

DATE: September 3, 2020

MEMO TO: Terry Wilke, Chair
Finance Committee

FROM: Mary E. Kann
Director of Administration

RECOMMENDATION: (1) Recommend approval of an Ordinance amending Personnel Policy 9.4 – Reduction in Workforce and (2) amend the Procedure Section of Personnel Policy 9.4.

STRATEGIC DIRECTIONS SUPPORTED: Leadership, Organizational Sustainability

FINANCIAL DATA: There is no immediate financial impact.

BACKGROUND: The District regularly reviews its Personnel Policies, to ensure they serve the District's best interests. As part of a recent review, staff recommends that Policy 9.4 – Reduction in Workforce be amended to incorporate language on the use of furlough as a temporary option to reduce the workforce to provide budget relief. In addition, severance pay based on years of service was added. Given the current national financial situation, it is in the District's best interest to proactively review policies and make adjustments such as this, in case these budget measures are needed in the future.

Therefore, it is the recommendation of staff that the District's Personnel Policies & Procedures 9.4 – Reduction in Workforce be amended as provided in the attached Ordinance.

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

MOTION: Motion to (1) recommend approval of an Ordinance amending Personnel Policy 9.4 – Reduction in Force and (2) amend the Procedure Section of Personnel Policy 9.4, in the form attached to staff's September 3, 2020 memorandum.

STATE OF ILLINOIS)
) SS
COUNTY OF LAKE)

**BOARD OF COMMISSIONERS
LAKE COUNTY FOREST PRESERVE DISTRICT
REGULAR SEPTEMBER MEETING
SEPTEMBER 8, 2020**

MISTER PRESIDENT AND MEMBERS OF THE BOARD OF COMMISSIONERS:

Your **FINANCE COMMITTEE** presents herewith “An Ordinance Amending Personnel Policy 9.4 – Reduction in Workforce” and requests its approval.

FINANCE COMMITTEE:

Date: _____ Roll Call Vote: Ayes: ____ Nays: ____
 Voice Vote Majority Ayes: Nays: ____

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

**AN ORDINANCE AMENDING
PERSONNEL POLICY 9.4 – REDUCTION IN WORKFORCE**

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

WHEREAS, it is in the best interests of the District to amend Policy 9.4 – Reduction in Workforce to establish a policy for furlough and create a severance pay schedule to allow the District to respond to temporary budget shortfalls and to make certain other changes; 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 Amended 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 from and after its passage and approval in the manner provided by law.

PASSED this ____ day of _____, 2020

AYES:

NAYS:

APPROVED this ____ day of _____, 2020

Angelo D. Kyle, President
Lake County Forest Preserve District

ATTEST:

Julie Gragnani, Board Secretary
Lake County Forest Preserve District

Exhibit No. _____



9.4 Reduction in Work Force

Effective Date: August 15, 1980

*Revision Date: February 20, 1981, June 19, 1987, April 21, 1995, June 21, 2002,
November 12, 2013, June 28, 2018, September 8, 2020*

Policy

A reduction in force will occur when changing priorities, budgetary constraints, or other business conditions require the District to eliminate positions on a temporary or permanent basis. The District may implement a reduction in force in one of two methods: furlough or layoff. A furlough is a mandatory temporary (i) unpaid leave of absence from which the employee is expected to return or (ii) reduced work schedule that is expected to be restored to a full work schedule. A layoff is a separation of employment from the District.

The District may implement a work force reduction. The duties formerly performed by the laid off employee(s) may be assigned to other regular full or part-time employees. The initial decision when conducting a furlough or layoff is to identify the extent to which the District should continue staffing a particular position.

After a position has been identified for furlough or layoff, the decisions regarding which employees are laid off or furloughed and which employees are retained are made in consultation with Human Resources. The order of individuals selected for reduction in force may be determined on the basis of work performance, length of continuous employment with the District, work site, job level or employment status.

