioner who has treated the employee or the employee's spouse or domestic partner or surrogate for an event listed under reason (4) above, or documentation from the adoption or surrogacy organization the employee worked with related to an event listed under reason (4) above certifying the employee, spouse or domestic partner has experienced an event listed under reason (4) above. RAILS does not require the employee to identify which subcategory of event the leave pertains under reason (4) above as a condition of exercising rights under this Act.

Employees may be entitled to up to six (6) weeks of unpaid bereavement time in the event of more than one covered event during a twelve-month period or due to the loss of a child due to homicide or suicide under the Illinois Child Extended Bereavement Leave Act. "Child" means 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.

Employees may use any accrued, unused paid time off to run concurrently with unpaid bereavement time. When returning from bereavement leave, employees are entitled to the position they held when the leave began. If that position has been filled or is no longer available, returning employees are entitled to an equivalent position with equivalent pay, benefits, and responsibilities.

Retaliation of any kind is prohibited because an employee (1) exercises rights or attempts to exercise rights under this Policy or the Family Bereavement Leave Act, (2) opposes practices which the employee believes to be in violation of the Family Bereavement Leave Act, or (3) supports the exercise of rights of another under the Family Bereavement Leave Act.

Employees may raise any concerns about retaliation by following the complaint reporting procedure set forth in the Non-Discrimination and Anti-Harassment Policy.