



LAKE COUNTY FOREST PRESERVES  
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Preservation, Restoration, Education and Recreation

**DATE:** November 7, 2019  
**MEMO TO:** Terry Wilke, Chair  
Finance Committee  
**FROM:** Mary E. Kann  
Director of Administration

**RECOMMENDATION:** Approve amendments to Procedures sections of Personnel Policies and Procedures.

**STRATEGIC DIRECTION SUPPORTED:** Organizational Sustainability

**FINANCIAL DATA:** There is no financial impact.

**BACKGROUND:** From time to time, the District amends its Personnel Policies and Procedures. While the Board of Commissioners has authority to amend the Policies, the Finance Committee has authority to amend individual Procedures. Staff recommends that the Finance Committee approve the amendments summarized below and attached to this Recommendation. While amendments to three of the Procedures will be effective immediately, the change to the Drug-Free Workplace Procedure will not be effective until the related legislation is effective on January 1, 2020.

The following amendments to Procedures are recommended:

- 1.1 Introduction and Administration – Edits language to apply to all genders.
- 4.8 Leave of Absence Without Pay – Amending School Visits to comply with changes to the Illinois School Leave Act. The other procedures within Section 4.8 remain unchanged.
- 11.6 Drug-Free Workplace – Amending procedures, effective January 1, 2020, for the legalization of marijuana.
- 11.9 Vehicle Operations Use – Amendments to the Driver Review, to clarify review procedure, clarify reporting expectations, and state impact for failing to follow procedure. The other procedures within Section 11.9 remain unchanged.

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

**MOTION:**

Motion to approve amendments to Procedures sections of Personnel Policies & Procedures, in the form attached to staff’s November 7, 2019 memorandum.

**APPROVED:**

Date: \_\_\_\_\_  Roll Call Vote: Ayes: \_\_\_\_\_ Nays: \_\_\_\_\_  
 Voice Vote Majority Ayes; Nays: \_\_\_\_\_



## 1.1 Introduction and Administration

*Effective Date: May 27, 1994*

*Revision Date: November 12, 2013, July 11, 2018, [November 7, 2019](#)*

### **Procedure**

Suggestions for a new policy or a change in an existing policy should be directed to the Director of Administration. New policies or policy changes are presented to the Finance Committee for consideration prior to requesting Forest Preserve Board approval. Procedural changes must be approved by the Finance Committee.

New policies or policy changes are disseminated to all staff by the Human Resources Division, via e-mail and intranet. Department Directors are responsible for informing their staff members of such policies.

Policy interpretation is the responsibility of the Director of Administration.

The Director of Administration is authorized to make (i) spelling and grammatical corrections and (ii) non-substantive formatting, title, and caption revisions to the Policies and Procedures.

Departmental operating policies may be established and are to be reviewed by the Director of Administration to ensure they are not in conflict with the District's Personnel Policies and Procedures Manual.

All references in this manual to ~~either~~-gender should be understood to refer to ~~both~~-[all employees without regard to genders](#).

**This manual is subject to change and should in no way be construed as a contract.**



## 4.8 Leave of Absence Without Pay

*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](#)*

### **Procedure**

#### 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, 24-hours notice should be given.](#)



## 11.6 Drug-Free Workplace

*Effective Date:* April 19, 1990

*Revision Date:* November 1, 1995, June 21, 2002, November 12, 2013, [January 1, 2020](#)

### Procedure

Employees are expected and required to report to work on time and in appropriate mental and physical condition for work.

The unlawful possession, sale, manufacture, distribution, use or misuse, of a controlled substance on District premises or off District premises while conducting District business is absolutely prohibited. The consumption of alcohol [and/or marijuana](#), and any impairment from alcohol consumption [and/or marijuana](#), while on District premises or while engaged in District employment (“on the job”), ~~are~~ [is](#) prohibited. The prohibition against alcohol consumption is inapplicable to off-duty attendance at social events on District property, or at special business-related events on or off District property. Violations will result in disciplinary action, up to and including immediate termination, and may have legal consequences.

Employees needing help in dealing with such problems are encouraged to use the Employee Assistance Program and health insurance plans, as appropriate. Seeking such help will not jeopardize an employee's job.

Employees must, as a condition of employment, abide by the terms of the above policy. Employees must promptly report any conviction under a criminal drug statute for violations occurring on or off District premises while conducting District business. A report of a drug related conviction must be made to the Director of Administration within five (5) days after the conviction. (This requirement is mandated by the Drug-Free Workplace Act of 1988.)

Additionally, the District recognizes the obligation to comply with the Omnibus Transportation Employee Testing Act of 1991 requiring drug and alcohol testing of employees in safety sensitive transportation positions (refer to Policy 11.7 Commercial Driver’s License Policy).

