



**DATE:** May 4, 2023

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

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

**RECOMMENDATION:** (1) Recommend approval of an Ordinance amending Personnel Policies 2.3 – Definition of Employment Status, 2.6 – Personnel Records, 3.3 – Meal Periods and Breaks, 3.4 – Travel Time, 3.5 – Inclement Weather/Emergency Conditions, 4.8 – Leave of Absence Without Pay, 4.9 – Paid Parental Leave, 7.2 – Illinois Municipal Retirement Fund, 7.3 – Workers Compensation, 8.7 – Harassment, and 8.10 – End User Account; and (2) approve amendments to the Procedures Sections for Personnel Policies 2.2 – Affirmative Action, 2.4 – Personnel Recruitment Procedures, 2.5 – Selection of Employees, 2.6 – Personnel Records, 3.6 – Educational Assistance, 4.1 – Paid Holidays, 4.2 – Vacation Leave, 4.8 – Leave of Absence Without Pay, 4.9 – Paid Parental Leave, 6.3 – Performance Appraisals, 7.3 – Workers Compensation, 7.4 – Employee Assistance Program, 8.1 – Disciplinary Action, 8.2 – Outside Employment, 8.7 – Harassment, 8.9 – Information Technology Security, 8.10 – End User Account, 8.11 – Wireless Networking, 9.1 – Retirement, 9.2 – Resignation, 9.4 – Reduction in Force, 10.1 – Grievance Procedure, and 10.2 – Grievance Procedure for Department Directors.

**STRATEGIC DIRECTION SUPPORTED:** Organizational Sustainability

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

**BACKGROUND:** From time to time, the District amends its Personnel Policies & Procedures. While the Board of Commissioners has authority to amend the Policies, the Finance Committee has authority to amend individual Procedures within the Policies. Staff recommends the attached changes to Sections 2, 3, 4, 6, 7, 8, 9 and 10 of the Personnel Policies & Procedures, which are general updates that (i) bring certain policies and procedures into compliance with law, (ii) make the policies and procedures internally consistent, (iii) reflect more modern (electronic vs. paper) processes for applications, application tracking, and performance reviews appraisals, (iv) improve efficiencies, and (v) other clarifications/clean-up changes. Specific changes include the following:

- 2.2 – Affirmative Action Plan: Amends the procedures by removing the word “newspaper” from “newspaper advertising,” to reflect the broader methods used by the District for job advertising. Also, modifies staff responsibility for administering and coordinating the Plan.
- 2.3 – Definition of Employment Status: Amends the policy to (1) revise the definition of “Introductory Employee” to align with the Vacation Policy, which grants introductory employees limited vacation during this period, and clarifies what level of sworn officer serves a one-year introductory period; and (2) revises the definition of the remaining classifications to accurately reflect access to benefits.

- 2.4 – Personnel Recruitment Procedures: Amends the procedures to reflect the District’s use of an electronic applicant tracking system rather than a paper application process.
- 2.5 – Selection of Employees: Amends the procedures to reflect the District’s use of an electronic applicant tracking system, as well as the use of an outside Occupational Health Provider for post-offer screenings.
- 2.6 – Personnel Records: Amends the policy to include a statement on legal compliance. Amends the procedures by clarifying the language concerning access to personnel files.
- 3.3 – Meal Periods and Breaks: Amends the policy to conform to legal requirements.
- 3.4 – Travel Time: Amends the policy to conform to legal requirements.
- 3.5 – Inclement Weather/Emergency Conditions: Amends the policy to allow a Department Director to delegate (in most cases, it would be to the employee’s immediate supervisor) the authority to approve benefit time.
- 3.6 – Educational Assistance: Amends the procedures by clarifying at what point educational assistance needs are assessed and how various aspects of educational assistance are paid by the District.
- 4.1 – Paid Holidays: Amends the procedures to clarify that only non-exempt employees receive one and one-half times pay for working a fixed holiday.
- 4.2 – Vacation Leave: Amends the procedure to reflect a change in process, eliminating paper forms for electronic requests. Also removes a two-week advance notice requirement as the District does not require this much advance notice of time off.
- 4.8 – Leave of Absence Without Pay: Changes the Policy title to “Leave of Absence” as some of these leaves allow paid benefit time to be used before the employee goes on unpaid status. Removes reference to an “Education Leave”. Modifies language concerning the length of extended leaves to conform to legal requirements. Removes “Personal Leave” as a type of leave. Cleans up language to be consistent with the Family Medical Leave Act (FMLA) and the Victims’ Economic Security and Safety Act (VESSA).
- 4.9 - Paid Parental Leave: Amends the policy and procedures to increase paid Parental Leave from 4-weeks to 6-weeks which is consistent with what is offered by Lake County.
- 6.3 - Performance Appraisals: Modifies procedure to account for using the electronic HRIS system for the performance appraisal process.
- 7.2 – Illinois Municipal Retirement Fund: Amends policy to reflect the current information dissemination process.
- 7.3 – Worker’s Compensation: Cleans up policy language. Amends procedure to reflect the change in PDRMA’s reporting process.
- 7.4 – Employee Assistance Program: Amends procedure to clarify who is eligible for the benefits offered by the Employee Assistance Program.
- 8.1 – Disciplinary Action: Amends procedure to include harassing or discriminatory behavior to list of conduct that may result in discipline.
- 8.2 – Outside Employment: Amends procedure to reflect current practice of reviewing outside employment on an annual basis.
- 8.7 – Harassment: Amends policy and procedure to identify protected classifications as defined by law.

- 8.9 – Information Technology Security: Amends procedure to state District’s right to monitor District systems and data.
- 8.10 – End User Account: Amends policy to add covered technology. Amends procedure to clarify current practices and adds monitoring language.
- 8.11 – Wireless Networking: Amends procedure to remove repetitive language.
- 9.1 – Retirement: Amends procedure to reflect notification requirement to mirror IMRF and updates the list of benefits available for continuation.
- 9.2 – Resignation: Amends procedure to place the responsibility on the supervisor for the collection of District property from a separating employee. Since FMLA allows 15-days for paperwork, the requirement that a “no call, no show” employee must provide notice of extenuating circumstances regarding their absence within 5 days was removed.
- 9.4 – Reduction in Work Force: Amends procedure to match policy and adjusts severance chart to account for partial years of service.
- 10.1 – Grievance Procedure: Amends procedure to account for Human Resources presence in the process.
- 10.2 – Grievance Procedure for Department Directors: Amends procedure to account for Human Resources presence in the process.

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

**MOTION:** Motion to (1) recommend approval of an Ordinance amending Personnel Policies 2.3 – Definition of Employment Status, 2.6 – Personnel Records, 3.3 – Meal Periods and Breaks, 3.4 – Travel Time, 3.5 – Inclement Weather/Emergency Conditions, 4.8 – Leave of Absence Without Pay, 4.9 – Paid Parental Leave, 7.2 – Illinois Municipal Retirement Fund, 7.3 – Workers Compensation, 8.7 – Harassment, and 8.10 – End User Account;

and (2) approve amendments to the Procedures Sections for Policies 2.2 – Affirmative Action, 2.4 – Personnel Recruitment Procedures, 2.5 – Selection of Employees, 2.6 – Personnel Records, 3.6 – Educational Assistance, 4.1 – Paid Holidays, 4.2 – Vacation Leave, 4.8 – Leave of Absence Without Pay 4.9 – Paid Parental Leave, 6.3 – Performance Appraisals, 7.3 – Workers Compensation 7.4 – Employee Assistance Program, 8.1 – Disciplinary Action, 8.2 – Outside Employment, 8.7 – Harassment, 8.9 – Information Technology Security, 8.10 – End User Account, 8.11 – Wireless Networking, 9.1 – Retirement, 9.2 – Resignation, 9.4 – Reduction in Force, 10.1 – Grievance Procedure, and 10.2 – Grievance Procedure for Department Directors, in the form attached to staff’s May 4, 2023 memorandum.



## 2.2 Affirmative Action Plan

*Effective Date: August 15, 1980*

*Revision Date: June 14, 1984, October 14, 2005, November 12, 2013, [May 4, 2023](#)*

### Procedure

1. Recruitment. We will consider qualified minority and female applicants for vacancies in all job classifications in conjunction with our established policy of advancement and promotion from within on the basis of individual qualifications, potential and job performance.
  - a. Public employment offices will be advised of our equal employment policy and will be urged to refer qualified minority group and female applicants to us as the need arises.
  - b. When advertising ~~in newspapers~~, we will use the term "Equal Opportunity Employer" in all such employment advertisements.
2. Job Placement and Promotions. We will provide promotional and ~~upgrading~~ development opportunities to all qualified minority and female employees by the following action:
  - a. During performance reviews, communicate policy of promotion of qualified employees to minority and female employees.
  - b. Brief supervisors at all levels of management that the District is committed to utilization of all candidates for promotions from within.
  - c. Review objectively all qualifications of all candidates for promotions from within.
3. Training and Development.
  - a. All training and educational programs conducted on the job will be reviewed periodically to be certain that all personnel, including minority group and female personnel, are given equal employment opportunity to participate in these programs.
  - b. All District supported or sponsored training seminars for supervisors ~~or~~ ion will be available for minority and female supervisors and they will be encouraged to participate.
4. Compensation and Employee Benefits. We will pay all personnel fairly according to their job classification. District supported benefit programs for employees will be made equally available to all employees.
5. Working Conditions and Facilities. ~~None of our facilities will be segregated.~~ Our facilities are intended to be inclusive and collaborative environments.



