



DATE: May 4, 2023

MEMO TO: Gina Roberts, Chair
Finance Committee

Agenda Item # 9.1

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.

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

**AN ORDINANCE AMENDING PERSONNEL POLICIES
IN SECTIONS 2, 3, 4, 7, AND 8 OF THE DISTRICT'S
PERSONNEL POLICIES AND PROCEDURES**

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

WHEREAS, it is in the best interest of the District to amend 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

WHEREAS, such amendments to such Policies shall be in the form of Exhibit A attached to this Ordinance and incorporated herein by this reference (the "Amended Policies");

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Lake County Forest Preserve District, Lake County, Illinois, **THAT**:

Section 1: Recitals. The recitals set forth above are incorporated as a part of this Ordinance by this reference.

Section 2: Approval of Amended Policies. The Amended Policies are hereby approved and the Policies are hereby amended to include the Amended Policies.

Section 3: Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED this ____ day of _____, 2023

AYES:

NAYS:

APPROVED this ____ day of _____, 2023

Angelo D. Kyle, President
Lake County Forest Preserve District

ATTEST:

Julie Gragnani, Board Secretary

Exhibit No. ____



2.3 Definition of Employment Status

Effective Date: August 15, 1980

*Revision Date: April 15, 1983, June 14, 1984, June 19, 1987, May 27, 1994, August 21, 1998,
May 19, 2000, June 21, 2002, November 12, 2013, May 10, 2023*

Policy

The following are definitions of employment status:

1. Introductory Employees. The introductory period for a new regular full-time employee, other than a sworn ~~Public Safety employee,~~ Ranger Police Officer is six months. For a full-time sworn ~~Public Safety employee~~ Ranger Police Officer this period is twelve months. For a regular part-time employee this period may ~~be extended~~ last up to twelve months. During this period, the employee has an opportunity to demonstrate proper attitudes and abilityies for the position for which employed. An employee may be dismissed or may terminate employment without prior notice or obligation during this period. ~~Employees in their introductory period are not eligible for paid vacation leave. However, they are eligible for all other benefits as provided in these policies and after the introductory period is over, vacation leave will accrue from the date of employment.~~
2. Regular Full-Time Employees. ~~Those employees who have successfully completed their introductory period,~~ who work 37.5 or more hours and who maintain continuous employment. Regular full-time employees are eligible for all employee benefits as provided in these policies.
3. Regular Part-Time Employees.
 - a. Over 1000 hours. Those employees ~~who have successfully completed their introductory period,~~ who work less than the standard full-time hours but are budgeted to work more than 1000 hours per year or more, and who maintain continuous employment. These employees are eligible for:

District Medical, Dental, and Vision Insurance. Illinois Municipal Retirement Fund participation, pro-rated holidays, pro-rated sick leave, and pro-rated vacation.

This status will be evaluated each December to determine eligibility for the following calendar year.
 - b. Under 1000 hours. Those employees ~~who have successfully completed their introductory period,~~ who work less than 1000 hours per year, and who maintain continuous employment. These employees are ineligible for benefits.



4. Temporary Employees. Those employees whose service is intended to be less than a year in duration. Temporary employees are ineligible for paid vacation, sick leave and holidays. If anticipated that a temporary employee will work more than 1000 hours per year, they will be subject to Illinois Municipal Retirement Fund participation. If a temporary employee is anticipated to work, on average 40 hours per week, for more than six months but less than 12 months, they will have access to the District's medical insurance plans.

Any employee as categorized above who is not under a written employment agreement of a specific duration is an employee at-will.



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

Policy

The Administration Department will maintain a personnel record for each employee. An employee's personnel record is limited to information that is relevant to employment and compliant with the law. Requests for information concerning current or former employees are to be referred to the Human Resources Division.



3.3 Meal Periods and Breaks

Effective Date: August 15, 1980

Revision Date: February 20, 1981, May 27, 1994, August 21, 1998, November 12, 2013, May 10, 2023

Policy

Employees are allowed two fifteen (15) minute paid rest breaks during a normal workday. Employees may not leave their work facility during such periods of rest and can be called back to work at any time.

