

OFFICE OF THE COOK COUNTY RECORDER OF DEEDS

STATEMENT OF PURPOSE

The Office of the Cook County Recorder of Deeds records, stores and maintains land records and other official documents in perpetuity for public and private use, facilitating home ownership and mortgage lending. Our staff works to provide access to this information in an efficient and courteous manner, both in our physical offices and online.

The Cook County Recorder's Office also maintains a Property Fraud Unit to help homeowners investigate fraudulent filings against their property and coordinate law enforcement efforts. We also safeguard vital military discharge records and operate a Veterans Service Office to provide veterans and their families.

POLICY MANUAL AND PROCEDURES ACKNOWLEDGMENT

This Manual governs the personnel policies and procedures of the Cook County Recorder of Deeds Office. I understand that these policies may change and that the Recorder Administration will provide me with written notification if and when they do. I understand that I will be responsible for updating my Manual with the written notification provided by the Recorder Administration. I agree also to abide by such changes. I further understand that any violation of these policies and procedures may result in Disciplinary Action up to and including discharge.

Employee Name

Employee Signature

Date

**THIS PAGE IS TO BE EXECUTED BY THE EMPLOYEE AND PLACED IN THE
EMPLOYEE’S PERSONNEL FILE.**

CCRD TECHNOLOGY AND AUTOMATION SYSTEMS USAGE

The use of the Cook County Recorder of Deeds (“CCRD”) automation systems, including telephones, computers, fax machines, copiers and all forms of Internet/Intranet access, is for CCRD business and for authorized purposes only. Electronic communication should not be used to solicit or sell products or services that are unrelated to the CCRD's business; distract, intimidate, or harass coworkers or third parties; or disrupt the workplace. The Internet is to be used for County business only and is not to be used for personal gain. Employees should adhere to the highest professional/ethical standards when using the Internet as they are representatives of the CCRD. Additionally, accessing, viewing, or disseminating pornographic or other inappropriate pictures, videos, emails, texts, websites, or information is strictly prohibited.

Use of the CCRD computers, networks, and Internet access is a privilege granted by the CCRD and may be revoked at any time for inappropriate conduct carried out on such systems. Improper use may result in discipline up to and including termination.

CCRD Employees are prohibited from installing any software on County computers without the approval of the Information Technology Department (IT) and their Division Head. The CCRD or County purchases and licenses the use of various types of computer software for business purposes. Employees shall use the software only in accordance with the license agreement. According to the U.S. Copyright Law, illegal reproduction of software can be subject to civil damages and criminal penalties including fines and imprisonment. CCRD Employees are prohibited from installing County and/or CCRD software on their (non-County) personal computer, unless otherwise authorized. In addition, Employees are prohibited from altering the existing hardware or making additions to hardware on County computers, unless otherwise authorized by the IT Department and their Division Head.

The CCRD owns the rights to all data and files in any computer, network, or other information system used in the CCRD. The CCRD also reserves the right to monitor electronic mail messages (including personal/private/instant messaging systems) and their content, as well as any and all use of the Internet and of computer equipment used to create, view, or access e-mail and Internet content. Employees must be aware that the electronic mail messages sent and received using County and/or CCRD equipment are not private and are subject to viewing, downloading, inspection, release, and archiving by County and/or CCRD officials at all times. The CCRD has the right to inspect any and all files stored in private areas of the network or on individual computers or storage media in order to assure compliance with policy and State and Federal laws. No Employee may access another Employee's computer, computer files, or electronic mail messages without prior authorization from either the Employee or an appropriate County and CCRD official (Administration).

A backup copy of all CCRD data and systems must be performed regularly. Computer users should refrain from storing CCRD data on their local computer. In the event data is stored locally, Employees must save a backup to their Section's shared drive no less than once per month. Employees having knowledge of the misuse of any telephonic, computer equipment, electronic communications equipment or software shall notify their department head. CCRD's Technology and Automation Policy must be read in its entirety. *See* Section 6.

**COOK COUNTY RECORDER OF DEEDS
PERSONNEL POLICY AND PROCEDURES MANUAL**

Table of Contents

i.	INTRODUCTION.....	viii
ii.	DEFINITIONS	ix
1)	Code of Conduct	1
	a) Customer Service-----1	
	b) Courtesy-----1	
	c) Dress Code-----1	
	d) Media-----1	
	e) Violence-----1	
	f) Anti-Harassment-----1	
	g) Drug Abuse & Alcohol Testing-----3	
2)	Time and Attendance	4
	a) Attendance/Hours of Employment-----4	
	b) Compensatory Time & Overtime-----5	
	c) Excused Absences-----8	
	d) Leaves of Absence-----14	
3)	Employee Benefits	22
	a) HRD Obligations-----22	
	b) Insurance & Benefit Coverage-----22	
	c) Personnel Records-----23	
4)	Performance Management	26
	a) Performance Evaluation Policy-----26	
	b) Training and Development-----27	
	c) Desk Audit -----28	
	d) Dual Employment-----28	
	e) Tuition Reimbursement-----29	
	f) Authorized CCRD Transportation Driver -----31	
5)	Hiring and Employment	33
	a) Equal Employment Opportunity-----33	
	b) Recruitment and Application-----33	
	c) Position Classification & Compensation-----36	

d) Promotions-----	39
e) Transfer Policy-----	40
f) Assignment or Change in Duties Not Involving a Transfer-----	41
g) Temporary Assignments-----	42
h) Cross - Training-----	43
i) Demotions-----	44
j) Employee Separation-----	45
k) Employment Compliance-----	45
6) Prohibited Activities and Discipline	47
a) Discipline Policy-----	47
b) Reporting Accidents, Illness & Malfunctioning Equipment-----	55
c) Misuse and Abuse of CCRD or County Property-----	56
d) Technology Usage-----	57
7) Safety	64
a) Safety Guidelines-----	64
b) Security Issues-----	64

APPENDICES

Appendix No. 1: Cook County Recorder’s Employment Plan

Appendix No. 2: Cook County Recorder’s Ethics Policy

INTRODUCTION

This Personnel Policy and Procedures Manual (“Manual”) serves as a guide for Employees of the Cook County Recorder of Deeds Office (“CCRD”) providing information regarding office policies and procedures. Its purpose is two-fold: (1) to serve as a referential source of information; and (2) to aid in establishing and maintaining uniformity of policies and procedures. The Manual applies to all Employees of the CCRD that are not *Shakman*-exempt and is intended to define and communicate the CCRD’s policies and procedures. In the event that provisions of this Manual vary from the terms of effective collective bargaining agreement (“CBA”), the terms of those agreements shall govern members of the collective bargaining unit.

Each Employee is responsible for maintaining and updating the Manual as necessary with any amendments or revisions. All union Employees should also consult their applicable CBA.

This Manual reflects procedures developed for operational needs and for the purposes of complying with the Recorder’s Employment Plan, applicable federal, state and local laws, and the judgments, Consent Decree and Supplemental Relief Order entered in *Michael L. Shakman, et al. v. The Democratic Organization of Cook County, et. al.*, 69 C 2145, while in effect.

Employees are expected to familiarize themselves with the policies and procedures contained in this Manual. Moreover, Employees are responsible for acknowledging and ensuring that they adhere to these policies and procedures. **The information contained by this Manual preempts all prior communications on subjects covered within this Manual. Any and all violations of this Manual shall be subject to the Disciplinary Procedures as outlined in Section 6.**

Please be advised that this Manual does not constitute a contract and the language used in this Manual is not intended to create or to be construed as a contract or promise of continued employment. The Manual sets forth general information and guidelines and does not purport to address every situation or contingency. Employees should direct all questions about policies, programs or other applications of this Manual to CCRD Human Resources.

Division Head and Section Supervisors shall establish additional guidelines to assist their Employees with day to day functionality. Division Head and Section Supervisor guidelines must not conflict with this Manual.

INTERPRETATION OF RULES

All questions concerning the specific application of the provisions of these Rules shall be interpreted and resolved by the HRD in conjunction with the Director of Compliance. Nothing in this section shall be construed as a limitation on HRD's ability to seek advice from Legal Counsel in furtherance of carrying out the duties set forth in this section.

DEFINITIONS

Anniversary Date: The date utilized for purposes of determining an Employee's step progression within his/her current classification in accordance with the applicable Salary Schedule. The anniversary date is established by the original date of employment as modified by Promotion, leaves of absence, demotion, Reclassification and/or upgrade.

Applicant: A person who has submitted an online application to the division of Human Resources for a Position and whose name appears on the Preliminary Eligibility List. *See* definition of Applicant in the Employment Plan.

Applicant Tracking and Application System ("ATAS"): The electronic employment application system used in the hiring of CCRD Employees. The CCRD currently uses TALEO as its Applicant Tracking and Application System.

ATAS: *See* Applicant Tracking and Application System.

Automated External Defibrillator ("AED"): A portable electronic device that automatically diagnoses potentially life threatening cardiac emergencies and is able to treat the patient through defibrillation.

Candidate: An Applicant whose name is included on the Validated Eligibility List pursuant to Section V of the Employment Plan.

CCRD: Cook County Recorder of Deeds

CBA: *See* Collective Bargaining Agreement.

Chain of Command: The reporting structure to be followed for concerns and complaints not otherwise directed within this Manual (i.e. an employee's (1) Supervisor, (2) Director, where applicable, and (3) Deputy Recorder, where applicable).

Collective Bargaining Agreement ("CBA"): Any current collective bargaining agreement between the CCRD and any legally recognized collective bargaining representative of Employees of the CCRD. Any reference to "the applicable CBA" means pursuant and subject to the then current collective bargaining agreement.

Compensatory Time: Time off earned by a CCRD Employee pursuant to law and the CCRD's Personnel Policy and Procedures Manual. Only employees eligible to earn overtime under the Fair Labor Standards Act, or Illinois counterpart, may earn compensatory time.

Conflict of Interest: A situation in which impartiality and judgment may be compromised or may appear to be compromised because of an actual or potential conflict between a person's self-interest and his or her professional or public-interest.

Consent Decree: The "Judgment Entered Upon Consent of Cook County Recorder of Deeds" in 1992 between plaintiffs and the Recorder in *Shakman, et al. v. the Democratic Organization of Cook County, et al.*, Case No. 69 C 2145.

Contiguous State: A state that is contiguous to Illinois. These states are Wisconsin, Iowa, Michigan, Missouri, Indiana, and Kentucky.

Cross-Training: Teaching an Employee assigned to perform the functions of one Position the skills required to perform a different Position.

Day or day: A calendar day unless otherwise indicated.

Demotion: A downgrade from one Position to another lower-level Position that may or may not result in lower compensation.

Designee: See definition of Designee in the Employment Plan for purposes of all Employment Actions. For all other purposes, Designee is a person who has been designated by a Supervisor to perform the duties on their behalf.

Desk Audit: The procedure used to determine whether a particular Position's duties and responsibilities match its job classification and salary grade.

Division: A unit of the Recorder's Office.

Division Head: The individual assigned to head or direct a Division. Also referred to as Director.

Division of Human Resources ("HRD"): The Division of Human Resources of the Recorder.

Director of Compliance: The CCRD Employee in charge of compliance who shall perform all tasks and responsibilities as described in the Employment Plan and as may be assigned from time to time.

Disciplinary Action: A process for dealing with behavior that does not meet expected and communicated performance standards. See Disciplinary Policy at Section at 6.