6. Reduction in Force and Termination. Whenever necessary to reduce our work force, reductions and recalls to work will be made without regard to minority or female status. When it becomes necessary to terminate any employee or reduce the workforce, such termination will be ~~for cause~~ without discrimination due to female or minority status.
  
7. Communication of EEO Policies. The District will take appropriate steps to insure that all personnel are aware~~know~~ of our sincere desire to support and take affirmative action toward providing equal employment opportunity such as the following:
  - a. Bulletin board showing official EEOC Poster and EEOC policy
  - b. Employee handbook
  - c. Policy Manual
  - d. Employee training
  - e. Supervisory staff training
  
8. Affirmative Action Program Coordinator. The Manager of Human Resources and Risk ~~Director of Administration~~ is designated as the District Equal Employment Opportunity Policy Coordinator. This Manager ~~Director~~ will be given appropriate authority and responsibility to administer and coordinate this program. This official will coordinate the efforts of all managerial and supervisory personnel.

Management in the District has a responsibility of being aware of the District's responsibilities in this critical area and in working with personnel in its successful completion of this Plan.



## 2.4 Personnel Recruitment Procedures

*Effective Date: August 15, 1980*

*Revision Date: May 27, 1994, November 7, 2013, [May 4, 2023](#)*

### Procedure

1. The Department Director must notify the Director of Administration of the need to fill a vacancy and ~~supply complete~~ the ~~appropriate~~ position opening ~~paperwork~~[process through the applicant tracking system](#).
2. To insure that the policy of ~~E~~equal ~~E~~mployment ~~O~~portunity is part of the recruitment process the Human Resources Division will prepare an Employment Opportunity Notice and post the notice in selected locations throughout the County, and internally at various District facilities. [Human Resources will notify the State Employment Service of position vacancies.](#)
3. If an employee from another department is selected to fill the vacancy, at least two (2) weeks' notice will be given to the Director of the transferring employee. Arrangements for an adequate transition period shall be made to avoid a serious disruption of work.
4. The Human Resources Division will place advertising in the media for position vacancies. If a similar position becomes vacant within six months of a recruitment, or one year for Ranger Police positions, applications received for the first recruitment may be considered to fill the position without recruiting additional candidates with approval of the Director of Administration.
5. In difficult recruitment markets, the Director of Administration may, with the concurrence of the Finance Committee, 1) designate a referral bonus to be paid to existing employees for a successful new employee referral and 2) designate a signing bonus for prospective employees. The application of any referral or signing bonus must be reviewed annually.
- ~~6. Human Resources will notify the State Employment Service of position vacancies.~~
- ~~67.~~ Employment agencies may be utilized for recruitment if approved by the Finance Committee.
- ~~78.~~ All applicants for employment will be referred to the Administration Department. If there is an opening for a position in which the applicant is interested, ~~he~~[they](#) may complete an employment application. ~~Resumes may be accepted, but all applications must be on an approved District Employment Application.~~ [All application materials including cover letters and resumes, must be submitted online through the District's Applicant Tracking System.](#)



9. Current employees wishing to apply for an [externally](#) posted vacancy ~~should also be referred to the Administration Department to fill out an employment application~~ [must apply through the District's Online Applicant Tracking System.](#)





## 2.5 Selection of Employees

*Effective Date: August 15, 1980*

*Revision Date: May 27, 1994, June 21, 2002, November 12, 2013, January 9, 2014, [May 4, 2023](#)*

### Procedure

Applicants for employment will be screened by the Human Resource Division before being interviewed. An applicant for employment or a current employee seeking transfer or promotion, who is a family member of an employee will be considered on the basis of their qualifications, subject to the provisions of this Procedure. Such an applicant or employee must disclose their relationship to the family member in the written application referred to in the selection process below. An employee shall not attempt to influence the hiring, transfer or promotion of any applicant who is a family member of the employee. The District shall not hire an applicant as an employee if the applicant is a family member of a Commissioner or Department Director, except to the extent authorized by the District's "Ordinance Regulating Ethical Conduct and Political Activities by Elected Officials and Employees." After January 9, 2014, (i) no applicant will be hired for, and (ii) no employee will be transferred or promoted into, a position in which the applicant or employee would supervise, or be supervised by, their family member. "Family member," for purposes of this Procedure, has the same meaning as it has under the District "Ordinance Regulating Ethical Conduct and Political Activities by Elected Officials and Employees."

The selection process for an applicant includes:

1. Submit ~~written~~ [on-line](#) application and resume when applicable.
2. Interview.
3. Verify references.
4. Check background and criminal record when applicable.
5. Verify licenses when applicable.
6. Verify educational transcripts and any necessary certificates of training.
7. Administer testing when applicable to ascertain whether the applicant satisfies the necessary job qualifications.
- ~~8. Determine if applicant had previously worked for the District.~~
9. Approval of a Human Resources Action form by the Department Director, Director of Administration and the Executive Director, or their designee, [is required](#) before a contingent offer is made.
10. A medical examination and/or drug screen [will be scheduled with the District's Occupational Health Provider](#) ~~conducted to determine fitness for employment. The Human Resource Division shall be responsible for setting up such examinations.~~ This shall be done only after a contingent offer of employment has been extended to and accepted by the applicant and prior to the time a final offer is extended and the applicant starts work.

The Human Resources Division may require one or more of the above for a promotion or transfer.





## 2.6 Personnel Records

*Effective Date: August 15, 1980*

*Revision Date: June 14, 1984, January 11, 1985, April 19, 1990, May 27, 1994, June 21, 2002, November 7, 2013, May 10, 2023*

### Procedure

Access to personnel records is restricted. Illinois Statute limits the public record portion of each employee's personnel record to: name, title, job description, department, employment status (i.e. full-time, part-time, leave of absence), and salary. Only authorized staff of the Administration Department will have regular access to the contents of employee personnel records. Department Directors and Forest Preserve Board Members may have occasional access to certain personnel records in order to conduct District business. ~~No information -~~ other than which is public record - will only be released by the Human Resources Division when unless authorized ~~to do so~~ in writing by an employee. ~~Only or~~ in response to court action with respect to a lawsuit against the District, a subpoena or to regulatory agencies with subpoena power, ~~will the contents of an employee's personnel file be accessed by other individuals.~~

The District will not keep records concerning an employee's associations, political activities, publications, communications or non-employment activities, unless authorized to do so in writing by an employee, with the exception of employee activities during working hours or on District premises that which interfere with an employee's duties, ~~which~~ constitute criminal conduct, ~~and conduct which~~ threatens the District with potential financial liability, or cause potential or actual harm to its property or operations.

Current employees, laid off employees subject to recall, employees on leaves of absence with the right to return to their jobs, or ~~a former employees~~ who haves terminated service within the preceding year have the right to review their personnel records at least twice each calendar year at reasonable intervals. Employees may have access to any personnel documents used or intended to be used in determining their qualification for employment, promotion, transfer, pay raises, or in relation to discharge or other disciplinary acts. The inspection of records shall be made in the Human Resources Division in the presence of a Human Resources staff member.

Those records an employee does not have the right to inspect include: letters of reference, any part of a test document other than the employee's test scores, personal information about another individual if disclosure would violate the other person's privacy, any records relevant to any other District employee claim which may be discovered in a judicial proceeding, management planning material, security records maintained by the District to investigate criminal conduct by an employee or other activity by the employee which could reasonably be expected to harm the District or cause it financial liability, unless or until the District takes adverse action against the employee based on information in such records.



An employee may request a photocopy, but may not remove any document within the personnel record. Illinois Statute provides that if an employee disagrees with information in their personnel file, they may request removal or correction of the item in question. If the District declines to remove or correct the item, an employee may submit a written statement of their position. This statement shall be attached to the disputed part of the personnel record, and shall be included whenever the disputed record is released to a third party, with no presumption that the District agrees with the employee position statement.

Department Directors may access the employment application, the employee performance appraisal, payroll, benefit and attendance data affecting the department's budget and expenses, and disciplinary actions.

~~Forest Preserve Board Members may access items relevant to committee business and a lawsuit or subpoena when conducting official business as members of authorized committees.~~

In the event of an emergency, the Administration Department will use discretion and good judgment in releasing information normally held to be of a confidential nature. Any variance to the normal procedure will be immediately noted and filed in the personnel folder.

The Human Resource Division will charge a nominal fee for copying an employee's personnel record.



