

RESOLUTION AMENDING THE PERSONNEL POLICIES AND PROCEDURES
MANUAL, SECTIONS 4.2, 4.8.1 AND 4.8.2 FOR THE GREATER
CLEVELAND REGIONAL TRANSIT AUTHORITY

WHEREAS, the Board of Trustees has been granted the power and authority, pursuant to Chapter 306 of the Ohio Revised Code, to manage and conduct the affairs of the Greater Cleveland Regional Transit Authority; and

WHEREAS, the Board of Trustees of the Greater Cleveland Regional Transit Authority approved a Personnel Policies and Procedures Manual for the Authority pursuant to Resolution 1992-31, adopted on February 18, 1992, and

WHEREAS, the Board of Trustees has determined that revisions to the Personnel Policies and Procedures Manual will bring the Authority into compliance with recently enacted Federal law and result in the more efficient administration of the Authority's Personnel Services Department.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Greater Cleveland Regional Transit Authority, Cuyahoga County, Ohio:

Section 1: That the amended sections 4.2 Pregnancy Leave, 4.8.1 Authorized Leave of Absence and 4.8.2 Family and Medical Leave of the Personnel Policies and Procedures Manual, a copy of which is attached hereto and fully incorporated herein, is hereby adopted and approved by the Board of Trustees of the Greater Cleveland Regional Transit Authority.

Section 2: That the Personnel Policies and Procedure Manual adopted pursuant to Resolution 1992-31 is hereby amended.

Section 3: That the General Manager and Secretary-Treasurer is hereby authorized, pursuant to the authority granted to him by the Greater Cleveland Regional Transit Authority Bylaws, to issue all necessary administrative procedures to implement the amendment approved by this resolution without further action by this Board.

Section 4: That all other provisions of Resolution 1992-31 not expressly amended herein shall remain in full force and effect.

Section 5. That this resolution shall be effective immediately upon its adoption.

Adopted: July 20, 1993

Attachment: Greater Cleveland Regional Transit Authority amended sections 4.2 Pregnancy Leave, 4.8.1 Authorized Leave of Absence and 4.8.2 Family and Medical Leave of the Personnel Policies and Procedures Manual dated February 18, 1992.

Attest: Ronald J. Tode
General Manager and Secretary-Treasurer

[Signature]
President

SECTION 4.2

PREGNANCY LEAVE

A pregnancy leave shall be paid under the Authority's short term disability policy. Pregnancy leave shall be limited to the period of time that the pregnant employee is unable to perform the substantial and material duties of the employee's position. This period may include reasonable pre-delivery, delivery, and recovery time. Such leave shall not include time, following recovery of the employee, being requested for purposes of child care.

A pregnant employee requesting a Leave of Absence must present, at the time the request is made, a physician's certificate stating the probable period for which the employee will be unable to perform the substantial and material duties of the employee's position due to pregnancy, childbirth, or related medical conditions.

Non-bargaining pregnant employees shall be permitted to use any or all of the employee's accumulated salary continuation for the period of time, as certified by the physician's certificate, that the employee is unable to work as a result of pregnancy, childbirth, or related medical conditions. An employee who may find it necessary to have ~~extended leave for the purpose of child care or for the illness of a child shall request leave under the appropriate section of this Manual (Parental Leave).~~ **use additional time shall request leave as noted under section 4.8.1 Authorized Leave of Absence and 4.8.2 Family and Medical Leave.**

A certificate from a pregnant employee's physician as to her fitness to perform the duties required of her shall be a prerequisite for her return to work at the expiration of her leave.

Before an appointment for Pregnancy Leave will be approved, the employee must submit a properly completed Medical Release form 30 days prior to the period of time for which the Leave of Absence is being requested (except in emergency situations).

SECTION 4.8.1

AUTHORIZED LEAVE OF ABSENCE

All non-bargaining employees ~~in pay grades 1-6 and 7 and above~~ may be eligible for a Leave of Absence.

An authorized Leave of Absence is a temporary separation from active pay status, authorized by the appropriate Department Head and Assistant General Manager with approval by the General Manager with the staff member retaining status and seniority rights. Such leave may be granted for a maximum period of 30 days ~~with extension or renewal as may be recommended by the Department Head and Assistant General Manager and with the approval of the General Manager.~~ **for a regular leave of absence and twelve weeks for Family and Medical Leave.** Authorized leave of Absence shall not be granted for any employee seeking or engaging in other employment. The only exceptions are for military, public service or educational leave.

An employee, while on Leave of Absence shall not earn salary continuation or vacation. However, the time spent on authorized Leave of Absence is to be counted in determining length of service for purposes of extended vacation eligibility or other purposes where longevity is a factor. Health care benefits shall continue for no more than 30 days **for a regular leave of absence and twelve weeks for Family and Medical Leave** at which time an employee may elect to continue health care benefits subject to COBRA rules and payment.

Failure to return to work within three (3) days of the expiration of the approved leave, without explanation to the appropriate Department Head or Assistant General Manager, shall be construed as Absence Without Official Leave and cause for termination.

If a Leave of Absence is granted for a specific purpose, and it is found that the leave is not actually being used for such purposes, the director may cancel the leave and direct the employee to return to work and may be cause for disciplinary action.

An employee may be allowed to return to work prior to the expiration of any Leave of Absence, provided he/she has the approval of his supervisor and department head/superintendent **and appropriate medical release.**

Upon return to work from a Leave of Absence, an employee shall be assigned to the position which he/she formerly occupied, or to a similar position if his/her former position has been filled or no longer exists.