Department Directors must allow employees working 7.5 hours in a day a meal periods of no less than 30 minutes and no greater than one (1) hour ~~in a normal workday~~ no later than 5 hours into the start of their shift. Employees are not paid for meal periods and employees may leave their work area. Employees assigned to positions requiring full-time attendance or who are "on-duty" status during meals will be paid for them. However, such employees may not be granted more than one-half (1/2) hour for meals and they may not leave their work facility or duty area for meals. This time is to be considered work time and they may be working, called upon or called back to work during such periods of time.

Without prior approval from the Department Director, an employee may not combine rest or meal periods for the purpose of reducing his assigned work schedule.



3.4 Travel Time

Effective Date: August 15, 1980

Revision Date: May 27, 1994, November 12, 2013, May 10, 2023

Policy

In computing hours worked, travel time outside of the scheduled workday shall be compensated only as required by federal or state law. Commuting travel time to and from work is not work time.

Work Performed While Traveling. If work is directly performed while traveling, this time is to be considered time worked.

Travel All in a Day's Work. If the job requires travel during the hours of scheduled work, whether in a District owned vehicle or the employee's vehicle, that time is included as work time. For example, a Ranger Police on patrol or an Environmental Educator who is required to travel from site to site for programs.

Travel Away From Home Exempt Employees. Travel away from home is not to be considered work time beyond scheduled periods of work, unless work is being performed while traveling. For example, travel to and from a training program in Chicago is not travel time. An employee traveling to a meeting or convention away from his/her home should not consider such time as additional hours of work. This shall be true whether a private vehicle or District owned vehicle is used.

Travel to Seminars Hourly (Non-Exempt) Employees. An employee who is sent out of town for one day need not be paid for time spent in traveling from home to the local railroad, bus depot or plane terminal unless that time exceeds their normal commute but must be paid for all other travel time (except for meal periods~~any time spent in eating while traveling~~).

Employees who drive overnight are considered working all the time they are driving.

Where employees travel overnight on business, they must be paid for time spent in travel (except for meal periods) during their normal working hours. Travel time as a passenger on an airplane, train, boat, bus or automobile is outside of regular working hours and is not considered work.



3.5 Inclement Weather/Emergency Conditions

Effective Date: August 15, 1980

Revision Date: May 27, 1994, July 11, 2018, [May 10, 2023](#)

Policy

The Executive Director may close any office, department, function, or operation of the District because of inclement weather or an emergency.

When a work site is closed or inaccessible, an alternate work site shall be designated by the Executive Director.

A Department Director [or their designee](#) may grant an employee concerned about his personal safety and well-being, personal leave, vacation, floating holiday, compensatory time, or time off without pay in order to leave work early or take the day off.



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](#)

Policy

Regular full-time and regular part-time employees may request a leave of absence ~~without pay~~ for Extended Medical Leave, ~~Educational Leave~~, time off under the Family and Medical Leave Act and its provisions for Military Family Leave ("FMLA"), ~~Personal Leave~~, School Visits, and Victims' Economic Security, and Safety law ("VESSA").

The eligibility for, and the duration of, a leave of absence ~~without pay~~ vary with the nature of the leave, and in most cases are set by law, as described below. The District believes that a balance must be struck between the need for a leave of absence, the scheduling requirements of the organization, and the essential job function of regular attendance.

Accordingly, no extended medical leave will be granted on an open-ended basis, and a definite period of time must be specified; however, extensions of definite time periods will be reviewed on a case-by-case basis. In determining the feasibility of continuing time off for extended medical leave, the District will take into account the employee's exhaustion of FMLA leave, ~~and in the absence of extraordinary circumstances no extended medical leave may exceed six (6) months, including time taken under the FMLA.~~

Employees granted leave under the FMLA, including Military Family Leave, and under the state VESSA law, are guaranteed employment by the District in the same position or an equivalent position, to the extent required by those laws. If, at the end of an extended leave beyond the legally job-protected leave, the employee's position is no longer available, the employee will be offered a comparable position, if such a position arises within one (1) year of the expiration of the leave. Any employee that refuses re-employment in the same position or a comparable position loses their re-employment rights under this section.

The Department Director, with Executive Director approval, may fill a position vacated by an employee through leave of absence with a temporary employee. One of the conditions of the status of this temporary placement is that when an incumbent returns from their leave of absence, the services of the temporary employee will no longer be required. However, should the duration of absence from an extended medical leave be such that it is untenable to continue to hold the position open, the District reserves the right to fill the vacant position on a permanent basis.