Discipline: An action taken by management in response to an Employee's conduct or performance, including verbal and written reprimands, suspensions and terminations, but not including Supervisory counseling. See Disciplinary Policy at Section at 6.

Emergency: See definition of Emergency in the Employment Plan for purposes of all Employment Actions. For all other purposes an Emergency is a situation which involves a threat to an Employees health, safety or security.

Emergency Contact: Individual(s) identified by the Employee to receive notification of Emergencies on behalf of the Employee.

Emergency Suspension: A temporary, but immediate, separation from employment due to a situation involving a threat to an Employees health, safety or security, occurring prior to a Pre-Disciplinary Hearing.

Employment Action: Any action (positive or negative) related to any aspect of employment, including, but not limited to, hiring, training, change in job assignment, Cross-Training, Promotion, Transfer, assignment of Overtime and Compensatory Time and other benefits of employment, Discipline, and/or Termination.

Employee: An Employee of the CCRD either part-time or full-time.

Employment Plan: The Employment Plan filed on August 14, 2013 pursuant to the SRO entered in *Michael L. Shakman, et al. v. The Democratic Organization of Cook County, et. al.*, 69 C 2145 and as amended from time to time.

Exempt List: The list of all Exempt Positions.

Exempt Position: A CCRD employment Position that is included on the Exempt List because it is a job that involves policy making to an extent or is confidential in such a way that political party affiliation is an appropriate requirement for the effective performance of the job.

Exit Interview: An Interview conducted by HRD of an employee separating from employment with the CCRD.

Extern/Externship: A person who participates in a training program that is part of a course of study of an educational institution.

External Applicant: An Applicant who applies for a Position and is not an Employee of the Recorder at the time of application.

Fiscal Year: December 1 through November 30 of the following year.

Flextime: A work schedule with variable assigned working hours.

General Hiring Process: The hiring process described in detail in Section V of the Employment Plan.

Harassment: Unwelcome verbal or physical conduct based on a protected classification such as: a race, color, religion, sex (whether or not of a sexual nature and including same-gender harassment and gender identity harassment), national origin, age (40 and over), disability (mental or physical), sexual orientation, or retaliation.

Hiring Division: The Division in which an Applicant who is hired will be assigned to work.

HRD: See Division of Human Resources.

HRD Headquarters: The headquarters of the Division of Human Resources located at Cook County Recorder of Deeds 118 N. Clark Street, Room 230, Chicago, IL 60602.

Immediate Family: Immediate family includes spouse, civil union partner, mother, father, children (including step children), siblings, grandparents, grandchildren, and spouse's parents.

Intern/Internship: A person who participates in a training program for the purpose of gaining supervised practical experience that is for his or her benefit and whose activities do not displace the work of regular CCRD Employees.

Internal Applicant: An Applicant who applies for a Position and who is actively employed by the CCRD at the time of application.

Internal Posting Application Process: The application process utilized for assessment of Internal Applicants for available Positions, Promotional Opportunities and Transfers incident to the applicable CBA.

Internal Candidate Eligibility List: List created for an available Position that identifies the Internal Candidates that meet all Minimum Qualifications.

Job Code: A code assigned to each job title.

Job Description: A written document that describes the Minimum Qualifications and current responsibilities of a Position and the skills, education and abilities needed to perform those responsibilities. The Job Description may also include any Preferred Qualifications.

Layoff: The temporary or permanent removal of a CCRD Employee from his or her job.

Manual: *See* Personnel Policy and Procedures Manual.

Minimum Qualifications: *See* definition of Minimum Qualification in the Employment Plan. Minimum Qualifications refers to the primary skill set, experience and/or education that an Applicant or Candidate must possess to be considered for employment in a specific Position.

No Political Consideration Certification ("NPCC"): The certification that, to the signer's knowledge and agreement, no Political Reasons or Factors have been or will be taken into consideration or have or will influence the Employment Action involved.

Notice of Job Opportunity: The public notice of the recruitment for an available Position.

NPCC: *See* No Political Consideration Certification.

Overtime: Hours worked by an Employee in excess of forty (40) hours in a work week, or as otherwise provided in an applicable CBA. Only employees eligible to earn overtime pursuant to the Fair Labor Standards Act, and Illinois counterpart, may earn overtime.

Parental Leave: Paid time off as a result of the birth or adoption of a child.

Performance Evaluation: A formal written review of an Employee's job-related performance.

Personnel Policy and Procedures Manual ("Manual"): *See* definition of Personnel Policy and Procedures Manual in the Employment Plan. References herein are to this Manual of CCRD's employment policies and procedures, maintained by HRD, including any and all amendments and addendums thereto.

Political Reasons and Factors: Any reasons or factors relating to political matters in connection with any Employment Action, including, but not limited to: (1) any recommendation for or against the hiring, Promotion, Transfer or the taking of any other Employment Action with respect to any Applicant, potential Applicant or CCRD Employee from any Politically-Related Person or Organization that is not based on that Politically-Related Person's or Organization's personal knowledge of the Applicant's, potential Applicant's or CCRD Employee's skills, work experience or other job-related characteristics; (2) the fact that an Applicant, potential Applicant or CCRD Employee works or worked for a Politically-Related Person or Organization, or works or worked on a political campaign, unless related to a recommendation based on an Applicant's, potential Applicant's, or CCRD Employee's skills, work experience or other job related characteristics, (3) the fact that an Applicant, potential Applicant or CCRD Employee is or was, or is not or was not, a member of any political party or a Politically-Related Organization; (4) the fact that an Applicant, potential Applicant or CCRD Employee contributed or raised money, or provided anything of monetary value, to a Politically-Related Person or Organization, or refrained from doing so; (5) the fact that an Applicant is a Democrat or a Republican or a member of any other political party or group, or the fact that the Applicant, potential Applicant, or CCRD Employee is not such a member; or (6) the fact that an Applicant, potential Applicant or CCRD Employee may express any views or beliefs on political matters.

Politically-Related Person or Organization: Any elected or appointed public official or any person employed by, acting as an agent of or representing any elected or appointed public official or any political organization or politically-affiliated group.

Position Identification Number: The unique number assigned to a Position by Cook County Human Resources.

Position: Any probationary, temporary, part-time, full-time, permanent, temporary or any other post of employment with the CCRD.

Preferred Qualifications: *See* definition of Preferred Qualification in the Employment Plan. Minimum Qualifications refers to the additional skill set, above and beyond the Minimum Qualifications for a Position.

Promotion: The advancement of a current CCRD Employee to a higher graded Position than his or her current Position.

Proof Status: A timekeeping designation requiring the employee's submission of doctor's statement(s) or proof of illness in order to utilize one's sick time in accordance with CCRD's Paid Time Off Procedures. *See* Sick Leave at subpart 2(d)(ii)(2).

RCA: See Recorder Compliance Administrator.

Reassignment Candidate: An individual who is subject to Layoff, who may transfer under an applicable CBA to other CCRD employment because of such layoff and who is actively employed in a Position at the time he or she is subject to layoff.

Recall Candidate: An individual who has been laid off from a Position and is eligible to return to work in accordance with an applicable CBA.

Reclassification: The process by which a Position is reclassified to another lower or higher classification pursuant to the Manual or an applicable CBA.

Recorder: The Cook County Recorder of Deeds.

Recorder Compliance Administrator: (“RCA”): The Recorder’s Shakman Compliance Administrator appointed pursuant to Section I of the SRO.

Relative: A person who is related to an official or employee as spouse or any of the following, whether by blood, marriage or adoption: domestic partner, civil union partner, parent, child, brother, sister, aunt, uncle, niece, nephew, grandparent, grandchild, father-in-law, mother –in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother or half-sister.

Salary Schedule: A CCRD Employee’s grade, step and compensation as provided by the Cook County Bureau of Human Resources and/or the applicable CBA.

Section: A sub-unit of a Division within the CCRD.

Separation: Discontinuance of employment with the CCRD including by Termination/Discharge, Resignation, Retirement, or by other means.

Shakman Case: *Shakman et al. v. Democratic Organization of Cook County, et al.*, United States District Court for the Northern District of Illinois Eastern Division Case Number 69 C 2145.

Sick Leave: Paid time off granted for the purposes of illness as defined in subpart 2.d.ii.2. in accordance with the bi-weekly payroll system.

SRO: Supplemental Relief Order (“SRO”).

Supervisor: Any employee of the CCRD who, among other managerial duties, has the authority to authorize, execute or recommend any Employment Action.

Supervisor Counseling: A discussion between the employee and their Supervisor(s) on how to correct the Employee’s action or to provide direction to the Employee on how to meet the expectations of the office. A Supervisor Counseling is not a Disciplinary Action.

Temporary Assignment: Temporary Assignment refers to the assignment of a Position's duties to an Employee for execution on a short-term basis.

Vacation Leave: Paid time off issued in accordance with the bi-weekly payroll system.

Written or in writing: *See* definition of Written or in writing in the Employment Plan. Written or in writing refers to the provision of documentation as specified herein.

Additional or related definitions can be found in the CCRD's Employment Plan. See Appendix No. 1.

1) CODE OF CONDUCT

a) Customer Service

- i) **Statement on Customer Service: Employees are expected to** provide courteous, responsive, respectful, and knowledgeable service to our customers. We will provide the fullest possible service at all times by publicizing our range of services, and keeping our customers informed of any changes to our services.
- ii) **Policy on Unauthorized Practice of Law:** CCRD Employees are prohibited from suggesting and/or recommending to the public which legal form or legal instrument to use and how to prepare and utilize legal forms and documents.

b) Courtesy

- i) The primary goal of the office is providing excellent service to the citizens and taxpayers of Cook County. Therefore, Employees are obligated not only to discharge their responsibilities to the public, but to do so in a respectful manner. Therefore, all members of the public and fellow Employees must be afforded courteous treatment.

c) Dress Code

- i) All Employees of the CCRD must be dressed neatly and in proper business attire, portraying to our customers the dignified and professional atmosphere of the business establishment. Business attire must be worn at all times.

d) Media Commentary During Work Hours

- i) Employees are prohibited from speaking to the media regarding any matters pertaining to CCRD and/or Cook County Government during the CCRD work day. All CCRD related media inquiries must be forwarded to the Deputy Recorder – Communications or the Communications Division in his or her absence.

e) Violence

- i) Violence and/or threats of violence in the workplace will not be tolerated. See Disciplinary Policy at Section 6 for additional information.

f) Anti-Harassment

- i) This policy covers all Employees of the CCRD and is intended to create a work environment free of Harassment as required by all applicable laws.