Regular full and part-time employees who are laid off shall be placed on a listing for preference in any position in the same or comparable class that may open up in the District. They shall have the same preference for employment given to individuals on an approved leave of absence without pay. Non-introductory regular full and part-time employees shall be eligible for recall for a period of not less than twelve (12) months from the date of separation.

If an employee has an employment contract or other contract with the District that expressly governs the employee's and District's rights and obligations regarding the employee's layoff, furlough, term or length of employment, or severance payments, then the express provisions of the employment contract, rather than this Policy, shall govern such matters.

Procedure

Furlough

1. A furlough is a mandatory temporary (i) unpaid leave of absence from which the employee is expected to return or (ii) reduced work schedule that is expected to be restored to a full work schedule. A furlough cannot exceed 90-days.



2. Department Directors intending to reduce their work force should prepare a list of positions and the employees in those positions that the Director recommends for reduction and submit their recommendation to the Executive Director and the Director of Administration for their review and for the approval of the Executive Director. In preparing such a recommendation, a Department Director will take into account the work performance and length of service of affected employees.
3. The Director of Administration shall coordinate giving the required notice to each furloughed employee. A regular full or part-time employee (other than an introductory employee) being furloughed will be given at least seven (7) calendar days written notice. An introductory or temporary employee being furloughed will be given written notice from the Department Director.
4. If the furlough is a reduced work schedule, an employee will be compensated at a pro rata rate of pay based upon the number of reduced hours. Furloughed employees cannot take accrued, unused benefit time during the time period in which they are furloughed. Benefit time cannot be used to offset a reduction in hours during the furlough period.
5. While on furlough, an employee will participate in the same insurance benefit as allowed by the insurance provider. The District will continue to pay its share of medical, dental, and life insurance premiums during the furlough period. The employee will be required to continue to timely remit their share of the premiums.
6. If the furlough is a reduced work schedule, vacation and sick benefit time accruals will accrue according to Personnel Policies and Procedures 4.2 - Vacation Leave and 4.5 - Sick Leave. All benefit accruals will be based on the modified hours of work. If the furlough is an unpaid leave of absence, no benefit time will accrue during the furlough. Should a District holiday fall within the period of furlough, the employee will be considered ineligible to earn or be paid for the holiday.
7. Employees furloughed may be eligible to receive Unemployment Compensation and will be informed of that fact as part of their written notification of furlough.

Layoff

1. A layoff is a separation of employment from the District.
2. Department Directors intending to reduce their work force should prepare a list of positions and the employees in those positions that the Department Director recommends for reduction and submit their recommendation to the Executive Director and the Director of Administration for their review and for the approval of the Executive Director. In preparing such a recommendation a Department Director will take into account the work performance and length of service of affected employees.



3. The Director of Administration shall coordinate giving the required notice to each laid off employee. A regular full or part-time employee (other than an introductory employee) being laid off will be given at least fourteen (14) calendar days written notice. An introductory or temporary employee being laid off will be given written notice from the Department Director.
4. Within the pay period that includes the employee's last day of work, the District shall pay a laid off employee (i) compensation due as of the time of separation at the employee's current rate of pay, (ii) for any earned and accumulated vacation leave, compensatory time, floating holiday, and accrued sick leave benefits due in accordance with the Policies, and (iii) any eligible severance pay detailed below.
5. Employees laid off may be eligible to receive unemployment compensation and will be informed of that fact as part of their written notification of laid off.

Severance Pay for Laid off employees

Each laid off employee shall receive a lump sum severance payment equal to their current rate of pay as of the time of separation for the number of days in the "Days Paid" column below that corresponds to their length of employment with the District in the "Years of Service" column below.

Years of Service	Days Paid
0 – 5 Years of Service	10 days
5 – 10 Years of Service	12 days
10 – 15 Years of Service	15 days
15 – 20 Years of Service	20 days
20 – 25 Years of Service	25 days
25 Years of Service or more	30 days