4.9 Paid Parental Leave

Effective Date: September 8, 2020

Revision Date: May 10, 2023

Policy

The District will provide up to ~~four (4)~~ six (6) weeks of paid parental leave to employees following the birth of an employee's child or the placement of a child with an employee in connection with adoption, legal guardianship, or foster care. The purpose of paid parental leave is to enable the employee to care for and bond with a newborn or a newly placed child. Paid Parental Leave will run concurrently with Family and Medical Leave Act (FMLA) leave, as applicable. Paid Parental Leave will be in effect for births, adoptions, legal guardianships, or placements of foster children occurring on or after the effective date of this policy. The adoption of a new spouse's child is exempted from this policy.



7.2 Illinois Municipal Retirement Fund

Effective Date: August 15, 1980

Revision Date: April 15, 1983, September 16, 1994, August 21, 1998, May 19, 2000, September 19, 2003, November 12, 2013, July 11, 2018, May 10, 2023

Policy

In accordance with the Illinois Pension Code, the District through the Illinois Municipal Retirement Fund (IMRF) participates in a pension program, including death and survivor's benefits, and a long and short-term disability program, ~~and a death benefit and survivor's pension benefit~~ for eligible employees. All District employees in positions budgeted in excess of 1,000 hours annually are required to participate in the program. The Director of Administration is the Authorized Agent for the Fund. :

The District's full-time law enforcement officers shall be covered as members in the IMRF benefit plan for Sheriff's Law Enforcement Personnel (SLEP).

Plan booklets are available from IMRF on IMRF's website. ~~and detailed information about these benefits are also available from the Human Resources Division.~~



7.3 Worker's Compensation

Effective Date: August 15, 1980

Revision Date: September 16, 1994, November 12, 2013, June 28, 2018, May 10, 2023

Policy

~~The District believes that when~~ When employees are subject to occupational injuries arising out of employment, the District will provide the compensation and other support within the guidelines set by the Illinois Workers Compensation Commission.

In accordance with the Illinois Worker's Compensation Act, District employees and officials are provided with Worker's Compensation coverage. The Executive Director and the Director of Administration are responsible for advising the Forest Preserve District Board on the program. It is the responsibility of the Director of Administration to administer such programs.



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

Policy

The District is committed to providing a work environment that is free of harassment based on an individual's actual or perceived sex (including gender identity, sexual orientation and pregnancy), race, color, age, mental or physical disability ~~or handicap~~, religion, national origin ~~ethnicity~~, marital status, ~~sexual orientation~~, ~~or~~ order of protection or any other protected class pursuant to federal, state or local law. Such harassment is unlawful, is hereby prohibited, and will not be tolerated. This policy applies to any harassment of any District employee at work or that relates to such employee's employment, duties, or other terms or conditions of employment. This policy also prohibits any District employee from harassing any District contractor or consultant. It is the responsibility of each employee to refrain from harassment and to report any harassment and it is the right of each employee to work in an environment free from harassment.

Harassment of employees or contractors, whether sexual or otherwise, is strictly forbidden and is considered discrimination under Title VII of the U.S. Civil Rights Act of 1964 and other anti-discrimination laws, including state and local laws. The District has developed this specific policy against harassment.

Harassment can be subtle or overt. The best guard against harassment, whether intentional or not, is to treat all persons in a professional manner without regard to their actual or perceived sex, religion, national origin ~~ethnicity~~, race or the other protected classifications. This is what the District expects from all of its employees.

Each employee shall complete annual sexual harassment prevention training provided by the District.



8.10 End User Account

Effective Date: November 12, 2013

Revision Date: June 28, 2018, May 10, 2023

Policy

Information Technology (IT) provides a wide range of support for District operations, including but not limited to centralized resources for District staff, commissioners, and volunteers, such as electronic mail, enterprise applications, shared file space, and web services. Each employee at the District is a user, for purposes of this policy and procedure, whose interface with the District's system is formalized in the establishment and administration of an account. Accounts are created to meet job-related responsibilities. Changes in responsibility may mandate changes to an account's privileges, and inactivity may indicate that the need for the account has expired. This policy specifies eligibility requirements for accounts, and the responsibilities of administrators, supervisors and users.