- ii) It is the responsibility of each individual Employee to abstain from all forms of Harassment, and, it is the right of each individual Employee to work in an environment free from Harassment.
- iii) It is against the policies of the CCRD for any Employee, member of the public who utilizes the services of the CCRD and CCRD vendor to engage in any form of Harassment including but not limited to:
 - (a)making unwelcome sexual advances, requests for sexual favors, or other verbal, written or physical conduct of a sexual nature a condition of an Employee's employment;
 - (b)making submission to or rejections of such conduct the basis for employment decisions affecting the Employee; or
 - (c)creating an intimidating, hostile or offensive working environment by such conduct.
- iv) Harassment may take different forms. One specific form is the demand for sexual favors. Other forms of Harassment may include:
 - (a)Written or Verbal - Sexual innuendos, suggestive comments, jokes of a sexual nature, sexual propositions, threats, repeated request for dates or statements of a sexual nature about Employees, even outside of their presence.
 - (b)Non-verbal - Sexually suggestive objects or pictures, graphics, commentaries, suggestive or insulting sounds, leering, whistling, obscene gestures.
 - (c)Physical- Unwanted physical contact, including touching, hugging, kissing, pinching, brushing the body, coerced sexual intercourse, assault.
- v) Harassment may be overt or subtle. Some behavior, which is appropriate in a social setting, may not be appropriate in the work place. But whatever form it takes, verbal, non-verbal or physical, Harassment can be insulting and demeaning to the recipient and cannot be tolerated in the work place. Harassment by anyone, Employee, manager, Supervisor, or non-Employee will not be tolerated. All Employees, managers, Supervisors, customers and vendors will be expected to comply with this policy and take appropriate measures to ensure that such conduct does not occur. Immediate Disciplinary Action will be taken against any Employee who violates this policy against Harassment. See Discipline Policy at Section 6.
- vi) **Responsibility of Employees:** Each Employee has the responsibility to abstain from Harassment in the work place. An Employee who harasses a fellow worker is liable for his or her individual conduct. Harassment is a Major Disciplinary Infraction and will subject the Employee to Discipline, up to and including discharge. See Discipline Policy at Section 6.

vii) Responsibility of Supervisory Personnel: Each Supervisor is responsible for maintaining a work place free of Harassment. Supervisors must act quickly, responsibly and discretely. Specifically, a Supervisor must address an observed or reported incident of Harassment or a complaint, with seriousness, take prompt action to investigate it, report it and initiate appropriate Disciplinary Action while observing strict confidentiality. This also applies to cases where an Employee tells the Supervisor about behavior considered harassment regardless of whether the complaint is made formally or informally. In addition, Supervisors must ensure that no retaliation will result against an Employee making a Harassment complaint.

viii) Procedures For Addressing Harassment Complaints:

(a) Employees should report, in writing, all complaints to a Supervisor in their Chain of Command and/or the Director of HRD or Labor Counsel.

(b) Where feasible an investigation and determination will be made within thirty (30) days of receipt of the complaint, with a follow-up inquiry made within sixty (60) days after the resolution.

(c) A Supervisor or any other Employee in a Supervisory capacity who is aware of Harassment of an Employee and does not take immediate action shall also be subject to Disciplinary Action.

ix) False and Frivolous Complaints: False and frivolous complaints refer to cases where the accuser is using a Harassment complaint to accomplish some end other than stopping Harassment. It does not refer to complaints made in good faith, which cannot be proven. Given the seriousness of the consequences for the accused, a false and frivolous complaint is a Major Disciplinary Infraction that shall result in Disciplinary Action. See Discipline Policy at Section 6.

x) Retaliation: No person shall retaliate against any person because that person in good faith has opposed that which the person reasonably believed to be unlawful discrimination, Harassment, or has made a complaint, testified, assisted, or participated in an investigation, proceeding, or hearing under this policy.

g) Drug Abuse & Alcohol Testing

i) Our Office shall be a work place free of drugs and alcohol. Employees who demonstrate a problem with either alcohol or drugs shall be referred by his or her Supervisor to the Employee Assistance Program (“EAP”). An Employee seeking help may also contact the EAP directly.

ii) Drug Abuse Testing Procedures: The Drug Abuse Policy and Testing Procedures provides for drug and/or alcohol testing of current CCRD Employees and of prospective Employees, under the following circumstances:

(a) Pre-employment

- (b) Reasonable suspicion
 - (c) Return to work
 - (d) Post-accident
- iii) With reasonable suspicion, a Division Head or Supervisor requesting that an Employee be required to submit to a drug and/or alcohol test must provide written documentation of facts constituting “reasonable suspicion” to HRD. Bargaining unit Employees are entitled to union representation at the time the Employee is referred for testing. Employees referred for a drug and/or alcohol test will not be permitted to remain at work. Such Employees shall be placed on administrative leave with pay until the test results are available. Noncooperation with the collection process, failure to adequately complete, or falsification of questions on custody control forms, or any attempt to adulterate or substitute a specimen, shall be cause for disciplinary proceedings up to and including discharge.
 - iv) A positive test result presumptively indicates that the Employee is under the influence of drugs or alcohol and is unfit for duty. Disciplinary Action up to and including discharge is mandated.
 - v) Any non-Probationary full-time Employee testing positive for drugs or alcohol may be granted a one-time opportunity to “successfully” complete a drug or alcohol rehabilitation program, as provided under the Cook County Medical Insurance Plan and when applicable in compliance with the terms and conditions of the applicable CBA.

2) TIME AND ATTENDANCE

a) Attendance:

- i) Regular attendance is an essential condition of employment. All Employees should be at their work areas at the time assigned and prepared to work until the normal or approved quitting time. Failure to meet this requirement will result in a dock in pay and Disciplinary Action. Any deviations from regular attendance must be reported to HRD.
- ii) **Work Week:** The five-day work week commences on Monday and ends on Friday.
- iii) **Tardiness:** An Employee is considered tardy by swiping more than five minutes after his or her designated starting time. Employees swiping in more than thirty minutes after their designated start time will receive a “double late.” Excessive tardiness and returning late from breaks or lunch periods will not be allowed. Three or more instances of tardiness in a one calendar month period will be considered excessive and, therefore, will result in Disciplinary Action. See Discipline Policy at subpart 6.
- iv) **Employee Identification Card Policy:** CCRD Employee Identification Cards (ID) must be worn in the workplace and be visible at all times. Employee IDs are not to be left in

mailboxes or workstations at the end of a shift or over the weekend. Lost or stolen IDs must be reported to HRD immediately. Misuse, lost or forgotten IDs may lead to Disciplinary Action. *See* Disciplinary Action policy.

v) Reporting Employee's Absence: Supervisors are to email the designated HRD contact every weekday by 9:30 A.M. with any changes in their team's attendance. These changes should include any Sick, Vacation, Personal Day, Floating Holiday, and/or Compensatory Time being used by an Employee. It is also imperative that the Supervisor also state if time off is FMLA-related.

(a) Daily reports of an Employee's late arrival time or late return from lunch or breaks will be produced via the Time Clock System by HRD's Payroll team and should be utilized as necessary.

(b) Supervisors must email HRD as soon as possible if an Employee has any problems with their ID cards (i.e. lost/misplaced/forgotten ID; swiping problems or time clock issues).

vi) Flextime: Upon request, Flextime may be approved depending on the specific circumstances and based upon operational needs. Flextime will be granted or denied in a uniform manner and will not be based on Political Reasons or Factors.

(a) Requests for Flextime must be submitted on the CCRD Flextime Request form provided by HRD. Only those employees with no Disciplinary Actions for the twelve month period immediately prior to the request will be considered eligible for Flextime.

(b) A request for Flextime may be approved only if the requesting Employee received a total score of at least 4.0 on the Performance Evaluation immediately preceding the Employee's request for Flextime.

vii) Union Steward/Employee Interaction: The first floor lunchroom will be available for union use between the hours of 2:15 PM and 2:30 PM. Second floor Employees may use the second floor lunchroom during this time. Satellite staff should see their location's Supervisor(s) for alternative accommodations. Employees and stewards should arrange their breaks with their respective Supervisor(s) during this time to discuss union matters. Union business should not be discussed at individual workstations or in the work areas during working hours. Please be advised that those Employees who violate this office policy may be subject to Disciplinary Action.

b) Compensatory Time and Overtime

i) Compensatory Time and Overtime will be awarded and earned in accordance with any applicable CBA, the Manual and applicable law, including the Fair Labor Standard Act and its Illinois counterpart. If such procedures do not exist or apply, the procedures described below shall be used. Compensatory Time and Overtime for Employees will not be awarded or withheld based on Political Reasons or Factors.

- ii) Occasionally Employees may be called upon to work more hours than the normal workweek. This will only occur in situations of operational need and only with the prior approval of the Recorder or his/her Designee.
- iii) Employees will be expected to perform any reasonable amounts of Overtime work assigned to them. The Recorder or his/her Designee will attempt to assign Compensatory Time or Overtime work to the Employees who are immediately available when the need for Compensatory Time or Overtime occurs, and who normally and customarily perform the work involved. In cases of immediate operational need, the Recorder or his/her Designee may assign the Compensatory Time or Overtime work to any Employee immediately available. It is the intention of the Recorder or his/her Designee that Compensatory Time or Overtime work will be distributed equitably among the Employees in the same job classification within a work section.
- iv) **In accordance with the provisions herein, all Compensatory Time or Overtime must be authorized by the Recorder or his/her Designee before it can be earned.**
- v) In order to qualify for Compensatory Time or Overtime work, an Employee must not have had an unauthorized leave during the workweek preceding the request for Compensatory Time or Overtime.
- vi) **For Union Employees of the CCRD's Office:**
 - (a) Where not provided in an applicable CBA, a Union Employee shall be provided Overtime compensation at one and one-half times the average pay of the Employee's regular hourly rate or Compensatory Time off at one and one-half hours times the number of hours worked in excess of eight in any workday and over forty in any workweek.
 - (b) Employees shall not be laid off from their regular scheduled hours of work to avoid payment of Overtime.
- vii) **For Non-Union Employees within the CCRD's Office:**
 - (a) Non-union Employee shall be provided Overtime compensation at one and one-half times the average pay of the Employee's regular hourly rate or Compensatory Time off at one and one-half hours times the number of Overtime hours worked for all hours worked in excess of eight in any work day and over forty in any workweek.
 - (b) A non-union Employee may accumulate up to 120 hours of Compensatory Time.
 - (c) A non-union Employee's available Compensatory Time must be used by November 30, of each Fiscal Year, and otherwise will be forfeited.
- viii) **Overtime or Compensatory Time without Advanced Notice:**

- (a) In the event a Supervisor, determines there is a need for Overtime or Compensatory Time and advance notice is not feasible, the Supervisor, shall assign the Overtime or Compensatory time and send written confirmation of such assignment to the Director of HRD or his or her Designee and the Division Head, or Director, the first business day immediately after such Overtime or Compensatory Time has been worked.
- (b) Such written confirmation shall include (1) the reason advanced notice was not feasible, (2) the name(s) of the Employee(s) selected, (3) a description of the selection criteria, (4) the business reason for the Overtime or Compensatory Time, and (5) a NPCC. Such confirmation shall be sent to the Director of Compliance. In the event the Director of HRD and the Division Head, or Director, determines that he or she would have denied the request for Overtime or Compensatory Time if advance notice had been provided, Disciplinary Action shall be taken against the Supervisor making the request.

ix) Overtime or Compensatory Time with Advanced Notice:

In the event a Supervisor determines that there is a need for Overtime or Compensatory Time and advanced notice, at least forty-eight hours notice, is feasible, he or she shall complete an Overtime Request Form, available in HR, and submit it to the Director of HR, or Designee and the Division Head, or Director. The request shall include dates and times of Overtime or Compensatory Time requested, the number of Employee(s) needed, and the operational need for Overtime or Compensatory Time. The Director of HR, or Designee and the Division Head, or Director shall approve or deny the request and send notice of his or her determination to the requesting Supervisor with a copy to the Director of Compliance. Overtime or Compensatory Time will be assigned in accordance with any applicable CBA.

x) Overtime and Compensatory Time Based on Unique Need:

In the event a Supervisor determines that a particular Overtime or Compensatory Time assignment requires a specific expertise or familiarity with a particular event, project or assignment, such assignment need not be based on seniority or reverse seniority. The Supervisor shall assign the Overtime or Compensatory Time based on the unique need and provide written confirmation in accordance with this subpart 2.b. Following consideration of the specific expertise or familiarity with a particular event, project or assignment, should multiple eligible Employees remain, the selection shall be made from the multiple eligible Employees remaining in accordance with any applicable CBA.

xi) Overtime and Compensatory Assignment Records:

- (a) The Division Head, or Director, is responsible for updating HRD with all Overtime and Compensatory Time request approval and denials.