### 3.6 Educational Assistance

*Effective Date: August 15, 1980*

*Revision Date: October 16, 1981, October 8, 1983, June 14, 1984, August 14, 1998, January 9, 1981, April 14, 2000, June 5, 2000, November 10, 2000, June 21, 2002, November 12, 2013, June 28, 2018, May 4, 2023*

#### Procedure

1. When establishing Employee Performance ~~Appraisals~~, Goals the Supervisor will assess individual training needs.
  2. To apply for educational assistance, the Educational Assistance Form and other applicable required forms must be completed by the employee and submitted to his Department Director.
  3. The Department Director must review the request to determine whether the tasks of the individual are such that additional expense is necessary to satisfy the goals and objectives of the Department. The Department Director must also determine if funding is available to cover the expenses involved. The Department Director must also review the Policy for Reimbursement of Travel, Meal and Lodging Expenses to ensure the estimated expenses do not exceed the maximums established by that policy. The Department Director will submit the requests exceeding \$100 to the Executive Director for approval.
  4. ~~The Department Director will submit the requests exceeding \$100 to the Executive Director for approval.~~—The Executive Director may authorize, based on the direct benefit to the District, and availability of funds, up to 100% reimbursement for course tuition for work-related education at an approved and accredited educational institution. Registration fees and related expenses for seminars, clinics, conferences, etc. when approved through the educational assistance procedure and consistent with or approved through the Policy for Reimbursement of Travel, Meal and Lodging Expenses, will be paid by the District.
- Reimbursement for certain travel, meal or lodging expenses, including any that exceed the maximums outlined by the Policy for Reimbursement of Travel, Meal and Lodging Expenses can only be approved by a roll call vote at an open meeting of the Board.
5. Employees will be eligible for Educational Assistance for college or degree related course work ~~will be reimbursed~~—once an employee has completed one year of service. Reimbursement for college level courses is to encourage growth and development of staff for the long term and benefit of the District. Therefore, if an employee leaves the District within two years of completing a college level course(s), the employee must repay the District for that course(s).



Course work and study hours will be conducted on the employee's time. However, limited work schedule adjustments may be allowed by the Department Director if they are clearly necessary in ~~his~~ their judgment.

An employee must earn a grade of "C" to receive reimbursement, once approval has been given by the Executive Director.

6. The Human Resources Division is to be notified of any education or training received by an employee. Training logs will be maintained as part of the employee's record.



## 4.1 Paid Holidays

*Effective Date: August 15, 1980*

*Revision Date: February 20, 1981, June 14, 1984, June 19, 1987, June 18, 1993, May 13, 1994, August 14, 1998, April 14, 2000, May 19, 2000, December 14, 2001, June 21, 2002, November 7, 2013, January 14, 2020, September 14, 2021, [May 4, 2023](#)*

### Procedure

1. When an authorized holiday falls on Sunday, the following Monday shall be observed as the holiday. When an authorized holiday falls on Saturday, the preceding Friday shall be observed as the holiday.
2. Employees who observe a religious holiday on days which they normally work should use earned compensatory or floating holiday time, vacation leave or personal leave for such time. If the employee does not have paid leave available such religious holidays may be taken without pay, with the approval of the Executive Director.
3. To be eligible for holiday pay, an employee must have worked or have been on paid authorized leave on the workday before and after the paid holiday.
4. Regular part-time employees who are IMRF eligible shall be compensated for holidays, on a pro-rated basis. The holiday must fall on a day normally scheduled as a workday for regular part-time employees to be eligible for compensation.
5. When a holiday occurs during paid leave, the employee's leave record will reflect that day as a holiday rather than other paid leave.
6. Eligible employees working on a floating holiday will receive one (1) hour of time off for each hour worked. For non-exempt employees, this time will be placed in their compensatory time bank. For exempt employees, this time will be placed in their floating holiday bank. At no time may a floating holiday bank exceed 40 hours.
7. An eligible regular part-time employee working on a fixed holiday will receive one (1) hour of pay for each hour worked in addition to their holiday pay. A regular non-exempt full-time employee required to work on a fixed holiday may receive either 1½ times the rate of pay or 1½ hours of time off for each hour worked.
8. If the employee is covered by a collective bargaining agreement, refer to the agreement for information regarding the payment of holidays.





## 4.2 Vacation Leave

*Effective Date: August 15, 1980*

*Revision Date: June 19, 1987, May 27, 1994, August 21, 1998, April 14, 2000, June 21, 2002, October 14, 2005, November 7, 2013, July 11, 2018, January 1, 2019, December 9, 2021, [May 4, 2023](#)*

### Procedure

1.
  - a. Regular full-time and part-time employees who work more than one thousand (1,000) hours per year are eligible to accrue vacation leave.
  - b. An employee may take vacation leave as it is accrued, under conditions established by the Department Director, in accordance with this section.
2. Vacation is accrued with each pay period worked by the employee with the exception of introductory full-time employees. An introductory full-time employee will be front-loaded 40 hours of vacation time upon hire. Upon successful completion of the introductory period, the employee will begin accruing time in accordance with this policy. A regular part-time employee may accrue annually no more vacation leave than the amount of vacation leave that a regular full-time employee in the same service-years category may accrue (e.g., if a regular full-time employee with one (1) to five (5) years of service may accrue a maximum of (10) days or eighty (80) hours of vacation leave, then a regular part-time employee with one (1) to five (5) years of service also may accrue a maximum of ten (10) days or eighty (80) hours of vacation leave).
3. An employee must submit their ~~Paid Leave Request~~[request](#) for vacation leave to their ~~Department Director or designated manager~~ [via District's HRIS System](#) ~~at least two (2) weeks in advance of the commencement of their intended vacation leave. A Department Director may waive this notification in emergency situations when advance notice is impractical. A Department Director~~[Manager](#) may deny a vacation leave request if it interferes with the efficient and effective operation of the Department or the District ~~or if the employee has exhausted their accrued time off~~. Vacation leave time should be scheduled so that temporary help or overtime is not required. An employee may take more than ten (10) consecutive working days of vacation leave only if approved by the ~~Executive-Department~~ Director. The Executive Director may take more than ten (10) consecutive working days of vacation leave only if approved by the Board President.
4. At any time, an employee's accrued vacation leave balance cannot exceed two times the vacation leave for which they are eligible. For example, an employee eligible for fifteen (15) days per year of vacation leave would be able to accrue a maximum vacation leave of thirty (30) days.





5. One (1) year of continuous service is defined as twelve (12) months on paid status as a benefit eligible full or part-time employee. Any employee on unpaid approved leave does not accrue vacation leave during the time they are on an unpaid leave.
6. ~~An employee who transfers from one Department to another Department shall retain vacation leave accrued prior to such transfer and remain in continuous service for purposes of earning future vacation leave.~~ When a current County of Lake employee is hired, the employee's prior years of service with the County will be counted when determining the rate at which the employee accrues vacation leave. Vacation leave will not be carried over from the County.  
  
When an employee is hired, the employee's prior years of service may be counted, at the Executive Director's discretion, when determining the rate at which the employee accrues vacation leave. If a new hire is awarded a higher accrual rate, the employee will receive 40 front loaded hours upon hire then an accrual adjustment reflective of their earning rate ~~upon~~ upon successful completion of their introductory period.
7. Upon termination of an employee, all unused and accumulated vacation leave as of the date of the employee's termination will be paid to the employee on their final paycheck.



## 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, February 6, 2020, May 10, 2022, May 10, 2023*

### 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 ~~sick leave~~ 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,~~ the Human Resource Division, Department Director, ~~Director of Administration,~~ and the Executive Director.
3. ~~No accumulative extended medical leaves may total six months, including FMLA leave, unless extraordinary circumstances arise.~~
4. ~~Law Enforcement Officers. A law enforcement officer who suffers any injury in the line of duty which causes him them to be unable to perform his 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. The employee may not receive any compensation from any other employer or he they forfeits his their rights to disability payments. The employee receives service credits for this period under the SLEP program and he 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 disability payments 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 a disability payment. The physician~~



~~shall determine the nature and extent of the disability. The Director of Administration may also order periodic medical examinations by a District designated physician to determine eligibility for continuing payments.~~

- 5.3. 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.
- 6.4. 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 disability payments.~~ 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 ~~disability payments~~ 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 ~~a disability payment.~~ paid leave. The physician shall determine the nature and extent of the ~~disability~~ 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;  
~~(The entitlement to leave for the birth or placement of a child for adoption or foster care expires twelve (12) months after the date of the birth or placement.)~~
  3. to care for a spouse, child or parent who has a serious health condition; ~~or~~
  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.

Personal Leave.

- ~~1. At the employee's option, vacation leave, and compensatory time may be used for personal obligations requiring leave of absence for a longer duration than the personal leave provided in Section 4.7.~~
- ~~2. The employee must request personal leave without pay under provisions of this section on a Unpaid Leave Request for leave in excess of accrued paid time off.~~
- ~~3. Personal leave under this section or extensions thereof must be approved by the Department Director, Director of Administration, and the Executive Director.~~
- ~~4. An employee on personal leave does not accrue vacation leave or sick leave for the period of the unpaid leave of absence. Such employees may continue medical and dental group insurance coverage and life insurance coverage, but only where the employee pays the total cost of such participation while on unpaid leave of absence. Such employees continue IMRF participation according to rules and requirements established by IMRF. This leave is never granted with a return date left open. If manpower requirements demand it the employee's position is subject to permanent replacement should the agreed upon duration of the leave be extended without District approval.~~

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. ~~spouses, former spouses, parents, children, stepchildren and other persons related by blood or by present or prior marriage, persons who share or formerly shared a common dwelling, persons who have or allegedly have a child in common, persons who share or allegedly share a blood relationship through a child, persons who have or have had a dating or engagement relationship, persons with disabilities and their personal assistants, and caregivers.~~

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.