SECTION 4.8.2

PARENTAL AND CHILD CARE LEAVE
FAMILY AND MEDICAL LEAVE

~~Child Care Leave is an authorized leave of absence without pay. A male or a female employee may request leave under this section when it becomes necessary to be away from work for purposes of caring for a newborn, spouse disabled by childbirth or, an ill child.~~

~~— This leave shall not exceed six weeks. The employee shall follow the procedure outlined under Authorized Leave of Absence and all other rules under Leave of Absence shall apply.~~

Eligible employees may request an authorized Leave of Absence up to twelve weeks without pay during any twelve month period to care for a newborn, newly adopted child, child, spouse, or parent with a serious health condition.

A thirty (30) day notice to take such a leave must be provided in writing by the employee to the employee's supervisor. Since this leave is unpaid, included with the thirty (30) day notice, the employee may request to use any accrued vacation, personal or salary continuation benefits. However, the total leave, when combined with paid time, shall not exceed the twelve week period.

No employee shall use paid time and subsequently request an additional twelve weeks of unpaid time off.

Medical certification from a medical doctor must accompany these Family/Medical Request for Leaves and include such information as the date on which the serious health condition began, the duration of the condition and a statement that the employee is needed to care for a spouse, parent or child. Subsequent recertification from your doctor during the leave will also be required.

Healthcare benefits will be continued for employees on Family and Medical Leave; however, you will be required to pay the monthly employee contribution for such coverage. If you fail to return to work following the expiration of this leave, the Authority may recover the premium paid for maintaining health coverage.

On return from the leave, employees are entitled to be restored to their original positions or similar position, if his/her former position has been filled or no longer exists.

SECTION 4.2

PREGNANCY LEAVE

A pregnancy leave shall be paid under the Authority's short term disability policy. Pregnancy leave shall be limited to the period of time that the pregnant employee is unable to perform the substantial and material duties of the employee's position. This period may include reasonable pre-delivery, delivery, and recovery time. Such leave shall not include time, following recovery of the employee, being requested for purposes of child care.

A pregnant employee requesting a Leave of Absence must present, at the time the request is made, a physician's certificate stating the probable period for which the employee will be unable to perform the substantial and material duties of the employee's position due to pregnancy, childbirth, or related medical conditions.

Non-bargaining pregnant employees shall be permitted to use any or all of the employee's accumulated salary continuation for the period of time, as certified by the physician's certificate, that the employee is unable to work as a result of pregnancy, childbirth, or related medical conditions. An employee who may find it necessary to use additional time shall request leave as noted under section 4.8.1 Authorized Leave of Absence and 4.8.2 Family and Medical Leave.

A certificate from a pregnant employee's physician as to her fitness to perform the duties required of her shall be a prerequisite for her return to work at the expiration of her leave.

Before an application for Pregnancy Leave will be approved, the employee must submit a properly completed Medical Release Form 30 days prior to the period of time for which the Leave of Absence is being requested (except in emergency situations. See the Family Leave Section of the Handbook for more information.)

SECTION 4.8.1

AUTHORIZED LEAVE OF ABSENCE

All non bargaining employees may be eligible for a Leave of Absence.

An authorized Leave of Absence is a temporary separation from active pay status, authorized by the appropriate Department Head and Assistant General Manager with approval by the General Manager with the staff member retaining status and seniority rights. Such leave may be granted for a maximum period of 30 days for a regular leave of absence and twelve weeks for Family and Medical Leave. Authorized Leave of Absence shall not be granted for any employee seeking or engaging in other employment. The only exceptions are for military, public service or educational leave.

An employee, while on Leave of Absence shall not earn salary continuation or vacation. However, the time spent on authorized Leave of Absence is to be counted in determining length of service for purposes of extended vacation eligibility or other purposes where longevity is a factor. Health care benefits shall continue for no more than 30 days for a regular leave of absence and twelve weeks for Family and Medical Leave at which time an employee may elect to continue health care benefits subject to COBRA rule and payment.

Failure to return to work within three (3) days of the expiration of the approved leave, without explanation to the appropriate Department Head or Assistant General Manager, shall be construed as an Absence Without Official Leave and cause for termination.

If a Leave of Absence is granted for a specific purpose, and it is found that the leave is not actually being used for such purposes, the director may cancel the leave and direct the employee to return to work and may be cause for disciplinary action.

An employee may be allowed to return to work prior to the expiration of any Leave of Absence, provided he/she has the approval of his supervisor and department head/superintendent and the appropriate medical release.

Upon return to work from a Leave of Absence, an employee shall be assigned to the position which he/she formerly occupied, or to a similar position if his/her former position has been filled or no longer exists.

SECTION 4.8.2

FAMILY AND MEDICAL LEAVE

Eligible employees may request an authorized Leave of Absence up to twelve weeks without pay during any twelve month period to care for a newborn, newly adopted child, child, spouse or parent with a serious health condition.

A thirty (30) day notice to take such a leave must be provided in writing by the employee to the employee's supervisor. Since this leave is unpaid, included with the thirty (30) day notice, the employee may request to use any accrued vacation, personal or salary continuation benefits. However, the total leave, when combined with paid time, shall not exceed the twelve week period.

No employee shall use paid time and subsequently request an additional twelve weeks of unpaid time off.

Medical certification from a medical doctor must accompany these Family/Medical Request for Leaves and include such information as the date on which the serious health condition began, the duration of the condition and a statement that the employee is needed to care for a spouse, parent or child. Subsequent recertification from your doctor during the leave will also be required.

Healthcare benefits will be continued for employees on Family and Medical Leave; however, you will be required to pay the monthly employee contribution for such coverage. If you fail to return to work following the expiration of this leave, the Authority may recover the premium paid for maintaining health coverage.

On return from the leave, employees are entitled to be restored to their original position or similar position, if his/her former position has been filled or no longer exists.