- (b)HRD will be responsible for maintaining CCRD's Overtime and Compensatory Time Assignment Records assuring that all Overtime and Compensatory Time assignments are made in accordance with this subpart 2.b.
- (c)Such records shall be available for review by the Director of Compliance upon request.

xii) Compensation for Overtime:

- (a)Employees who are assigned Overtime will be compensated with Compensatory Time instead of Overtime pay to the extent allowed under any applicable CBA and applicable law. In no event will an Employee be given any Overtime assignment if such assignment will result in the Employees exceeding his or her allowable accumulated Compensatory Time under any applicable CBA.
- (b)Employees terminating or separating from employment with the CCRD shall be paid for unused Compensatory Time in accordance with an applicable CBA and law.

c) Excused Absences

i) Paid Time Off:

- (a)**Holidays:** The following dates are hereby declared holidays for all salaried Employees of the CCRD:

New Year's Day	January 1
Martin Luther King's Birthday	Third Monday in January
Lincoln's Birthday	February 12
Washington's Birthday	Third Monday in February
Casimir Pulaski's Birthday	First Monday in March
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Columbus Day	Second Monday in October
Veteran's Day	November 11
Thanksgiving Day	Fourth Thursday in November
Christmas Day	December 25

- (i) In addition to the holidays listed above, there shall be a floating paid holiday that may be used by Employees. Employees must be on the payroll on the first day of the Fiscal Year in order to avail themselves of the floating holiday in that Fiscal Year. Employees shall forfeit the floating holiday if they do not use it by the end of the Fiscal Year in which it accrued or if they leave CCRD employment before using it.
- (ii) All salaried Employees shall be granted the above holidays, or equivalent paid days off per year.

(iii) Should a certain holiday fall on Saturday, the preceding Friday shall be set as the holiday. Should a certain holiday fall on a Sunday, the following Monday shall be set as the holiday.

(b) Sick Leave:

- (i) Sick Leave is granted in hour increments by CCRD because an Employee is unable to perform his/her assigned duties, or because the Employee's presence at work would jeopardize the health of his/her co-workers. Accordingly, Sick Leave shall not be used as additional vacation leave.
- (ii) Sick Leave may be used for illness, disability incidental to pregnancy or non-job related injury to the Employee; appointments with physicians, dentists, or other recognized practitioners; or for serious illness, disability, or injury in the Immediate Family of the Employee.
- (iii) All eligible Employees, other than seasonal Employees, shall be granted Sick Leave with pay at the rate of one working day per month of service. Sick Leave accruals will be carried out in accordance with the bi-weekly payroll system. Employees must be in a pay status for a minimum of five days in a pay period to accrue sick time in that period.
- (iv) All individuals employed on a part-time work schedule of twenty hours per week or more shall be granted Sick Leave with pay proportionate to the time worked per pay period.
- (v) Sick Leave may be accumulated to equal, but at no time to exceed, 175 working days. Records of Sick Leave credit and use shall be maintained by HRD. Severance of employment terminates all rights for the compensation hereunder. Amount of leave accumulated at the time when any Sick Leave begins shall be available in full, and additional leave shall continue to accrue while an Employee is using the sick time already accumulated.
- (vi) After five consecutive days of Sick Leave, Employees shall submit to HRD a doctor's certificate as proof of illness. The certificate shall include the reason for absence, or a statement detailing the diagnosis of the condition requiring an absence from work.
- (vii) Sick Leave may be used as maternity or paternity leave by Employees.
- (viii) If, in the opinion of the CCRD/Designee, the health of an Employee warrants prolonged absence from duty, the Employee will be permitted to combine his/her Vacation Days, Sick Leave, Personal Days, and Floating Holiday. When an Employee's Vacation Days, Personal Days, or Floating Holiday are used pursuant to this Section, a doctor's certificate as proof of illness for Employee's absence is required. The certificate shall include the reason for absence, or a statement

detailing the diagnosis of the condition requiring an absence from work. Employees shall submit doctor's certificates to CCRD HRD.

- (ix) The Employee may apply for disability under the rules and regulations established by the Cook County Retirement Board.
- (x) The Employee may apply for Sick Leave pursuant to the CCRD's policies in accordance with the Family and Medical Leave Act.
- (xi) Requests for Sick Leave: must be reported to the Employee's immediate Supervisor no later than one hour before the Employee's scheduled starting time.
 - (a) Where an Employee is unable to communicate directly with their immediate Supervisor, the Employee is required to contact HRD's General Call Line providing via voicemail their name, the Employee's Section, the Employee's immediate Supervisor's name, the requested use of Sick Time and whether the Employee's requested is related to their approved Family Medical Leave Act ("FMLA"). Requests for Sick Leave must be reported to HRD no later than one hour before the Employee's scheduled starting time.
 - (b) Requests for Sick Leave will be reviewed by the Employee's immediate Supervisor, or Designee, and approved following verification of time availability and the submission of necessary documentation, where applicable, to HRD.
- (xii) Abuse of Sick Time:
 - (a) For health related absences of less than five consecutive work days, a doctor's statement or proof of illness will not be required except in instances where the CCRD has sufficient reason to suspect that the individual did not have a valid health reason for the absence or has otherwise abused his/her Sick Leave . Abuse of Sick Leave includes, but is not limited to:
 - i. use of Sick Leave on either Monday or Friday, or both, two times in a month,
 - ii. calling in sick after denial of request for Excused Absence, and/or
 - iii. use following or preceding a holiday or Employee vacation.
 - (b) Abuse of Sick Leave may result in an Employee being placed on "proof status" for a period of 90 days. "Proof status" requires the Employee to submit a doctor's statement or proof of illness to HRD each time the Employee returns from a Sick Leave of any amount of time. Placement on "Proof Status" may occur upon HRD's recommendation following at least two notations of suspected abuse within a six -month period.

(c) Vacation Leave:

- (i) All Employees, other than seasonal Employees with service with Cook County, and service in accordance with subsection (e) of this subpart 2.d.ii.(3), shall be granted Vacation Leave with pay as follows:

Anniversary of Employment	Annual Days of Accrued Vacation	Maximum Accumulation
0 thru 6 Years	10 days	20 days
7 thru 14 Years	15 days	30 days
15 or more Years	20 days	40 days

- (ii) Requests for use of Vacation Leave must be submitted four (4) days prior to the start of the requested use. Only requests for Emergency use will be processed if not submitted timely.
- (iii) Vacation accruals will be carried out in accordance with the bi-weekly payroll system. Employees must be in a pay status for a minimum of five days in a pay period to accrue vacation time in that period.
- (iv) All individuals employed on a part-time work schedule of twenty hours per week or more shall be granted Vacation Leave with pay proportionate to the time worked per pay period.
- (v) Any Employee of the CCRD who has rendered continuous service to State of Illinois, Cook County, the City of Chicago, the Chicago Park District, the Forest Preserve District, the Metropolitan Water Reclamation District of Greater Chicago and/or the Chicago Board of Education shall have the right to have the period of such service credited and counted for the purpose of computing the number of years of service as Employees of the CCRD for vacation credit only. All discharges and resignations not followed by reinstatement within one year shall interrupt continuous service, and shall result in the loss of all prior service credit. Credit for such prior service shall be established by filing, in the Office of the Comptroller of Cook County, a certificate of such prior service from such former place or places of employment.
- (vi) In the event an Employee has not taken Vacation Leave as provided by reason of Separation from service, the Employee, or in the event of death, the Employee's spouse or estate, shall be entitled to receive the Employee's prevailing salary for such unused vacation periods.

(vii) In computing years of service for Vacation Leave, Employees shall be credited with regular working time plus the time of Duty Related Disability. *See Disability Provisions at subpart 2.d.iv.(2).*

(viii) Any CCRD Employee who is a reemployed veteran shall be entitled to be credited with working time for each of the years absent due to military service. The veteran's years of service for purposes of accrual of vacation time in the year of return to employment with CCRD, shall be the same as if employment had continued without interruption by military service.

(d) Personal Days:

(i) All Employees, except those that are in part time or temporary employment status, shall be permitted four (4) days off with pay each Fiscal Year. Employees may be permitted these four (4) days off with pay for personal leave for such occurrences as observance of a religious holiday or for other personal reasons. Such personal days shall not be used in increments of less than one-half (½) day (4 hours) at a time.

(ii) Employees entitled to receive Personal Days, who enter CCRD employment during the Fiscal Year, shall accrue Personal Days at the rate of one (1) day for each full fiscal quarter in pay status; except that two (2) personal days may be used for observance of religious holidays prior to accrual, to be paid back in the succeeding two (2) fiscal quarters. No more than four (4) personal days will accrue in a Fiscal Year.

(iii) Requests for Personal days must be reported to the Employee's immediate Supervisor no later than one hour before the Employee's scheduled start time.

(iv) In crediting personal days, the Fiscal Year shall be divided into the following fiscal quarters:

- a) 1st quarter - December, January, February
- b) 2nd quarter - March, April, May
- c) 3rd quarter - June, July, August
- d) 4th quarter - September, October, November

(v) Severance of employment shall terminate all rights to accrued personal days.

(vi) All accrued personal days must be used before November 30 of each Fiscal Year. Any personal days not utilized by this date shall be forfeited.

(e) Floating Holiday:

(i) All Employees, except those that are in part time or temporary employment status, shall be permitted one (1) day off with pay each Fiscal Year. Employees may be permitted this one (1) day off with pay for personal leave for such

occurrences as observance of a religious holiday or for other personal reasons. The Floating Holiday shall not be used in increments of less than eight (8) hours at a time.

- (ii) Employees who are active at the beginning of the Fiscal Year (December 1st) are entitled to receive one (1) Floating Holiday.
- (iii) Requests for Floating Holidays must be reported to the Employee's immediate Supervisor no later than one hour before the Employee's scheduled start time.
- (iv) Severance of employment shall terminate all rights to Floating Holiday.
- (v) Floating Holiday must be used before November 30 of each Fiscal Year. If Floating Holiday is not utilized by this date, it shall be forfeited.