## 4.9 Paid Parental Leave

*Effective Date: September 8, 2020*

*Revision Date: May 10, 2023*

### **Procedure**

All non-introductory, full-time employees are eligible for this leave.

Eligible employees will receive a maximum of ~~four (4)~~ **six (6)** weeks of paid parental leave per birth, or placement of a child/children. The fact that a multiple birth or placement occurs (e.g., the birth of twins or adoption of siblings) does not increase the total amount of paid parental leave granted for that event. In addition, in no case will an employee receive more than ~~four (4)~~ **six (6)** weeks of paid parental leave in a rolling 12-month period, regardless of whether more than one birth, adoption, legal guardianship, or foster care placement event occurs within that 12-month time frame.

Each week of paid parental leave is compensated at 100 percent of the employee's regular, straight-time hourly rate (non-exempt) or weekly rate (exempt).

Approved paid parental leave may begin at any time during the six-month period immediately following the birth or placement of a child with the employee.

Once an employee commences their paid parental leave for any birth or placement event, they must take the leave in one continuous ~~4~~-week period. Any unused paid parental leave will be forfeited.

Paid parental leave taken under this policy will run concurrently with leave under the FMLA; thus, any leave for a birth or placement taken under this policy will be counted toward the 12 weeks of available FMLA leave. All other requirements and provisions under the FMLA will apply. In no case will the total amount of leave—whether paid or unpaid—granted to the employee under the FMLA exceed 12 weeks during the 12-month FMLA period. Please refer to Policy 4.8 - Leave of Absence ~~without Pay~~ for further guidance on the FMLA.

The District will maintain all benefits for employees during the paid parental leave period. Employee payroll deductions for all group health and other voluntary benefit programs will continue during this leave.

If a District holiday occurs while the employee is on paid parental leave, such day will be charged to holiday pay; however, such holiday pay will not extend the total paid parental leave entitlement.

An employee who takes paid parental leave that does not qualify for FMLA leave will be afforded the same level of job protection for the period of time that the employee is on paid parental leave as if the employee was on FMLA-qualifying leave.



Requests for Paid Parental Leave

The employee will provide Human Resources (HR) with notice of the request for leave at least 30 days prior to the proposed date of the leave (or if the leave was not foreseeable within such 30-day period, as soon as practical after such leave is foreseeable). The employee must complete the necessary HR forms and provide all documentation as required by the HR department to substantiate the request.



## 6.3 Performance Appraisals

*Effective Date: August 15, 1980*

*Revision Date: June 19, 1987, September 16, 1994, December 14, 2001, November 12, 2013,  
June 28, 2018, [May 4, 2023](#)*

### Procedure

1. The Director of Administration will be responsible for establishing a standardized performance appraisal system.
2. Employees will be evaluated on their performance upon completion of their introductory period and on an annual basis thereafter. However, managers must provide informal appraisals on an ongoing basis, where appropriate, so as not to delay feedback about performance until the annual appraisal.
3. Department Directors will be responsible for coordinating performance appraisal implementation in their departments as well as evaluating employees reporting directly to them.
4. ~~A copy of all completed appraisals must be forwarded to the Administration Department for inclusion in the employee's personnel file. The employee may request a completed copy of his their appraisal.~~ As of 2020, the District utilizes an electronic Human Resource Information System (HRIS). This system maintains an-employee's performance appraisals. Employees have access to these forms through this system. Reviews completed prior to 2020 are maintained in paper format as part of the employee's personnel file.
5. Performance appraisals may be reviewed for use in promotions, transfers and other reassignments.





## 7.3 Worker's Compensation

*Effective Date: August 15, 1980*

*Revision Date: September 16, 1994, November 12, 2013, June 28, 2018, [May 10, 2023](#)*

### Procedure

1. Employer's First Report of Injury or Illness. There must be an "~~Employer's First Report of Injury or Illness~~[Employee Injury/Illness Report](#)" completed by the ~~department in which the employee works~~[employee's supervisor](#). The report is to be filed with the Park District Risk Management Agency (PDRMA) ~~for and will be forwarded~~[ed](#) to the Workers' Compensation Commission when a death, injury or illness is associated with employment.
2. Open Case File. Record of all active Workers'~~men's~~ Compensation claims are maintained by Administration Department.
3. Accident Files. The Administration Department is to maintain an accident file which is to be kept on a yearly basis.
4. Not all injuries that occur at work are compensable. The compensability of each claim is determined by applying the law to the facts of the incident. PDRMA administers the workers' compensation claims on behalf of the District. The PDRMA claims staff will review the facts of the claim and determine compensability.



## 7.4 Employee Assistance Program

*Effective Date: June 19, 1987*

*Revision Date: September 16, 1994, November 12, 2013, [May 4, 2023](#)*

### Procedure

The Employee Assistance Program is designed to facilitate self-referrals, supervisor referrals, and emergency referrals. [All benefit eligible part and full-time employees are eligible for the EAP regardless of their participation in the District's medical insurance plan.](#) An eligible employee or any member of ~~his~~-~~their~~ immediate family who desires confidential assistance for a personal problem should call the EAP to speak to an Employee Assistance counselor.

A supervisor will refer an employee to the EAP only if the supervisor has documented a decline in work performance, or if a particular incident on the job indicates the presence of a personal problem. A supervisor meeting with an employee will not speculate as to the cause of the decline in performance or what may have caused the particular incident. Should an unusual pattern of behavior occur, or other questionable incident, the Human Resource Division may consult with an EAP counselor prior to meeting with the employee.

If the employee accepts the offer of help, the Human Resource Division will make an effort to contact an EAP counselor at that time to make an appointment. The initial appointment with the counselor may be scheduled during work hours at the discretion of management. Other appointments will be made during non-work hours, unless otherwise authorized.

When a supervisor refers an employee to the EAP, the counselor will promptly let the Human Resource Division know a) if the employee kept the appointment, b) if there is a personal or health problem for which help may be provided (without reference to the specific problem itself), c) if the employee is willing to accept that help, and d) if the employee will require time away from work to resolve the problem.

Seeking or accepting help from the EAP will not affect an employee's position with the District. However, employees will be expected to meet existing job performance standards and conform to established work rules.

An employee's decision to accept help through the EAP is entirely voluntary.

All EAP records will be maintained at the EAP office and kept strictly confidential. EAP records will not be disclosed to anyone other than the employee or family member involved, except under court order.



## 8.1 Disciplinary Action

*Effective Date: August 15, 1980*

*Revision Date: May 21, 1993, August 14, 1998, June 21, 2002, November 12, 2013, June 28, 2018,  
[May 4, 2023](#)*

### **Procedure**

When problems occur, generally, managers will counsel employees first, then if the problem recurs resort to more substantial corrective action such as written warnings, suspension, and dismissal.

The following list is intended to provide only general guidance for conduct that is generally considered unacceptable while in the employ of the District, and a basis for suspension without pay or dismissal. Such conduct includes, but is not limited to:

1. Conviction of a criminal felony offense;
2. Insubordination;
3. Disrespectful or discourteous conduct to a member of the public or a District official;
4. Absence from the job without authorized leave or notification;
5. Willful damage to public property;
6. Fighting with or assault upon fellow employees or supervisors;
7. Gambling while on duty;
8. Being under the influence of alcohol or controlled substance while on duty;
9. Unsatisfactory job performance, including sleeping, loafing, and generally not performing assigned duties as required;
10. Theft of District property; or removal of District property without proper authorization;
11. Willful misrepresentations or concealment of any fact requested during hire procedures;
12. Habitual tardiness;
13. Failure to report occupational injuries in an accurate and timely manner;
14. Violation of established work rules;
15. Actions that impair the effectiveness, efficiency or reputation of the District.
16. Engaging in ~~outside~~ ~~second~~ employment or business while on District time;
17. Use of a District vehicle or facility for personal purposes;
18. Disobeying safety rules and regulations;
19. Submitting expense reports with no basis in fact, or for expenses of a personal nature;
20. Use of District electronic devices, including computers, telephones, or other technology, for profit or excessive personal use, and excessive use of personal devices on District time for personal purposes.
21. [Engaging in conduct considered to be harassing or discriminatory.](#)

Step 1. Oral Warning.



When an employee's performance or conduct is unacceptable, it is the responsibility of the supervisor to orally notify the employee and discuss corrective action. This is an integral part of the supervisory process since the employee may be unaware that they are not meeting expectations or unaware that they may be violating policies or procedures. A written record of the oral warning to the employee should be placed in their personnel file stating; (a) the violation, (b) suggested action plan, (c) time frame for improvement and (d) possible consequences for lack of improvement.

