

DATE: February 8, 2024

MEMO TO: Gina Roberts, Chair
Finance Committee

FROM: Mary E. Kann
Director of Administration

RECOMMENDATION: Approve amendments to the following Procedures Sections of the District's Personnel Policies and Procedures: 2.4 – Personnel Recruitment Procedures, 2.6 – Personnel Records, 4.11– Employee Community Engagement Program, and 10.1 – Grievance Procedure.

STRATEGIC DIRECTION SUPPORTED: Leadership

FINANCIAL DATA: There is no immediate direct financial impact.

BACKGROUND: From time to time, the District amends its Personnel Policies and Procedures. While the Board of Commissioners has authority to amend the Policies, the Finance Committee has authority to amend individual Procedures within the Policies. Staff recommends approval of the attached changes to Sections 2.4, 2.6, 4.11, and 10.1 of the Personnel Procedures, which include the following:

- 2.4 – Personnel Recruitment Procedures: Amends the procedures to authorize the Executive Director to designate referrals or signing bonuses, as well as to authorize the use of a recruitment agency.
- 2.6 – Personnel Records: Amends the procedure to comply with changes to the Illinois Personnel Records Act, allowing an employee to request an electronic or mailed copy of their personnel record.
- 4.11 – Employee Community Engagement Program: Amends the procedure to allow employees to use time in smaller increments (no less than 2 hours). After implementation, it was determined that a four-hour requirement exceeded the time commitment many local organizations were seeking for their volunteers.
- 10.1 – Grievance Procedure: Amends the procedure to allow Department Directors and the Director of Administration to designate their step in the Grievance process to another individual. Under the current procedure, employees reporting directly to a Department Director and the Director of Administration have fewer steps with an outside, objective party. Allowing these positions to delegate to a designee would create additional opportunity for objective review, which is the intent of the procedure. Amends the procedure to automatically advance a dispute regarding an employee's hourly rate of pay or annual salary to the Executive Director.

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

MOTION: Motion to approve amendments to the following Procedures Sections of the District's Personnel Policies and Procedures: 2.4 – Personnel Recruitment Procedures, 2.6 – Personnel Records, 4.11– Employee Community Engagement Program, and 10.1 – Grievance Procedure, in the forms attached to staff's memo dated February 8, 2024.

APPROVAL:

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

Voice Vote Majority Ayes; Nays: ____



2.4 Personnel Recruitment Procedures

Effective Date: August 15, 1980

Revision Date: May 27, 1994, November 7, 2013, May 4, 2023, February 8, 2024

Procedure

1. The Department Director must notify the Director of Administration of the need to fill a vacancy and complete the ~~position~~ opening process through the applicant tracking system.
2. To insure that the policy of Equal Employment Opportunity 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~~, Executive Director 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. Employment agencies may be utilized for recruitment if ~~approved-authorized~~ by the ~~Finance Committee~~ Executive Director.
7. 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, they may complete an 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 must apply through the District's Online Applicant Tracking System.



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, February 8, 2024

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. Information - other than which is public record - will only be released by the Human Resources Division when authorized in writing by an employee or in response to court action with respect to a lawsuit against the District, a subpoena or to regulatory agencies with subpoena power.

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 interfere with an employee's duties, constitute criminal conduct, threaten 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 former employees who have 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.

The District shall, upon the employee's written request, email or mail a copy of the requested record to the employee by the email address or mailing address identified by the employee for the purpose of receiving the copy of requested record. The District will charge a fee for providing a copy of the requested record. The fee shall be limited to the actual cost of duplicating the requested record.

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.

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.~~



4.11 Employee Community Engagement Program

Effective Date: February 8, 2022

Revision Date: February 8, 2024

Procedure

1. CET must be requested in advance by following the process identified in Procedure
2. ~~Time off can be taken in four hour increments.~~ No less than two (2) hours of CET time may be taken for any activity. CET is taken during an employee's normal work hours.
3. Interested employees should meet with their managers to discuss the organization for which they want to volunteer and their proposed CET schedule. Employees must complete the CET request in ADP and submit it to their supervisor at least one week before the requested CET. When submitting a CET request in ADP, employees will use the comments section to include the name of the organization and the location and type of community support work to be performed. The manager should consult with Human Resources with any questions or concerns before approving or denying the request. Approval is at the discretion of the employee's manager and Director.
4. The timing of any requested CET hours are at the manager's discretion and should not conflict with the peak work schedule and other work-related responsibilities, create a need for overtime or cause conflicts with other employees' schedules.
5. CET hours are refreshed at the beginning of each calendar year (January 1) and cannot be accrued or carried-over into the following year. CET is not paid out if not used.
6. Usage of CET does not impact any benefit time (vacation, sick, personal) accrual
7. The District's Safety Standards, as outlined in Policy 11.1, apply to any community support work and location.
8. Opportunities may arise when the District organizes a workday with a local 501(c)(3) or other charitable organization and employees can sign up to participate. This would be counted toward the employee's CET.



Examples of appropriate uses for CET:

- Building a house for organizations like Habitat for Humanity
- Food bank work
- Cleaning up a beach, highway, park or trail
- Becoming a mentor with organizations like Big Brother/Big Sister
- Supporting a local hospital
- Supporting an animal shelter
- Doing skills-based support work at a not-for-profit location
- Collecting, filling and distributing back to school packs
- Organizing a charity walk or run

Examples of inappropriate uses for CET:

- Taking a ski vacation and charitably giving ski lessons
- Coaching your child's basketball team or playing in adult sporting leagues with no charitable fundraising purpose
- Participating in neighborhood association or owner's association events or meetings
- Attending your child's Parent Teacher conference
- Serving as your child's scout leader
- Attending a professional, religious, or personal interest conference (attending a religious conference or camp; any event where the activity involves promoting, teaching or proselytizing religion)
- Participating in activities of a political party, political action committee, or political nature (i.e., activities supporting political issues or campaigns)



10.1 Grievance Procedure

Effective Date: August 15, 1980

Revision Date: November 8, 1994, June 21, 2002, November 7, 2013, May 4, 2023,

February 8, 2024

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. A 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. 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. A grievance involving a dispute over an employee’s hourly rate of pay or annual salary will automatically advance to Step Four of the Grievance Process. 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 or their designee 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 or their designee 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 or their designee 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 or their designee 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 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 settlement is reached, the Director of Administration or their designee 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.
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.