(f) Compensatory Time:

- (i) Requests for use of Compensatory Time must be reported to Employee's immediate Supervisor and submitted four (4) days prior to the start of the requested use. Only requests for Emergency use will be processed if not submitted timely.

ii) Requests for Excused Absences:

- (a) Requests for use of accrued Personal, Floating Holiday and Sick Leave must be reported to Employee's Supervisor no later than one hour before the Employee's scheduled start time.
 - (i) The Employee's Supervisor may confirm the availability of the requested time with HRD.
- (b) Requests for use of Vacation Leave and Compensatory Time must be reported to Employee's immediate Supervisor and submitted four (4) days prior to the start of the requested use. Only requests for Emergency use will be processed if not submitted timely.
- (c) Employees absent on unauthorized leaves for any reason may be subject to Disciplinary Action, up to and including discharge.
- (d) If an Employee has exhausted all of their available compensatory, vacation, personal and sick time and fails to appear for work, they will be considered to be on an unauthorized leave of absence and subject to Discipline, up to and including Discharge.

d) Leave Of Absence

Employees must inform their Division Head and HRD of their intention to go on leave in accordance with the notice provisions applicable to the requested Leave of Absence. Before their departure, they must provide their Division Head and HRD with a current address and telephone number and maintain current contact information while on leave. HRD will require Employees to report in on a reasonable periodic basis. The reporting period will be based upon the length of the leave of absence. Employees who wish to extend a leave must apply to HRD at least thirty days before they are scheduled to return, unless a medical Emergency precludes such notice. Employees must contact HRD at least two weeks before returning from leave and complete all processing, including medical examinations and fitness for duty examinations, before they can return. Failure to comply with these provisions may lead to Disciplinary Action, delays in reporting, and/or forfeiture of pay.

(a) **Bereavement Leave:**

- (i) Excused leave with pay will be granted, up to three days, to an Employee for the funeral of a member of the Employee's Immediate Family or household within Illinois or a Contiguous State. Up to five days will be granted to an Employee for the funeral of a member of the Employee's Immediate Family or household outside of Illinois or any Contiguous State. *See* definition of Immediate Family and Contiguous State.
- (ii) Leave requested to attend the funeral of someone other than a member of an Employee's Immediate Family may be granted, but, if approved, the time used shall be deducted from the Employee's accumulated vacation or personal leave.
- (iii) All bereavement requests must be made directly to HRD and supporting documentation, including a notice of death and/or obituary must be provided within seven (7) work days of the Employee's return.

(b) **Jury Duty:**

- (i) Approval will be granted for leave with pay, for any jury duty imposed upon any Employee of the CCRD. However, any compensation, exclusive of travel allowance received, must therefore be turned over to the CCRD by said Employee.

(c) **Veterans' Convention Leave:**

- (i) Any Employee who is a delegate or alternate delegate to a national or state convention of a recognized veterans' organization may request a Leave of Absence for the purpose of attending said convention, providing, however, that any Employee requesting a Leave of Absence with pay must meet the following conditions:

- (a) The Employee must be a delegate or alternate delegate to the convention as established in the bylaws of the organization;
- (b) The Employee must register with the credentials committee at the convention headquarters;

(ii) The Employee's name must appear on the official delegate-alternate rolls that are filed at the state headquarters of their organization at the close of the convention;

(iii) The Employee must have attended no other veterans' convention, with a Leave of Absence with pay, during the Fiscal Year; and

(iv) Upon returning from the convention, the Employee must produce to CCRD HR, a registration card signed by a proper official of the convention, indicating attendance.

(d) **Military Leave** (Limited Service):

(i) Any Employee who is a member of the Illinois National Guard or any of the Reserve components of the Armed Forces of the United States shall be entitled to Leave of Absence with full pay for limited service in field training and recurring obligations. Such leave will normally be limited to 11 working days in each year.

(ii) Requests for Military Leave shall be submitted in writing directly to HRD. Leave notices must be submitted as soon as obtained by the Employee.

(e) **Parental Leave** (Non-union Employees only):

(i) Purpose: To establish the terms and conditions under which Employees are entitled to paid time off as a result of the birth or adoption of a child ("Parental Leave"). This policy shall be considered as an alternative to CCRD's Unpaid Maternity/Paternity Leave policy identified below. An Employee that chooses Parental Leave will not be eligible for additional leave pursuant to CCRD's Unpaid Maternity/Paternity Leave policy.

(ii) Area Affected: This policy applies to all full-time non-union CCRD Employees. In order to be eligible for parental leave, an Employee must apply for and be determined to be eligible for FMLA (Family Medical Leave Act) leave. All Parental Leave shall run concurrently with approved FMLA leave. An Employee is eligible to take FMLA leave if he/she:

- (a) Has been employed by the CCRD or other County agency for at least twelve months within the prior seven years (including interrupted service); and has worked at least 1,250 hours during the twelve-month period prior to the commencement of the leave.

(iii) Policies and Procedures:

- (a) Eligible Employees are entitled to receive the following parental leave:
 - (b) Up to four weeks (twenty work days) of Parental Leave to a birth mother to recover from a non-surgical delivery; or
 - (c) Up to six weeks (thirty work days) of Parental Leave to a birth mother to recover from a surgical delivery; or
 - (d) Up to two weeks (ten work days) of Parental Leave for the birth of a child or children to a spouse or domestic partner or civil union partner; or
 - (e) Up to two weeks (ten work days) of Parental Leave for the adoption of a child or children by the Employee or the Employee's spouse or domestic partner or civil union partner.
 - (f) Parental Leave shall be administered in conjunction with FMLA, and may be combined with other accrued paid time off such as vacation, personal and/or sick time to achieve the maximum amount of paid time off while taking FMLA leave. However, Employees cannot use Parental Leave prior to the date of birth/adoption, and must use Parental Leave in a continuous block of time beginning on the day of birth or adoption. An Employee who qualifies for Parental Leave may be entitled to additional time off pursuant to the FMLA. Therefore, Employees interested in applying for parental leave should first review the CCRD's FMLA policy. Additional benefits may be available from the Cook County Pension Board.
- (iv) Health insurance benefits for an Employee receiving Parental Leave shall be maintained and administered under the same conditions as for an Employee covered by FMLA.
- (v) If an Employee has FMLA coverage at the time he/she requests Parental Leave, and has utilized some or all of the allotted 480 hours of FMLA coverage, the Employee will nevertheless be entitled to Parental Leave pursuant to all other provisions of this policy and provided that the Employee submits an FMLA Certification form to support the request for Parental Leave.
- (vi) All rights to Parental Leave cease at the close of business on the effective date of an Employee's separation or layoff, and neither the Employee nor the Employee's estate is entitled to any further compensation for Parental Leave beyond the effective date of the Employee's separation or layoff.
- (vii) The utilization of Parental Leave shall not have a negative impact on employment status. Any fraudulent attempt to obtain Parental Leave may result in Disciplinary Action, up to and including Termination.
- (viii) Requesting Parental Leave:
- (a) In order to apply for Parental Leave, an Employee must:
 - i. Inform his/her Supervisor of the request in writing at least thirty days before the expected date of delivery or adoption;

- ii. Submit a completed application for FMLA coverage at least thirty days before the expected date of delivery or adoption. To the extent that thirty days' notice is not possible, the Employee must comply with (a) and (b) as soon as possible; and
- iii. Provide a copy of the Parental Leave Request form to the HRD.

Note: An Employee who is applying as the spouse, rather than the person giving birth, must also include with their FMLA application proof of marriage or domestic partnership or civil union.

- (ix) If an Employee intends to remain off work after the paid Parental Leave is exhausted, it must be in conformance with the FMLA certification provided by the physician.
- (x) In the event that a surgical delivery is performed, the Employee must submit an additional FMLA Medical Certification form in order to qualify for six weeks of Parental Leave.
- (xi) An Employee requesting Parental Leave due to adoption must also apply for FMLA and complete a Parental Leave Request form. The following must also be provided:
 - (a) A Certification of the date that the actual adoption became effective; and,
 - (b) A Certification that the Employee or the Employee's spouse or domestic partner or civil union partner, is the adoptive parent.
- (xii) A Certification from an adoption agency confirming that the Employee, or the Employee's spouse or domestic partner or civil union partner, has been matched by the agency with a child or children; and,
 - (a) A Certification of the date that the actual adoption became effective; and,
 - (b) A Certification that the Employee or the Employee's spouse or domestic partner or civil union partner, is the adoptive parent.
- (xiii) Employees must clearly indicate on Time Off Request forms that they are requesting Parental Leave, and the specific days for which such leave is being requested. Timekeepers must verify that the Employee has applied for and has been granted FMLA coverage for the dates in question, and must count such absences against the Employee's FMLA 12-week allotment.

(f) **Personal Leave:**

An Employee not affected by the Leave of Absence Rules of the Merit Board of Cook County may be granted a leave of absence, without pay, by HRD with the

written approval of the Deputy Recorder overseeing the Employee's Division. Information related to Leave of Absence Rules of the Merit Board of Cook County is available in HRD. Such Leave of Absence shall be intended to take care of Emergency situations and shall be limited to one month for every full year of continuous employment by the county, with a maximum of one year of leave, except for military service. During a personal leave, the CCRD shall not pay any insurance benefits. An Employee granted a Leave of Absence shall be eligible, when such leave expires, to receive the salary he or she received at the time the Leave of Absence was granted. In all cases, the CCRD shall provide the County Comptroller with the names of any Employees on Leave of Absence.

(g) Maternity/Paternity Absence:

- (i) Employees shall be granted maternity or paternity leaves of absence to cover periods of pregnancy, postpartum child care, and adoption. Employees need not exhaust all accrued vacation or sick time before going on maternity/paternity leave, but may apply such accrued time to the leave. Such leave, in general, shall not exceed six months, but may be renewed by the HRD with approval by a Deputy Recorder.
- (ii) An Employee who will require a maternity/paternity leave shall inform HRD in writing of the request no later than 30 days before to the expected date of delivery and shall present a signed statement by a physician stating the expected date of delivery.
- (iii) A pregnant Employee may continue in her assignment as long as her attending physician deems her to be able to perform her normal work routines. The physician shall specify in writing the latest date maternity leave shall commence.
- (iv) An Employee who has been absent due to maternity/paternity leave shall be eligible for reinstatement as soon as her physician deems her to be able to assume her regular duties. The Employee shall report to work with a written statement from her physician and release from the applicable County Medical authority advising that the Employee is physically fit to return to duty.
- (v) Upon return from maternity/paternity leave the reinstatement rights of the Employee will be identical to those of an Employee returning from an ordinary disability leave.

(h) Family and Medical Leave Act Procedures:

- (i) Eligibility: An Employee entitled to Leave of Absence under Family and Medical Leave Act (FMLA) is an Employee who has been employed at least 12 months by the CCRD and has worked at least 1,250 hours during the previous 12-month period, and meets requirements of subpart (b) below. All terms in this section are

used in accordance with definitions set out in the FMLA. Employees need not exhaust all of their accrued vacation or Sick Leave before going on FMLA leave.

(ii) Time Allowance: A Leave of Absence may last up to 12 weeks (480 hours) during any 12-month period for (a) the birth of a child; (b) placement of a child with an Employee for adoption or foster care; (c) the care of an Employee's spouse, son, daughter or parent who has a serious health condition; and, (d) a serious health condition that makes an Employee unable to perform the functions of his/her Position.

(a) Proof of relationship (i.e. copy of birth certificate) is required if the person is not carried under the Employee's health care benefits.

(b) Where spouses are both employed by the county, leave for the birth or adoption of a child or to care for a sick parent is limited to an aggregate of 12 weeks in a 12-month period. Leave for the birth or adoption of a child shall be taken within 12 months of the birth or placement.