Step 2. Written Warning.

It may be necessary to state to the employee in writing; (a) the violation, (b) suggested action plan, (c) time frame for improvement and (d) possible consequences for lack of improvement. Depending on the seriousness and nature of the violation, this step may occur simultaneously with the oral warning, or as a consequence of insufficient improvement after an oral warning.

Step 3. Suspension.

A Department Director, with approval of the Director Administration, may suspend an employee without pay, for a serious violation or for repeated failure to correct their actions following a written warning. A written notice stating the reasons for the action and the duration of the suspension shall be given to the employee.

Step 4. Dismissal.

For a severe violation, repeated violations, or a series of separate violations, an employee may be discharged for just cause with approval from the Executive Director. A regular full-time or regular part-time employee is entitled to a pre-termination hearing. A supervisor shall present the employee with a written statement of the grounds for the recommended dismissal and set forth the reasons for the recommendation. The employee shall have an opportunity to present information related to the recommended dismissal.

An employee may request removal of an oral or written warning in their personnel file if for the two (2) year period following the action no oral or written warning is received and the employee receives performance appraisals of "meets expectations" or better.



## 8.2 Outside Employment

*Effective Date: August 15, 1980*

*Revision Date: April 21, 1995, November 7, 2013, [May 4, 2023](#)*

### **Procedure**

Prior to accepting outside employment, including self-employment, an employee must give notice in writing to the Department Director. A Department Director desiring to engage in outside employment must submit a written notice to the Executive Director. [Human Resources will conduct an annual review of Outside Employment.](#)



## 8.7 Harassment

*Effective Date: April 15, 1983*

*Revision Date: June 19, 1987, April 21, 1995, May 19, 2000, June 21, 2002, October 14, 2005, April 9, 2013, December 7, 2017, March 8, 2018, January 10, 2019, February 11, 2020, October 5, 2020, [May 10, 2023](#)*

### Procedure

If an employee believes that they have been harassed sexually or otherwise, they should report the incident(s) immediately to a Manager or Director. The District will take all reasonable steps to assure that any harassment that may be determined to exist will be eliminated.

Sexual harassment according to the federal and state law is defined as:

Any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Specific behaviors that the District will consider sexual harassment include but are not limited to the following:

1. Unwelcome sexual jokes, pressuring a subordinate to go out on a date, sexual innuendos, gender-specific insults, inappropriate references to anatomy, or threats whether spoken or written.
2. Suggestive or insulting sounds, (e.g. whistling, "catcalls,") or suggestive bodily gestures.
3. Showing or displaying pornographic or sexually explicit objects, pictures or other materials in the workplace
4. Unwelcome touching, hugging, kissing, pinching or intentionally brushing the body; coerced sexual conduct; or actual assault.
5. Any statement or action indicating that job status, compensation, job assignments, or other conditions of employment are dependent upon granting or refusing sexual favors.

Other protected classes:

Racial

Disability

Age

National origin

Sex Gender

Religion

Marital status





[Gender Identity](#)

[Pregnancy](#)

Sexual orientation

Order of Protection status

Specific behaviors that the District will consider harassment based on a protected status include but are not limited to the following:

1. Making offensive slurs, epithets or jokes based on any of the above protected classes;
2. Circulating offensive literature or other biased printed material; or
3. Otherwise creating an environment that is hostile to a worker or workers based on the above protected classes.

**Bullying:**

Workplace bullying by District employees is a form of harassment. District employees shall not engage in workplace bullying, which includes but is not limited to:

- Oral or written (including by electronic means) bullying, which includes but is not limited to, oral or written statements by a District employee to another District employee that (i) defame, ridicule, or malign the latter employee or their family; (ii) include persistent name-calling that is hurtful, insulting, or humiliating to the latter employee; (iii) use the latter employee as a target of jokes; or (iv) include abusive remarks toward the latter employee.
- Gesture bullying, which includes non-verbal threatening or harassing gestures made by a District employee toward another District employee.
- Exclusion: socially or physically excluding or disregarding a person in work-related activities for non-work-related reasons.

Any District employee, who believes they have been harassed, or observes an incident of harassment, must promptly report it to a supervisor, who shall report it to the Director of Administration. If the employee does not feel that the incident can be discussed with their direct supervisor, the incident should be reported to the Department Director or the Director of Administration. All incidents or complaints of harassment must be reported even in the event the employee does not want to make a formal complaint. The employee may also contact Human Resources, the Inspector General or the Illinois Department of Human Rights.

The employee should contact the Director of Administration if they are not satisfied with the way the report of harassment has been handled. Employees may report harassment and raise concerns without fear of reprisal. The District will not tolerate any retaliation against an employee for filing a sexual or other harassment complaint. Employees who report harassment are protected under the Illinois Administrative Procedure Act, the Whistleblower Act and the Illinois Human Rights Act.

Upon receipt of the complaint, the District shall take prompt, thorough and impartial steps to investigate the complaint. Following the investigation of the complaint, which will be commenced immediately unless clear evidence makes an investigation unnecessary, the District will weigh the facts and decide on the validity of the complaint. If the complaint is determined to be valid, the offender will face immediate



and appropriate disciplinary action based on the severity of the incident. Disciplinary action may include warnings, suspensions, discharge or demotion.

The District is committed to responding to harassment complaints in a prompt and fair manner. It is hoped that complaints of harassment can be resolved within the District. However, an employee may also contact the Illinois Department of Human Rights (IDHR) and the Equal Employment Opportunity Commission (EEOC) about filing a formal charge; the Director of Administration can provide an employee with information on how to contact these agencies. In addition, the addresses of these agencies are listed on the attachment to this policy. The IDHR charge must be filed within 300 days of the alleged offense. A complaint with the EEOC must be filed within 300 days. These deadlines may be extended for continuing offenses under law. In addition, an appeal process is available through the Illinois Human Rights Commission (IHRC) after the IDHR has completed its investigation of the complaint. Where the employing entity has an effective sexual harassment policy in place and the complaining employee fails to take advantage of that policy and allow the employer an opportunity to address the problem, such an employee may, in certain cases, lose the right to further pursue the claim against the employer. An employee who feels that they have been retaliated against after filing a charge with the IDHR or EEOC has 300 days from the alleged retaliation to file a retaliation charge.

An employee who has been physically harassed or threatened while on the job may also have grounds for criminal charges, such as assault or battery.

#### FALSE AND FRIVOLOUS COMPLAINTS

Given the seriousness of the consequences for the accused, a false and frivolous charge of harassment is a major offense that can itself result in disciplinary action up to and including discharge. False and frivolous complaints are cases where the accuser is using a harassment complaint to accomplish some end other than stopping the harassment. It does not refer to charges made in good faith that cannot be proven.

#### ADMINISTRATIVE CONTACTS

Illinois Department of Human Rights  
100 West Randolph Street  
Suite 10-100  
Chicago, IL 60601  
Tel. : 312-814-6200

Equal Employment Opportunity Commission  
500 West Madison  
Suite 2800  
Chicago, IL 60661  
Tel : 800-669-4000

Illinois Human Rights Commission  
100 West Randolph Street  
Suite 5-100  
Chicago, IL 60601  
Tel. : 312-814-6269

If the above contact information changes, the Director of Administration will promptly notify employees via e-mail or other means.



## 8.9 Information Technology Security

*Effective Date: November 12, 2013*

*Revision Date: June 28, 2018, [May 4, 2023](#)*

### Procedure

The term “information” shall refer to all electronic information, including but not limited to information that is electronically created, received, processed, or stored by the District in the course of its operations. This information is managed by the Information Technology (“IT”) Division.

All employees are required to take reasonable steps to protect the confidentiality, integrity, and availability of information that they handle. All information is the property of the District or is being held by the District in trust for the public’s benefit and no employee has any right of privacy or ownership as to information contained on District computers or within the District’s network. :

Access to information systems and networks should follow the doctrine of least privilege. Individuals should be granted only the privileges and access rights that are required for their work. When an individual’s responsibilities change, their privileges and access rights must be reviewed by the Department Director and adjusted accordingly.

Access to information should be granted on a ‘need to know’ basis by the Department Director and communicated to IT. Only individuals who require the information to perform their job responsibilities should be granted access to that information. Elevated permissions can be provided to staff at the request of the Department Director.

Systems or devices that are to be connected to District networks must be approved by IT. They will review new systems to assure that they meet current security standards, including but not limited to patch level and anti-virus protection. Information security standards and controls are implemented to protect sensitive information and comply with privacy regulations and [Payment Card Industry \(PCI\)](#) standards. These standards will be updated as needed to keep pace with evolving security threats, changing technology, and changes in the District’s technology environment. Periodic assessments will be conducted to assure that computer systems and networks continue to meet security standards.

IT will implement technical solutions that minimize any potential security threats, provide appropriate protection for any related information, and comply with applicable regulations. IT will work with employees to implement security controls appropriate to the sensitivity of the information that must be protected and will balance security requirements with the professional needs of the District.



Lake County Forest Preserves reserves the right (with or without cause) to monitor, access, and disclose all data created, sent, received, processed, or stored on District systems to ensure compliance with District policies, as well as federal, state, and local regulations.