### Procedures for Detecting and Addressing Substance Abuse

- a. Whenever the District has a reasonable suspicion that an employee is using a prohibited substance, or is under the influence of a prohibited substance, or has been involved or injured in a workplace [vehicle or equipment](#) accident, or has abused prescribed drugs, it shall have the right to administer a drug test and/or an alcohol test to the employee as applicable. “Prohibited substance” includes any illegal drugs such as ~~marijuana~~, cocaine, amphetamines, phencyclidine (PCP), and opiates, prescription medications [or marijuana](#) used in a manner that is abusive, and alcoholic beverages that are misused. For union employees, this administration shall be carried



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out with the advice of the union, who shall act jointly with the District to assure that this policy and procedure is carried out within the terms of this provision.

An unjustifiable refusal to submit to a drug or alcohol test is grounds for immediate dismissal.

- b. Whenever the District has a reasonable suspicion that an employee is intoxicated on the job, or has been drinking alcoholic beverages on the job, the District reserves the right to administer immediately a breathalyzer examination. If, based on an investigation of the facts, the District determines that an employee is intoxicated on the job, or has been drinking alcoholic beverages on the job, the employee shall be subject to immediate discipline, up to and including dismissal.
- c. Employees who are having work performance problems that appear to be drug-related, or who are displaying behavior that may be drug-related, or are otherwise demonstrating conduct that may be in violation of this policy as it relates to illicit chemical substances, will be required to submit to urinalysis.

Employees who are having work performance problems or displaying behavior that may be drug-related, or are otherwise demonstrating conduct that may be in violation of this policy, will be required to submit to urinalysis. The following conditions are signs of possible drug use (not all inclusive):

- Abnormally dilated or constricted pupils
- Glazed stare – redness of eyes
- Flushed face
- Change in speech (e.g., faster, slower or slurred speech)
- [Impaired physical dexterity, agility or coordination](#)
- [Negligence or carelessness in the operating of equipment or machinery](#)
- [Disregard for the safety of the employee or others](#)
- Constant sniffing
- Increased or unexplained absences
- Redness under nose
- Sudden weight loss
- Needle marks
- Change in personality (e.g., paranoia)
- Increased appetite for sweets
- Forgetfulness – performance faltering – poor concentration
- Borrowing money from co-workers or seeking an advance for pay or other unusual display of need for money
- Constant fatigue or hyperactivity
- ~~Difficulty walking~~

In general, the decision to test for reasonable suspicion will be based upon specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the employee. A decision to test requires two supervisors, or one supervisor and otherwise appropriate District staff.



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If the observed conduct could endanger the employee, co-workers or others, the supervisor shall immediately remove the employee from the work area and arrange for appropriate testing. No discipline shall be administered unless and until the District is advised that the specimen collected is positive for a prohibited substance. ~~If an employee tests positive, the employee may be given one opportunity for rehabilitation through an appropriate treatment program.~~ Depending on the substance detected in the employee's system, the employee may be given an opportunity to contest the basis for discharge.

If an employee tests positive, the employee may be given one opportunity for rehabilitation through an appropriate treatment program. If an employee refuses rehabilitation or fails to successfully complete such rehabilitation, then the employee will be immediately dismissed.

The testing procedure in any case will be administered confidentially. Urinalysis specimens shall be collected at a medical facility licensed by the State of Illinois, in accordance with guidelines established by the U. S. Department of Health and Human Services with the National Institute on Drug Abuse.

If an employee during investigation acknowledges a drug abuse or alcohol problem and requests assistance, the District may treat the problem as an illness, providing that:

1. the decision to seek diagnosis and treatment is the responsibility of the employee
2. the employee agrees to the appropriate treatment as determined by the health care professionals involved
3. the employee discontinues his use of prohibited substances or abuse of drugs or alcohol, and
4. the employee completes the course of treatment prescribed.

The employee may use accumulated paid leave or take an unpaid leave of absence, pending treatment, and job reassignments may be made to allow the employee's removal from present duties.



## 11.9 Vehicle Operations Use

Effective Date: *April 19, 1990*

Revision Date: *June 21, 2002, November 7, 2013, January 7, 2016, July 11, 2018, [November 7, 2019](#)*

### Procedure

#### Driver Record Review.

A State Motor Vehicle Record review will be performed by the Administration Department on an annual basis [to confirm that an employee has possessed a valid driver's license for the prior 12-month period \(if required by position\)](#). ~~Records will be reviewed for the following violations:~~

~~DWI, DUI or operating while impaired~~

~~Chemical test refusal~~

~~Reckless/careless driving~~

~~Distracted driving~~

~~Driving under suspended/revoked license~~

~~• Fleeing police~~

~~• Leaving the scene of an accident~~

~~If one of the above violations is reported during the previous 12-month period,~~ [If a license was suspended or revoked and not immediately reported to the District](#) an employee will ~~no longer~~ be considered [unqualified to drive a District vehicle, for a period of time not to exceed one-year,](#) and ~~may will~~ be subject to discipline.