(iii) Time Allocation: Employees may take leave in one block or intermittently as needed in accordance with the provisions of the FMLA certification. Intermittent leave may also take the form of a reduced work schedule. *Note: Flextime is not a reduced schedule*

(a) Employees should make every effort to accommodate their Sections in scheduling intermittent leave or a reduced work schedule.

(b) A Section may temporarily reassign an Employee on a reduced work schedule other duties that better accommodate the reduced schedule.

(c) Employees must take FMLA leave for the birth or adoption of a child in a single block unless intermittent leave is approved by the Division Head in conjunction with the Deputy Recorder.

(d) Employees with approved FMLA intermittent leave must still comply with a CCRD's call-in, call-off procedures for Sick Leave unless an Emergency exists.

(e) Those using intermittent leave may do so only for the purposes outlined in their approved leave requests.

(iv) Requests: Requests for FMLA should be made to the Labor Counsel. Employees will obtain application and Doctor's Certification forms from the Labor Counsel.

(a) When FMLA leave is due to planned medical treatment, the Employee shall make a reasonable effort to schedule the treatment so as not to unduly disrupt the operations of the CCRD, and shall provide not less than 30 days written notice before the date the leave is to begin.

(b) If the treatment requires leave to begin in less than 30 days, the Employee shall provide such notice as is practicable.

- (c) Requests for leave due to birth of a child or the placement of a child for adoption or foster care shall be made at least 30 days before the expected date the leave is to begin.
- (v) **Doctor's Certification:** A doctor's certification must be provided when an Employee requests leave for his/her own serious health condition or that of family member as defined by the FMLA. The CCRD reserves the right to require a second opinion at the CCRD's expense and a third opinion, again at CCRD expense, should the two opinions conflict. **Only original FMLA forms will be accepted.**
- (vi) **Employee's Health Insurance Premiums:** During FMLA leave, the County will continue to pay its share of an Employee's health insurance premiums. Employees must arrange with HRD to pay their share of premiums normally paid through payroll deduction.
 - (a) The CCRD may recover the cost of paid health insurance premiums from Employees who do not return to work at the end of such Leave of Absence in accordance with the provisions of the Act.
- (vii) Employees will not lose accrued benefits during this leave period, although no benefits will accrue during this period. Employees will be reinstated to the same Position or equivalent Position upon the return from such leave. The period of absence will be deducted in computing total continuous service and will effect a change in the anniversary and seniority dates.
- (viii) **Approved FMLA Requests:** Employees with approved FMLA requests on file may only use FMLA leave for the purposes set forth in the approved requests. Employees must file additional requests to cover other applicable family and medical situations. Employees should note that they are entitled to a total of twelve weeks (480 hours) of leave per year regardless of the number of approved FMLA requests they have on file.
- (i) **Military Leave:**
 - (i) Any Employee granted a Leave of Absence without pay to enter service in the military or naval forces of the United States, either voluntarily or by reason of conscription, shall upon return to CCRD service, be restored to the Position held prior to going on leave with the same anniversary and seniority dates, status and pay as if the Employee had been employed continuously by CCRD. The Employee must present a copy of military orders when requesting a leave. The Employee must file written request for reinstatement to a former Position or reemployment within 60 days after termination of military or naval service, along with a copy of military discharge papers.
 - (ii) All requests for Military Leave of Absence must be submitted directly to HRD.

(j) **Disability Provisions**

- (i) **Ordinary Disability**: Employees seeking ordinary disability benefits must apply to the Cook County Pension Fund for approval. Employees must also inform their Supervisors, Division Head, and HRD of their intention to apply for disability, as well as the length and terms of any benefits granted by the Fund. Employees should contact the Fund to obtain application and benefit information, eligibility rules and other documentation. Employees must notify HRD of their readiness to return to work before the termination dates of their disability leave. In all cases, Employees must notify HRD within one business day after being released for duty by a physician or the expiration of benefits, whichever comes first. An Employee's failure to return to work upon expiration of benefits shall be deemed a Major Disciplinary Infraction warranting termination. An Employee who is on ordinary disability leave and returns to work within 60 calendar days after disability leave is terminated shall be eligible to receive the salary paid at the time disability leave started, provided the budget of the CCRD can accommodate the salary and, if not, the Employee shall be eligible to have the salary received at the time disability leave started restored at the earliest possible date.
- (ii) **Duty-Related Disability**: Employees off work due to an injury or illness arising out of and in the course of employment are eligible for temporary total disability benefits in accordance with the provisions of the Illinois Workers' Compensation Act. Employees must file an accident report with their Supervisors and HRD immediately following a job-related injury.
- (a) Any Employee who is off duty and receiving supplemental temporary total disability may be eligible to receive duty disability benefits as provided under the provisions of the Cook County Pension Fund. Separate application must be made with the Fund.
- (b) Any Employee who is injured in an accident arising out of and in the course of his/her employment will not be eligible to substitute Sick Leave, vacation leave, or personal days in place of supplemental temporary total disability or substitute for temporary total compensation as defined in the workers' compensation act.
- (c) Any period for which an Employee is shown to be carried on supplemental temporary total disability or on temporary total disability compensation is subject to review by the Cook County Injury Compensation Committee. The Committee is authorized to require a physical examination of any Employee injured in the course of employment to determine eligibility for supplemental temporary total disability or for temporary total disability compensation benefits. Any Employee who fails to submit to such physical examination will immediately have supplemental temporary total disability or temporary total disability compensation benefits terminated.

- (d) No Employee shall return to duty after having been carried on supplemental temporary total disability or on temporary total disability compensation without a physician's approval to return to work and authorization from HRD.

(iii) **Maintenance of Records:** Records of leave shall be maintained by HRD.

Note: All the provisions of this Section are subject to changes in conjunction with changes in State laws and Cook County Pension Board policy. Any conflict between this Manual and the policies of the Cook County Pension Board policies are controlled by the Cook County Pension Board's policies. Contact the Cook County Pension Board for further details on paid Disability Leave. Contact information is available in HRD.

3) EMPLOYEE BENEFITS

a) Human Resources Obligations

- i) **Change of Name, Address, Telephone or Status:** Complete and accurate records are to be maintained by HRD. HRD must be notified by the Employee of any change in name, address, telephone number, marital or family status. Employees must advise HRD of at least two current Emergency Contact Persons and their valid telephone numbers.
- ii) **Emergency Contacts:** Any changes to an Employee's Emergency Contact information, should be made through HRD.
- iii) **Life Insurance and Pension Beneficiaries:** Any changes to an Employee's Life Insurance and Pension Beneficiaries information should be made through HRD.
- iv) **Employment Verification:** Only the HRD is authorized to verify employment.
- v) **Payroll:** There are 26 pay periods in a year. All Employees are paid on every other Friday from the initial County established pay period.

b) Insurance & Benefit Coverage

- i) **Life Insurance:** All full-time Employees shall be provided with life insurance in an amount equal to the Employee's annual salary (rounded to the next \$1000) at no cost to the Employee. Each Employee has the additional option to purchase added insurance up to a maximum of the Employee's annual salary.
- ii) **Open Enrollment:** If you have any questions or if you have not received an Open Enrollment notification from the County, please contact HRD. Open enrollment information is distributed by Cook County Benefits on an annual basis.
- iii) **Pre-Tax Transit Option:** Contact HRD for additional information regarding benefits available on a pre-tax basis.

c) Personnel Records

i) Maintenance of Records: HRD shall establish and maintain a system of personnel records and reports covering all CCRD Employees. The "official" Employee personnel record shall be maintained by HRD.

ii) Statutory Requirements:

(a) State and federal laws address the confidentiality and disclosure of personnel-related records. The Freedom of Information Act ("FOIA") provides for the disclosure of public records, including "the names, salaries, titles and dates of employment of all Employees and offices of public bodies." The FOIA exempts from disclosure the "personnel files and personal information maintained with respect to Employees, appointees or elected officials of any public body or applicants for those positions."

(b) The Personnel Record Review Act ("PRRA") permits former Employees, current Employees and their union representatives to inspect and copy their personnel records, with certain exceptions.

(c) The Public Labor Relations Act ("PLRA") gives labor unions the right to inspect and copy personnel records upon a showing of relevancy.

(d) The Health Insurance Portability and Accountability Act (HIPAA) requires that medical information relating to Employees be kept confidential.

iii) Policy on Confidentiality:

(a) To ensure that no individual's right to privacy is invaded, all personnel-related information and records shall be treated as confidential.

(b) Specifically, personnel-related information shall not be discussed with others, including coworkers, unless it is necessary to the performance of CCRD business or authorized by law. No copies of personnel-related records shall be made or disseminated except when it is necessary to the performance of CCRD business or authorized by law. Personnel-related records, including computer records, shall be maintained in accordance with procedures. For example, records are not to be left on desks or work areas when they are not being used. Access to computer files shall be restricted to use by authorized personnel.

(c) The term "personnel-related information and records" includes, but is not limited to:

(i) employment applications;

(ii) Performance Evaluations;

(iii) disciplinary records;

- (iv) grievance forms;
- (v) test documents;
- (vi) payroll records;
- (vii) medical records;
- (viii) drug test results and reports;
- (ix) worker's compensation records;
- (x) tax forms;
- (xi) insurance records;
- (xii) dual employment reports; and
- (xiii) any other document in an Employee's personnel file not required to be disclosed by law.

iv) Disclosure of Personnel-related Records:

- (a) Personnel-related information and records may be disclosed to authorized CCRD officials and Employees when it is necessary to the performance of CCRD business. State laws also require the disclosure of personnel-related information and documents under certain circumstances.
- (b) The following procedures shall be followed in handling requests for information and records:
 - (i) Requests by CCRD officials and Employees: These requests shall be put in writing and submitted to HRD.
 - (ii) Requests by current Employees: Current Employees may inspect their personnel files twice in a calendar year, but additional requests may be permitted if operational needs allow. All requests for inspection and copying shall be submitted in writing using the Personnel File Inspection form available in HRD. The request shall be directed to the HRD, who shall authorize or deny the release of the requested information or records. The terms of an applicable CBA will control access and charges.
 - (iii) Requests by former Employees: Requests by former Employees may be granted if made within one year from the date of their separation. All requests for inspection and copying shall be put in writing and directed to HRD.

- (iv) Requests by Applicants: No information or documents shall be released to Applicants.
- (v) Requests by labor organizations: Requests by a labor organization shall be put in writing and reference any pertinent provision in a CBA. Requests shall be directed to HRD. There will be a copying charge of fifteen cents per page.
- (vi) FOIA Directive: Records requested pursuant to the FOIA must be **submitted in writing by e-mail, mail or in person**. Requests shall be directed as follows:
 - (a) Cook County Recorder of Deeds Legal Department, 118 N. Clark, #120, Chicago, Illinois 60602. Attention: FOIA Officer.
 - (b) FOIA Requests cost: first 50 pages free (5 ILCS 140 et seq.). Documents, not specifically provided for otherwise, by Statute or Ordinance, are available pursuant to the FOIA (i.e. State and County Transfer Tax Declarations.)
- (vii) Requests by news media or other third party: Requests shall be put in writing.
 - (a) Requests shall be directed to the HRD. There will be a copying charge of fifteen cents per page.
 - (b) Requests by law enforcement agencies, other government agencies and parties to a civil or criminal action: A valid *subpoena duces tecum* must be served on the custodian of the records before such records may be disclosed. Records shall not be released without the authorization of the HRD and Labor Counsel.
- (c) Personnel related records must be redacted in accordance with applicable laws.

v) Information and Documents that May Not Be Disclosed:

- (a) Personnel Record Review Act (“PRRA”):
 - (i) Subject and pursuant to the PRRA, the following documents shall not be disclosed to a former or current Employee, or a labor organization:
 - (a) Letters of reference;
 - (b) Any portion of a test document (including drug test results), except that an Employee (or former Employee) may be informed of a cumulative test score;
 - (c) Records relating to a pending claim between the CCRD and an Employee (or former Employee), except when a valid *subpoena duces tecum* is served;
 - (d) Investigatory or security records maintained by the CCRD to investigate criminal conduct or conduct harmful to CCRD operations; and
 - (e) Materials used for management planning, such as recommendations concerning future salary increases, Promotions and job assignments.
- (b) Freedom of Information Act (FOIA):

- (i) Subject and pursuant to the FOIA, personnel files and personal information relating to Employees, Applicants and elected officials are exempt from disclosure to third parties.