## 8.10 End User Account

*Effective Date: November 12, 2013*

*Revision Date: June 28, 2018, [May 10, 2023](#)*

### **Procedure**

#### **A. General**

An "account" consists of the user's ID required for the user to do business. Each user account will be created using the employee's preferred name.

#### **B. Termination of Accounts**

A user's access to their account(s) must be terminated as soon as practical but no later than 3 days after separation from employment. An email account may be forwarded to an alternate District employee as recipient of this email. All requests for a temporary extension of this deadline, or any other exception to this policy, must be made in writing to IT and be approved by the Information Technology Officer (ITO) or designee. The District in any case will not forward email to accounts outside the District ~~Local Area~~ Network.

#### **C. Change Notice**

Accounts are issued because authorized access to resources is required. If the user's needs or responsibilities change, IT must be notified by the supervisor. It is the supervisor's responsibility to report changes in responsibilities and authorization requirements to the IT two weeks prior to the change. Changes should be requested via the Electronic HelpDesk System. Account termination or reactivation requests will only be accepted from a supervisor [or Human Resources](#). [A user cannot request changes to their own account.](#)

#### **D. Account Inactivity**

IT maintains log files of access to most resources. If an account shows no activity for three months, it may be disabled. The user must contact the IT Help Desk to reactivate it. An account that has been idle for six months ~~may~~ [will](#) be removed without notice.

#### **E. Network Password**

Passwords are an important aspect of information security. They are the front line of protection for user accounts and other forms of access. A poorly chosen password can result in the compromise of the District's network. As such, all users are responsible for taking the appropriate steps to select and secure their passwords.





## F. Account Abuse

Log files may be scanned by IT for indications of inappropriate use and/or resource abuse, for which an account can be terminated without notice. Examples of Account Abuse include, but are not limited to:

- **Theft and Vandalism**

Theft and vandalism of network resources/computer systems and peripherals will be handled by the appropriate authorities (Ranger Police and/or appropriate law enforcement agencies). The District will pursue and support criminal prosecution of individuals suspected of theft and/or vandalism.

- **Unauthorized Use of Network Services**

Any individual for whom an active account does not exist, and is determined to be using any network services, will be referred to the appropriate authorities including the ITO, Director of Administration and the appropriate Department Director. Incidents of unauthorized use that involve individuals not directly associated with the District will be handled by the appropriate law enforcement agency. If ~~direct~~ expenses are incurred by the District during unauthorized use (i.e., paper, printer supplies, etc.), the District reserves the right to pursue full reimbursement of those costs from the individual.

Use of restricted network services without authorization is considered an abuse of privilege and may result in restriction, denial of network access, and where appropriate disciplinary action. Current restricted-use network resources include printers reserved for use by an individual, department or group, and workstations and servers that have restricted login access.

- **Unauthorized access to accounts**

Any attempt to gain access or to use an account other than by the owner will be considered a severe violation of network policy and will be cause for discipline, up to and including discharge. Such attempts include, but are not limited to, gaining access to a user's account while the user is away from a workstation or efforts to determine another user's password by closely watching a login. Possession of tools that can be used to subvert security is grounds for account suspension.

- **Cracking passwords**

Any attempt to crack or otherwise obtain passwords is prohibited, and will be cause for discipline, up to and including discharge. Storing or transferring unencrypted password information is prohibited. Writing, transferring, compiling or running programs designed to guess passwords or otherwise gain unauthorized access to user or system accounts or passwords are generally prohibited. This includes programs or techniques designed to trick users into divulging their passwords. The Information Technology Officer is the only employee who may possess and utilize Password Recovery Software, to be used in the case of a Director needing access to a password protected file.



- **Sharing accounts**

An account is assigned to an individual. This individual is solely responsible for all actions traced to the account. Sharing accounts or account passwords is prohibited. If some users need to work together in a group, they must follow the proper guidelines for work group access to files. Persons who may be liable for damage done on a shared account include the owner and any other individual who has access to the account.

- **Access to Information**

Unauthorized access to information contained in a user's home directory is prohibited, even if the files are readable and/or writable. When in doubt, don't read, copy, or change other users' files.

- ~~**Modifying files**~~

~~Modifying files anywhere on the system without consent of the file's creator is prohibited and will be grounds for discipline. This includes writing or modifying files which have file permissions set to allow modification or writing. This also includes creating new files, renaming, or deleting existing files in directories which may have directory permissions set to allow creation or modification of files.~~

- **Receipt and distribution of copyrighted material**

Use of network services for the unlawful receipt, distribution, or use of copyrighted software or material is prohibited.

- **Personal and Pecuniary Use of Resources**

Excessive use of District network resources for personal purposes is prohibited.

- **Licensing and Copyright Infringement**

Most software packages and applications are licensed and/or copyrighted. Most licenses and copyright agreements specifically prohibit copying or unauthorized use of the software or data.

- **Electronic Mail and Communications**

Electronic mail (e-mail) is the primary communications tool used by network users. E-mail should not be used to transfer confidential [personal](#) information, unless the circumstances indicate the transmission is ~~secure~~ [encrypted](#) and the sender and recipient are observing the standard of care required for the communication of confidential information by email.

- **Electronic mail privacy**

The e-mail system is intended for official District business. E-mail messages sent or received using District communications equipment are the property of the District. Do NOT attempt to read, copy, or otherwise disturb another user's e-mail. The District reserves the right to inspect an individual's mail and/or account.



- **Controversial electronic mail/postings**  
Electronic mail is usually delivered directly from the sender to the receiver without extensive filtering. Care should be taken to keep all e-mail communications professional in nature and devoid of inappropriate language or content. Sending electronic mail messages that are determined to be obscene, abusive, hostile, [harassing](#) or otherwise offensive is considered an abuse of network privileges.
- **Forging**  
Any attempt to forge an e-mail message will be considered an abuse of network privileges and will be cause for discipline, up to and including discharge. If a user receives [e-mail](#) that could have been forged, it is in the best interests of all parties involved to confirm the e-mail with the supposed sender via personal contact. If it is determined that the e-mail is a forgery, contact the IT Help Desk. A complete copy of the message should be saved for further investigation.
- **Violation of Remote Site Policy**  
Users of remote sites or remote site services are bound by the rules, and policies outlined in this document.
- **Malware**  
Anyone knowingly attempting to proliferate, create, modify, or transmit worms, [ransomware](#), viruses, or other malware of any size, shape, or form will be terminated immediately and remanded for criminal prosecution.
- **File Transfer Protocol (FTP)**  
Using FTP to transfer files to or from remote sites that violate the policies of the remote site is prohibited and will be cause for discipline, up to and including discharge. In particular, transferring files which contain material offensive to either site, contain information to be used for personal financial interests of any party, or contain monetary or sexual solicitations is prohibited.

### G. Monitoring

Lake County Forest Preserves reserves the right (with or without cause) to monitor, access, and disclose all data created, sent, received, processed, or stored on District systems to ensure compliance with District policies, as well as federal, state, and local regulations.



## 8.11 Wireless Networking

*Effective Date: November 12, 2013*

*Revision Date: June 28, 2018, [May 4, 2023](#)*

### **Procedure**

The deployment and use of District owned or operated wireless devices and other unlicensed devices connected to District infrastructure is subject to the following:

- All use of wireless access points and devices must comply with applicable laws, regulations, and District policies including Federal regulations.
- Only devices compatible with operation of the District's wireless network may be operated by departmental units at any District location.
- Deployment and use of wireless network devices connected to District infrastructure services must be approved by IT.
- All wireless network access points connected to District infrastructure must be registered with Information Technology.
- As with wired access, access through wireless access points must be automatically logged. These logs will be maintained in accordance with the District's Records Retention Schedule and should include at least the identity of the user or equivalent information, the date and time of access, and the IP address assigned for the session.

IT staff will notify a department operating a wireless access point that does not appear to be compliant with this policy so that it may be brought into compliance [or removed](#).

Wireless access points not brought into compliance will be denied network access.

IT staff may report noncompliant wireless network access points not connected to the District's network infrastructure to the Information Technology Officer (ITO) or the Department Director.

~~In addition, IT staff may report otherwise legitimate non-data unlicensed wireless devices operated in a manner not compatible with the District's wireless data network to the ITO and the Department Director.~~

In an emergency situation, IT staff may take immediate steps, including denial of network access, to ensure the integrity of the District's data network and systems, safeguard the safety of District property, or protect the District from liability.



All decisions, notifications, or measures taken under this policy may be appealed to the Director of Administration.