(c) Americans with Disabilities Act (ADA):

- (i) Subject and pursuant to the ADA, medical information shall not be disclosed except when authorized by HRD in conjunction with the Labor Counsel.

vi) Preservation of Records: Personnel-related records will be retained for five years following an Employee's termination of employment. In the event of litigation, these records will be retained until the conclusion of the litigation or five years, whichever is longer.

vii) Certification of Payrolls: The Deputy Recorder-Finance shall certify that all Employees in CCRD service named on every payroll have been employed in accordance with the current budget. The Deputy Recorder-Finance shall remove the names of persons from a payroll when such certification cannot be made, and notify the Comptroller. The Comptroller or other disbursing or auditing officer shall only process a payroll for payment which has been certified by the Deputy Recorder – Finance or approved Designee.

4) PERFORMANCE MANAGEMENT

a) Performance Evaluation Policy: The performance of all Employees shall be evaluated periodically in accordance with systems and procedures established by HRD as enumerated below. The evaluation of performance shall be an integral part of the responsibility of each Supervisor, under the direction of the Division Head. It shall be the responsibility of each Division Head to ensure that Performance Evaluations of Employees are conducted and used in an appropriate manner. Performance Evaluations and salary reviews shall be conducted in accordance with any applicable CBA and the Manual. Performance Evaluations and salary reviews shall not be based on Political Reasons or Factors.

i) Performance Evaluation Records: All Supervisors are responsible for preparing written Performance Evaluations on a timely and accurate basis. The evaluation of an Employee's performance shall be reported on a Performance Evaluation Form as provided and proscribed by HRD. An annual written Performance Evaluation must be conducted for each employee at times prescribed by the Chief Deputy Recorder. Such evaluation reports shall be maintained by HRD as a part of the Employee's personnel record, and shall be available to the Employee in accordance with the CCRD's policy on disclosure of personnel-related information. *See* subpart 3.c.

- (a) Supervisors must also complete Performance Evaluations for all new Employees and Employees that participate in Cross-Trainings and Transfers as provided herein.

- ii) **Performance Evaluation Results:** The Supervisor responsible for the conducting the Performance Evaluation shall discuss with the Employee the results of the Performance Evaluation prior to its submission to the Division Head. The Employee shall sign and date the Performance Evaluation to indicate that he/she has been informed of the rating. The Employee may include a statement of the reasons he/she disagrees with the Performance Evaluation. If the Employee refuses to sign the Performance Evaluation Form, the refusal shall be noted by the Supervisor in the space designated for the Employee's signature.
- iii) **Application of Results of Performance Evaluation:** The results of Performance Evaluations may be used in the manner prescribed by this Manual as one criterion for performance-related actions. The performance ratings of Employees may be used as a criterion for Termination or retention of an Employee on probation, as recommendation for training, as a factor in promotional examinations and as a factor in Transfers, Reclassifications, layoffs, re-employment rights, and Disciplinary Actions.

b) Training & Development

- i) **Responsibility for Training:** Each Division Head in conjunction with the Deputy Recorder shall have the responsibility to identify training needs, and based on available resources and staff, to obtain assistance from the Training Coordinator to prepare and conduct training programs that will effectively meet those needs, which are unique to the operations of the Division or Section concerned.
 - (i) Subject to any applicable CBA, training that is not Division-wide or Section-wide will be offered to employees based on Seniority within Positions, provided however, that an employee may turn down any optional training that is offered.
 - (ii) The Division Head is responsible for:
 - (a) Ensuring Supervisors assess and report the training and development needs for their Sections;
 - (b) Reviewing needs for training and requesting the development of appropriate training programs within available resources;
 - (c) Establishing priorities for the different types of training and career development programs;
 - (d) Collaborating with Training Coordinator for planning and conducting training and career development programs on Division Heads initiative or at CCRD request;
 - (e) Planning and conducting management and executive development programs; and
 - (f) Evaluating training programs to assure effective response to training needs.
- (b) Types of Training and Career Development Programs: The Division Heads in conjunction with the Deputy Recorder shall ensure that the overall training program of the CCRD provides a proper balance between the training of Employees

to improve their current effectiveness and the development of Employees for career advancement.

(c)Methods: Appropriate methods of on-the-job and off-the-job training shall be utilized as required to effectively satisfy training needs. The career development programs shall be designed and applied to assist in preparing for advancement opportunities for Employees, with specific reference to the requirements of the respective occupational groups and for Supervisory Positions within CCRD service. Such career development programs shall be established in a manner which will provide for:

- (i) The specific elements of training through which Employees shall progress;
- (ii) Review and evaluations of such programs.

(d)Use of Outside Facilities: With the approval of the Chief Deputy Recorder, training agreements may be executed with universities, colleges, other educational institutions or planned programs.

c) Desk Audit

i) The CCRD will only conduct Desk Audits on a Section-wide or Division-wide basis, except in cases of Reclassification, as described below. Only trained HRD staff shall conduct Desk Audits.

ii) Desk Audits shall evaluate the following with respect to an Employee's Position:

- (a)Job responsibilities,
- (b)The nature and variety of work performed,
- (c)Authority and autonomy,
- (d)Position interdependence, required qualifications,
- (e)Originality of work performed, and
- (f)Guidance and supervision.

iii) A Position will not be subject to a Desk Audit more than once in any twelve (12) month period.

iv) Prior to any Desk Audit being initiated for cases other than for Reclassifications, the process for doing a Desk Audit must be approved in writing by the HRD, Deputy Recorder, where applicable, and the Director of Compliance.

v) Desk audits of Non-Exempt Positions may not be based on any Political Reasons of Factors.

d) Dual Employment

i) **Report of Dual Employment:** All reports must be made annually, no later than December 31. The Report of Dual Employment Form must be executed by the following:

- (a) Persons entering CCRD service;
- (b) Any person who after entering the service as an Employee becomes engaged in any additional employment;
- (c) Any Employee engaged in any outside employment, whose work schedule in CCRD service or work schedule in any gainful outside employment has changed; and
- (d) Any Employee whose dual employment has been discontinued.

ii) Parameters for Dual Employment: Dual employment for an Employee is permissible only within the following considerations:

- (a) Does not exceed 20 hours per week;
- (b) The type of work is approved by the Deputy Recorder;
- (c) The specific hours of outside employment are not in conflict with the Employee's normal duty hours with CCRD;
- (d) Dual employment will also include self-employment, and practices or services rendered by professional persons; and
- (e) Part-time Employees shall not be subject to the time restrictions set forth above.
- (f) No Employee shall engage in a business, profession, trade or occupation while actually employed by CCRD which will:
 - (i) Impair his/her efficiency;
 - (ii) Interfere with such Employee's ability to satisfactorily perform his/her duties;
 - (iii) Impair or reflect poorly upon the reputation of CCRD; or
 - (iv) Impair an Employee's independence of judgment and/or constitute a Conflict of Interest as defined by the CCRD Ethics Policy. *See CCRD Ethics Policy.*

iii) Falsification or Omission of Information: Failure by an Employee to disclose the above information to their Deputy Recorder and/or providing false information on the form shall be cause for Disciplinary Action up to and including discharge from CCRD employment.

e) Tuition Reimbursement

- i) In an effort to encourage Employees to attain skills that will assist them in their current positions or qualify them for Promotions within the office, CCRD offers a tuition

reimbursement program. In addition to higher education costs, reimbursement is eligible for GED testing fees and preapproved adult education or professional training academies.

ii) Bargaining Unit Employees should consult the applicable CBA for provisions related to Tuition Reimbursement. For all other Employees the following shall apply:

(a) Award: If funding is available, it will be granted on a first-come, first-served basis until depleted, and the annual award shall not exceed \$2,500 per Employee.

(b) Eligibility: Employees who wish to receive tuition reimbursement:

(i) Must be a current Full-Time Employee at CCRD and maintain employment throughout the semester or course duration.

(ii) Must complete *Tuition Reimbursement Preauthorization Form* and submit to HRD.

(iii) Must not be disciplined for a Major Infraction during the semester or duration of course for award in consideration.

(iv) Must not have been previously denied CCRD tuition reimbursement due to failing grades or failure to complete the course(s), within previous 12 months.

(v) A new employee is not eligible for tuition reimbursement until the initial six month probationary period has been completed. A current Employee who has been appointed to a new Position is eligible for tuition reimbursement provided the initial probationary period has been completed.

(c) Eligible Courses:

(i) Course(s) must relate to current job duties or offer training in skills that are relevant to Positions within CCRD. For example, a course in Russian History will not qualify, whereas a course in Management or Human Resources could.

(ii) Course(s) must be from an accredited college, university, or GED program. Courses from institutions that are not schools (i.e. training academies) will require additional preapproval from HRD based on reputation of the institution in question.

(iii) Courses must be paid for in advance, either directly by the student or through student loans. Proof of payment will be required to complete the reimbursement process.

(iv) Employees may enroll and pay for course(s) before obtaining preauthorization for reimbursement, but must be aware that reimbursement is not guaranteed. Preauthorization must be obtained at least 90 days prior to completion of course. Late requests may not be approved.

- (v) Course costs may exceed the annual award cap, but reimbursement will not. Reimbursement and the amount thereof is not guaranteed.
- (vi) Course schedule must not interfere with current work schedule.

(d) Application, Preauthorization and Reimbursement Process:

- (i) Eligible employees must request *Tuition Reimbursement Preauthorization Form* from HR, complete the form, and schedule a meeting with HRD to review form and course description. Once coursework is approved by HRD, the form will be forwarded to the Employee's Supervisor and the Division Head for final approval.
- (ii) Upon successful completion of the preauthorized course, Employee will submit a *Request for Reimbursement* form, attaching their official transcript, report card or certificate of completion. Proof of preauthorized course payment receipt from the teaching institution must also be provided.
 - (a) If grades are apportioned on an ABCDF spectrum, an "A" or "B" grade will result in 100% reimbursement (up to the cap amount), a "C" will result in 50% reimbursement, and any grade below "C," including an "incomplete," will result in no reimbursement.
 - (b) If the course(s) are "Pass/Fail" or "Completion Only", only a "Pass" or "Completion" determination will result in 100% reimbursement.
- (iii) During Preauthorization, the deadlines for submitting reimbursement forms will be provided to the Employee. Reimbursement submission deadlines will be based on the application date and course completion date.
- (iv) Approved reimbursements will be provided directly to the Employee upon satisfaction of the above requirements.

f) Authorized CCRD Transportation Driver

- i) For Employees with job duties requiring the utilization of a CCRD vehicle, Employees must register as an "Authorized CCRD Transportation Driver." Employees will not be allowed to operate any CCRD vehicle without being registered as an Authorized CCRD Transportation Driver.
- ii) Registration Process: Where required to complete the registration process, Employees must report to HRD the following information:
 - (a) All vehicular accidents within the last three years;
 - (b) Any citation(s) for moving violation(s) within the last three years; and

(c) Whether the Employee's driving privileges were restricted or suspended in Illinois, or any other state, within the last three years.