## 9.1 Retirement

*Effective Date: August 15, 1980*

*Revision Date: February 20, 1981, June 19, 1987, April 21, 1995, August 21, 1998, June 21, 2002, December 19, 2003, November 12, 2013, June 28, 2018, [May 4, 2023](#)*

### Procedure

1. Retiring employees should be directed to the Human Resources division at ~~least six (6) months~~30-days prior to the expected date of retirement. The Human Resources division shall brief retiring employees about the benefits to be received, make available pertinent information regarding retirement, and complete the necessary forms.
2. Eligible retiring employees wishing to continue participation in the District's group health, ~~and~~ dental, and vision insurance programs are required to:
  - a. Submit a retiree benefit enrollment form to the Human Resources division in advance of retirement.
  - b. Ensure that timely premium payments are made after the request is processed and the benefits are continued thereafter.
3. Retiring employee will be paid, in the last paycheck, for any earned and accumulated vacation, compensatory time, floating holiday and sick leave due, in accordance with District policies. Eligible employees may be granted up to a maximum of one year pension service credit upon retirement for unpaid, unused, accumulated sick leave as provided in the Retirement Plan.
4. An employee retiring shall be paid compensation due at the time of retirement at the employee's current rate of pay, and this shall be included on their last paycheck.



## 9.2 Resignation

*Effective Date: August 15, 1980*

*Revision Date: April 21, 1995, June 21, 2002, November 7, 2013, June 28, 2018, [May 4, 2023](#)*

### Procedure

1. When an employee submits a resignation the Department Director should notify the Human Resources Division.
2. The Human Resources Division will conduct an exit interview to obtain the employee's thoughts about the employment experience that might be useful in identifying strengths and weaknesses in the District's employee relations program. During the interview, the Human Resources division will determine the reason the employee is leaving and what compensation is due to the employee and explain conversion of insurance benefits. ~~The Human Resources Division will also~~ The employee's supervisor will collect any District equipment, property, logo attire, keys, and access cards on the employee's final day. ~~inquire as to the return of District equipment and property by the resigning employee.~~
3. Employees ~~resigning who give at least 14 days of notice~~ will be paid for any earned and accumulated vacation leave, compensatory time, floating holiday, and sick leave compensation due in accordance with this manual and the Illinois Wage Payment Act.
4. A resigning employee shall be paid compensation due at the time of resignation, at the employee's current rate of pay and in the same pay period in which the employee's last day of actual work is paid out.
5. Any employee who fails to report to work for three (3) consecutive work days, without notifying their Supervisor and receiving permission to be absent, shall be deemed to have abandoned their position and will be considered a voluntary resignation, not in good standing. Timely Notification of extenuating circumstances ~~within five (5) calendar days~~ after an absence may be cause to waive such a determination. Waiver shall be entirely within the discretion of the Department Director.



## 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, [May 4, 2023](#)*

### 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.~~, [length of continuous employment with the District, work site, job level or employment status.](#)
  
- ~~2.~~
  
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.~~ length of continuous employment with the District. work site. job level or employment status.
- 2.
- 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
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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





## 10.1 Grievance Procedure

*Effective Date: August 15, 1980*

*Revision Date: November 8, 1994, June 21, 2002, November 7, 2013, [May 4, 2023](#)*

### Procedure

**“Grievance” defined.** The word “grievance” shall be defined as a claim or dispute concerning the interpretation of personnel policies and practices that affect the grievant, or concerning the grievant’s working conditions, including any discipline of the grievant. Grievances that claim sexual or other harassment should be presented under the policy and procedure for harassment claims (see Section 8.7):

Claims or disputes not subject to this procedure:

- a. Performance appraisal (unless the appraisal directly results in suspension, demotion or discharge).
- b. Insurance benefits (including a dispute between an employee or the employee’s beneficiary and any insurance carrier(s) or processor of claims).
- c. [Aa](#) grievance pursuant to collective bargaining agreement to which the grievant is bound.

**“Grievant” defined.** The word “Grievant” means any regular full-time or regular part-time employee of the District.

**Time and Form of Submission.** All references to days in this procedure refer to working days and exclude weekend days and holidays. Any deadline falling on a weekend day or holiday is extended to the following working day. A deadline for submission means by 5:00 p.m. on the date by which the grievance or response must be submitted and received. ~~unless the circumstances require the use of the U.S. mail in lieu of in-hand submission or e mail.~~ A requirement for a written submission means submission in person or via e mail.

**Steps for Processing:** The District Grievance Procedure contains various steps. Although each step must be followed by the Grievant and the District, the paramount interest is adjustment of the grievance wherever possible. Be advised that a grievance can be resolved at any time during the process, whether through formal or informal means, and whether before, during, or after a step in the procedure is being implemented by the Grievant and the District. [Human Resources will participate, as appropriate, throughout the Grievance Procedure.](#)

**Step One.** Any employee who has a grievance should attempt to resolve the matter with their immediate supervisor no later than five (5) working days after the claim or dispute arose. The grievance may be oral or in writing. If the grievance is resolved, the supervisor shall provide a brief,



written acknowledgment of the resolution to the Grievant for their signature, and the dispute shall be considered adjusted when the terms of the grievance are met. If there is no resolution the supervisor shall provide a written denial to the grievance within five (5) working days after the matter is presented.

Step Two. If the grievance is not settled at Step One, the employee shall submit a Step Two grievance in writing to the Department Director within ten (10) working days after receipt of the denial of the Step One grievance. A Step Two grievance must identify itself as such and state: 1) the nature of the dispute and all relevant supporting facts; 2) the action the Grievant is requesting; and 3) the date on which the Step One grievance was submitted to the immediate supervisor. The Department Director will investigate the grievance within ten (10) working days after receipt of the grievance and will set up a meeting with the Grievant for the purpose of resolving the grievance. If the grievance is resolved, the Department Director shall provide a brief, written acknowledgment of the resolution to the Grievant for their signature, and the dispute shall be considered adjusted when the terms of the grievance are met. If no settlement is reached, the Department Director will provide a written response to the grievance within five (5) working days following the meeting.

Step Three. If the grievance is not settled at Step Two and the Grievant desires to appeal the grievance to Step Three, a written Step Three grievance should be submitted to the Director of Administration within five (5) working days after receipt of the denial of the Step Two grievance. The Step Three grievance must identify itself as such and state 1) the nature of the dispute and all relevant supporting facts; 2) the action the Grievant is requesting; and, 3) the date on which the grievance was submitted to the Department Director. The Director of Administration will investigate the grievance and hold a meeting, to attempt resolution, within ten (10) working days after receipt of the grievance. If the grievance is resolved the Director of Administration will present a written acknowledgment of resolution to the Grievant for signature and the matter will be deemed adjusted when the terms of the resolution are met. If no settlement is reached, the Director of Administration will provide a written response to the grievance within five (5) working days following the meeting.

Step Four. If the grievance is not settled at Step Three and the Grievant desires to appeal the grievance to Step Four, a written Step Four grievance should be submitted to the Executive Director within five (5) working days after receipt of the denial of the Step Three grievance. The Step Four grievance should identify itself as such and state: 1) the action the Grievant is requesting; 2) the basis for the grievance; and 3) a copy of the grievance and response from Step Three. Following a review of the grievance, the Executive Director or their designee shall provide a written answer within ten (10) working days or meet with the Grievant. If a meeting is held, the date of the meeting shall be mutually agreed upon by the Grievant and the Executive Director or their designee, but will be held no later than ten (10) calendar days from the date the grievance appeal is received by the Executive Director. If the grievance is resolved the Executive Director or their designee will present a written acknowledgment of resolution to the Grievant for signature and the matter will be deemed adjusted when the terms of the resolution are met. If no agreement is reached, the Executive Director or their designee will submit a written denial to the Grievant within five (5) working days following the meeting.



Step Five. In situations where a grievance over a suspension without pay, demotion, or discharge thereafter remains unresolved, the grievant may request a hearing with the Grievance Review Panel. The purpose of the hearing will be to determine whether the Grievant's suspension, discharge or demotion was supported by the facts.

1. A grievant must submit a Step Five written request to the Executive Director within five (5) working days after receipt of the denial in Step Four. The Step Five request must identify itself as such and further state: 1) the issue being grieved; 2) all relevant supporting facts; and 3) the action that the Grievant is requesting. The Grievant must attach copies of the Step Four grievance and the written response to that grievance.
2. The Executive Director will approve the request if they determine that: 1) Grievant has complied with the requirements of Step One, Two, Three and Four; 2) that the request for a hearing is timely and contains the information requested in the above paragraph; 3) that the claims or disputes at issue fall within this policy's definition of "grievance"; and 4) that the Grievant is raising the same grievance at Step Five that they presented at Steps One, Two, Three and Four. If a request for a hearing is not approved, the Executive Director will send written notice to the Grievant explaining the reasons for the denial.
3. If the request is approved, the Executive Director shall notify the District's Grievance Review Panel within five (5) working days after the receipt of the request for a hearing that such a request has been made and that a hearing will be scheduled. The Executive Director or their designee shall serve as an advisor to the Panel.
4. The three-member Grievance Review Panel will consist of: 1) a District Board member (other than the President of the District Board), who will also serve as Chair of the panel; 2) a Department Director (other than the Administration Director); and 3) a non-supervisory, non-union, regular full-time employee with two (2) years of continuous employment with the District. On the second Monday of December of each year, the Secretary of the District Board shall select the members of the Panel, and three (3) alternates for each position, by drawing from a group of eligible persons. They shall serve for one (1) calendar year commencing on January 1 and expiring on December 31 of the next year.
5. A Panel member may voluntarily disqualify themselves from serving on the panel if they cannot be impartial, or if they are unavailable for service. Additionally, the employee member of the Panel shall be disqualified if their Department Director is appointed to serve on the Panel for a particular grievance, or if the Grievant works in the same department or office as the employee member. If the employee or Department Director played a decision-making role in the discipline being grieved or if they were responsible under this policy for responding to the Grievant, they shall also be disqualified as a Panel member. In such an event, a position alternate will serve on the panel for that case. If both the regular and alternate members in that position cannot serve, the Secretary of the District Board shall conduct a special drawing for a member to serve on the Panel for the grievance.



6. The Chair of the Grievance Review Panel will schedule a hearing to be held within twenty (20) working days from the date the Step Five request is received by the Executive Director. The Chair will notify the Grievant and the Department Director in writing at least seven (7) working days prior to the hearing. The notice of hearing will state:
  - a. the date, time and place of the hearing.
  - b. the purpose of the hearing and a statement of the issues involved.
  - c. that both sides will be given the opportunity to present evidence, to call witnesses, to cross-examine the other side's witnesses and argue their case before the Grievance Review Panel.
  - d. that the Grievant may withdraw the request for a hearing in writing at any time prior to the start of the hearing.
  - e. that a written request to reschedule the hearing for good cause must be submitted to the Chair of the Grievance Review Panel no later than two (2) full working days before the scheduled hearing date. (For example, if the hearing is scheduled for Friday, the request for an extension must be made by Tuesday at 5pm.). Extensions will only be granted if the Chair determines there is good cause for granting that request and that the request is timely.
  - f. that the Grievant's presence at the hearing is required. If the Grievant fails to appear at the scheduled time for the hearing or if the Grievant appears at the scheduled time but states that they are unable to present their grievance at that time, the grievance will be considered to have been withdrawn and the matter will be dismissed.
  - g. that both parties are required to bring to the hearing a short summary of the facts and witness list (maximum length two pages).

## HEARING PROCEDURES

1. The Chair will be responsible for the conduct of the hearing. The quantity and quality of evidence required to support a decision on an issue should be sufficiently credible that a court, upon reviewing the decision, would conclude that it is supported by a preponderance of the evidence.
2. The Chair will begin the hearing by summarizing the record and issues and explaining the manner in which the hearing will be conducted, making sure that everyone involved understands the proceedings.
3. The Chair determines the order of presentation at the hearing.
4. The Panel may continue the hearing, on its own motion or on motion of any party.<sup>5</sup>
5. The Panel may attempt to negotiate a resolution of the issue at any time prior to the conclusion of the hearing.
6. There will be an opportunity for the Panel, as well as the parties, to question any witness or parties.



7. On the date set for the hearing, all parties involved will be expected to be ready to proceed at the hour set and any failure to be prepared to proceed at the time may be deemed by the Panel to be an admission by the unprepared party that the party's case is not meritorious and that a decision should be rendered against that party.
8. The decision of the Grievance Review Panel shall be based on a majority vote of the three (3) members and shall be sent in writing to the Grievant and Department Director within ten (10) working days after the hearing. The decision of the Grievance Review Panel shall be final.

Withdrawal of Grievance; Waiver of Separate Dispute after Step One. A grievance may be withdrawn at any Step of the Grievance Procedure. A grievance not appealed within the designated time limits will be treated as a withdrawn grievance. The Grievance shall be processed only as to the subject of the dispute presented by the Grievant at Step One. The Grievant shall not be permitted to raise any new issue at Step Two, Step Three, Step Four or Step Five, unless the matter involves a continuation or repetition of the situation presented initially.





## 10.2 Grievance Procedure for Department Directors

*Effective Date: June 21, 2002*

*Revision Date: November 7, 2013, July 11, 2018, [May 4, 2023](#)*

### **Procedure**

**“Grievance” defined.** The word “grievance” shall be defined as a claim or dispute concerning working conditions or personnel practices that directly affect the employee in the performance of their duties, and a claim or dispute involving suspension, demotion or discharge of the employee. This procedure is inapplicable to dispute regarding compensation, performance evaluations, insurance benefits, the size of a department budget or financial allocations, the general working conditions of department employees, or the salary and/or classification of an employee in a department.

The processing of a grievance filed by a Department Director involves fewer steps than those covered in Policy 10.1.

Grievances involving a suspension without pay, a demotion or discharge shall proceed directly to a hearing before a special Grievance Review Panel of the District Board.

#### A. Pre-Hearing Steps

1. The written grievance must be submitted to the President of the District Board. The grievance shall state: 1) the issue being grieved; 2) all relevant supporting facts; 3) the action the Department Director is requesting, and 4) the date of the grievance. The grievance must be presented no later than ten (10) working days from the date the Department Director becomes aware of the occurrence giving rise to the grievance. The President of the District Board may reject the hearing request if the request is not timely.
2. Once a request for a hearing is submitted, the President of the District Board will draw, by lottery, the names of four (4) District Board members who will serve as members of the Grievance Review Panel. Once those names are drawn, the President of the District Board will notify the members that their names have been drawn and that a hearing is going to be scheduled. The President of the District Board shall serve as the Grievance Review Panel’s Chair and will be a voting member of the Panel. The Director of Administration will serve as an ex-officio non-voting member of the Grievance Review Panel unless they are the Grievant.
3. A Panel member may voluntarily disqualify themselves from serving on the Panel if they cannot be impartial or is unavailable for service. In the event of a disqualification, the President of the District Board will draw another Board member’s name to appoint as a replacement.
4. The Chair of the Grievance Review Panel will schedule a hearing to be held within twenty (20) working days from the receipt of the hearing request. Once the hearing is scheduled, the Chair



will notify the Department Director and the Executive Director in writing at least seven (7) working days prior to the hearing. The notice of hearing will state:

- a. the date, time, and place of the hearing.
- b. the purpose of the hearing and a statement of the issues involved.
- c. that both sides will be given the opportunity to present evidence, to call witnesses, to cross-examine the other side's witnesses and argue their case before the Grievance Review Panel.
- d. that the Department Director may withdraw the request for a hearing in writing at any time prior to the start of the hearing.
- e. that a written request to reschedule the hearing for good cause must be submitted to the Chair of the Grievance Review Panel no later than two (2) full working days before the scheduled hearing date. (For example, if the hearing is scheduled for Friday, the request for an extension must be made by Tuesday at 5 pm.). Extensions will only be granted if the Chair determines there is good cause for granting that request and that the request is timely.
- f. that the Department Director's presence at the hearing is required. If the Department Director fails to appear at the scheduled time for the hearing or if the Department Director appears at the scheduled time but states that they are unable to present their grievance at that time, the grievance will be considered to have been withdrawn and the matter will be dismissed.
- g. that both the Department Director and Executive Director are required to bring to the hearing a short summary of the facts (maximum length two pages).

## **B. HEARING PROCEDURES**

1. The Chair will be responsible for the conduct of the hearing. The quantity and quality of evidence required to support a decision on an issue should be sufficiently credible that a court, upon reviewing the decision, would conclude that it is supported by a preponderance of the evidence.
2. The Chair will begin the hearing by summarizing the record and issues and explaining the manner in which the hearing will be conducted, making sure that everyone involved understands the proceedings.
3. The Chair determines the order of presentation at the hearing.
4. The Panel may continue the hearing, on its own motion or on motion of any party.
5. The Panel or a representative thereof may attempt to negotiate a resolution of the issue at any time prior to the conclusion of the hearing.



6. There will be an opportunity for the Panel, as well as the parties, to question any witness or parties.
7. On the date set for the hearing, all parties involved will be expected to be ready to proceed at the hour set and any failure to be prepared to proceed at the time may be deemed by the Panel to be an admission by the unprepared party that the party's case is not meritorious and that a decision should be rendered against that party.
8. The decision of the Grievance Review Panel shall be based on the majority vote of the five (5) voting members and shall be sent in writing to the Department Director and Executive Director within ten (10) working days after the hearing. The decision of the Grievance Review Panel shall be final.

**Withdrawal of Grievance:** A grievance may be withdrawn or compromised at any point during the Grievance Procedure. The Grievance shall be processed only as to the subject of the dispute presented by the Grievant.

#### OTHER GRIEVANCES

For all other grievances a Department Director shall first raise their grievance in writing with the Executive Director. The grievance shall state: 1) the nature of the dispute and all relevant supporting facts; 2) the action the Department Director is requesting; 3) the date of the grievance. The grievance must be presented no later than ten (10) working days from the date the Department Director becomes aware of the occurrence giving rise to the grievance. Upon receipt, the Executive Director shall give a copy of the grievance to the President of the District Board. The Executive Director shall discuss the matter with the Department Director and shall provide a written response within ten (10) working days after the grievance is received. If the grievance is resolved, the Executive Director shall provide a brief, written acknowledgement of the resolution to the Department Director for their signature, and the dispute shall be considered adjusted when the terms of the resolution are met. If the grievance remains unresolved, the disputed issue remains unchanged.

[Human Resources will participate, as appropriate, throughout the Grievance Procedure for Department Directors.](#)