Employees must also:

(d) Provide a copy of a current driver's license to HR; and

(e) Submit for a screening of their driving record.

- iii)** Following registration as a CCRD Transportation Driver, Employees will be required to report any changes to their driver's license privilege or status within two business days of the occurrence. Reports must be made in writing to the Director of Human Resources.
- iv)** Any Employee who fails to report changes to his or her driver's license privileges or status may result in Disciplinary Action up to and including discharge.

5) **HIRING and EMPLOYMENT**

a) **Equal Employment Opportunity**

- i) It has been and will continue to be the CCRD's policy to be an equal opportunity employer. In keeping with this policy, the CCRD will continue to recruit, hire, train and promote the most qualified persons without regard to race, color, sex, age, religion, disability, national origin, citizenship status, ancestry, sexual orientation, marital status, military discharge status, source of income, or housing status. Similarly, the CCRD will continue to administer compensation, benefits, transfers, layoffs, training, and all other terms and conditions of employment in accordance with this policy.
- ii) These rules will be administered and enforced without regard to race, color, sex, age, religion, disability, national origin, citizenship status, ancestry, sexual orientation, marital status, military discharge status, source of income or housing status. No Employee will be discriminated against because he/she has exercised a right under these policies.
- iii) The HRD will be responsible for maintaining a program of equal employment opportunity, including, but not limited to:
 - (a) Coordination and direction of equal employment opportunity programs in CCRD;
 - (b) Maintenance of records required by law; and
 - (c) Development and implementation of programs within HRD to assure equality of opportunity for employment within CCRD.
- iv) Any Employee who believes that he/she has been discriminated against in violation of this subsection may file a written complaint with HRD.

b) **Recruitment and Application**

- i) **Employee Certifications:** All Employees involved in effecting a hiring shall complete and sign a NPCC on the Recorder's ATAS, or in writing.
- ii) **Anti-Nepotism Certifications:** All employees that participate in a hiring decision for an applicant for employment shall complete and sign a certification that they are not a relative of the applicant that is the subject of the hiring decision. The form and content of the certification will be provided by HRD and completed certifications will be maintained by HRD for a period of two (2) years.
- iii) **General Hiring Process:** The specific elements of the General Hiring Process, which applies equally to External Applicants and Internal Applicants, are described in detail in Section V of the CCRD's Employment Plan. *See* Recorder's Employment Plan at Appendix 1 at Section V for the full text and additional details related to:

- (a) Recruitment,
- (b) Job Postings,
- (c) Submission of Applications,
- (d) Permitted Contacts from Applicants,
- (e) Application Screening, and
- (f) Recommendations.

iv) Examination Process:

- (a) All examinations shall be prepared and conducted under the direction of the HRD. Examinations shall be designed to furnish eligible lists as needed for all Positions.
- (b) General Employment Examination Positions: General employment examinations will be open to persons who meet the Minimum Qualifications for the Position and have provided all necessary certifications.
- (c) All examinations and selection techniques shall relate to those matters which will measure fairly the capacity and fitness of the Applicant to perform the duties of the Position in an efficient and effective manner.
- (d) The examination process may include consideration of such factors as education, relevant work experience, knowledge, skill, ability, or any other job-related qualifications which, in the judgment of the HRD, determine the relative fitness of Applicants. They may include, but not be limited to, evaluation of training and experience; written, oral or performance tests; other measures of fitness; or any combination of these as determined by the HRD.

v) Internal Posting Application Process: Subject to the applicable CBA, Positions that are open to Internal Applicants only will follow the procedures set forth in Section V of the Recorder's Employment Plan.

- (i) Utilizing the CCRD's ATAS, to properly apply for available Positions the Applicant must identify in the text of their application and/or resume that they meet the Minimum Qualifications for the Position, as they are identified in the Job Description.
- (ii) Only materials submitted by the Applicant at the time of their application will be considered to confirm that the applicant meets all Minimum Qualifications and applicable Preferred Qualifications. Applications that are incomplete or missing the necessary documentation to confirm that the candidate meets all Minimum Qualifications will be disqualified and no further consideration will be given to the Applicant regardless of the Applicant's Seniority.
- (iii) A Preliminary Eligibility List will be created identifying those Internal Candidates that meet all Minimum Qualifications.

(iv) Where applicable, Internal Posting Candidates will be validated in accordance with provisions of the applicable CBA.

- (a) The disciplinary files of Internal Candidates appearing on the Eligibility List will be reviewed. Internal Candidates possessing a suspension within the prior eighteen (18) months of their application will be removed from the Eligibility List and deemed ineligible for further consideration. All remaining Internal Candidates will be added to the Internal Candidate Validated Eligibility List.
- (b) All Employee Grades are taken into consideration. Employees with Grade 14 or above will be given preference for supervisory positions.
- (c) Utilizing the most recent Seniority Listing, the Internal Candidates appearing on the Internal Candidate Validated Eligibility List will be ranked in order of their Grades and Seniority (Accrual Date).
- (d) The available position will be offered to Internal Candidates in the order in which they appear on the Internal Candidate Validated Eligibility List. Should the first candidate decline, the offer will go to the next Internal Candidate appearing on the Validated Eligibility List. The Offers will continue in this order until the position is filled or the Internal Candidate Validated Eligibility List is exhausted.
- (e) In accordance with applicable CBA provisions, an employee who receives a new job under this Internal Posting Application Process shall not be permitted to bid for another Position for six (6) months thereafter. Grade assignments will be made in accordance with the applicable CBA.
- (f) Where no one in the bargaining unit applies, management may fill the position in accordance with the remaining Transfer/Promotion provisions of the applicable CBA.

vi) Applicant's Background Investigation: The HRD may make such investigation of the background of Applicants, including, but not limited to, fingerprinting to ascertain criminal records and verification of claimed experience and training, as he or she determines is necessary to establish the fitness and qualifications of Applicants.

vii) Exceptions to the General Hiring Process: Exceptions to the General Hiring Process are outlined in Section VII of the CCRD's Employment Plan and include emergencies, settlements and awards, layoffs, recalls or reemployments, Promotions and Demotions, Reclassifications and upgrades, Transfers and Transitional Assignments. *See* CCRD's Employment Plan at Appendix 1 at Section VII for additional details on:

(a) **Executive Assistant Hiring Process:** The CCRD's Executive Assistant Hiring Process is outlined in the CCRD's Employment Plan. *See* CCRD's Employment Plan at Appendix 1 at Section IX for additional details.

(b) **Intern/Extern Hiring Process:** The CCRD's Intern/Extern Hiring Process is outlined in the CCRD's Employment Plan at Section X. *See* Appendix 1 at Section X of the CCRD Employment Plan for more details on:

(i) Long-Term Interns/Externs, and

(ii) 30 – Day Internships.

(c) **Exempt Position Hiring Process**: The CCRD’s Exempt Position Hiring Process is outlined in the CCRD’s Employment Plan at Section XI. *See* Appendix 1 at Section XI for additional details on:

(i) **No Other Specific Selection Process Required**: Except as specifically provided in Section XI of the CCRD’s Employment Plan, the Recorder and HRD are not required to follow any other selection process in filling an Exempt Position and may consider any factor in making his or her and its decision, so long as it is not an illegal factor.

(ii) **Removal**: A CCRD Employee holding an Exempt Position may be terminated or subject to any action covered by the CCRD’s Employment Plan for any reason or without reason, so long as it is not an illegal reason.

viii) Probationary Period: Except as modified by a CBA, a period of probation for any new Employee who has been appointed after the effective date of this Manual shall be six months of continuous service. The period of probation for a current Employee who has been appointed to a new Position after a promotional examination is fixed at a period of three months of continuous service.

c) **Position Classification & Compensation**

i) **Classifications**:

(a) Positions shall be classified in appropriate titles for purposes of examination and administration.

(b) The HRD shall maintain standards of duties and requirements of all Positions as a basis of examination. The standards established by these rules shall be changed only by authority of the HRD. In the event that Federal or State funds are made available to CCRD, and as a prerequisite to receiving such funds, certain standards are required or prescribed by any Federal or State agency; such standards shall govern, unless in the opinion of the HRD, such standards shall not be in the best interests of the CCRD.

(c) In determining the classification to which any Position should be allocated, the requirements of each classification shall be considered in their entirety. Consideration shall be given to the general duties, specific tasks, responsibilities, qualifications desired and relation to other classifications.

- (d) Requirements of classifications shall not be construed as limiting or modifying the power of any Division Head/Designee to assign duties and to direct and control the work of Employees under his/her supervision. Modifications to assignment must be reasonable and related to the duties outlined in the Position's Job Description.
- (e) Whenever the title used to designate any Position is to be changed, such proposed title change shall be submitted to the HRD.
- (f) The HRD shall maintain an accurate and updated Job Description of the duties and requisite qualifications for each Position of employment in each Section and make each Job Description available to the Division Head.
- (g) Upon the Reclassification of a Position from one classification to another classification, the method of determining the status of the incumbent or a Candidate for the Position shall be made in accordance with the provisions set forth herein.
- (h) Entry Rate: A new Employee entering the CCRD service shall be paid the minimum salary provided in the salary grade in which the job has been placed. Advanced step hiring shall only be done with the approval of the HRD.
- (i) Applicability of Step Progression and Step Placement:
 - (i) Employees compensated by the Salary Schedules shall be required to work a minimum of one year at each step, except where otherwise provided for in the Salary Schedule.
 - (ii) Where applicable, the Anniversary step advancement will be effective the first day of the full pay period following the Employee's Anniversary Date.
 - (iii) Eligibility for longevity step advancement and longevity step placement must be in conformance with the regulations as established in the respective Salary Schedules.
- (j) Existing Rates:
 - (i) An Employee whose compensation is above the maximum salary of the salary grade in which the job classification has been placed shall not have the salary reduced during the incumbency in the job classification.
 - (ii) No salary shall be raised as long as it exceeds the maximum salary of the salary grade in which the job has been placed.
 - (iii) An Employee whose salary is within the limits of the salary grade in which the Position is placed, but does not correspond to one of the established steps of the salary grade, shall be eligible for an increase to the first established step above the present salary at the time of the Employee's next anniversary.

- ii) Reclassification of Positions:** Reclassifications, including Promotions, of Employees shall be decided based on the operational and business needs and goals of the CCRD in accordance with any applicable CBA and this Manual. Reclassifications, including Reclassifications that result in Promotions, of Employees will not be based on Political Reasons or Factors.
- (i) A Non-Exempt Position may only be reclassified pursuant to a Desk Audit as described above, and shall not be conducted more than once in any twelve (12) month period.
 - (ii) A Division Head must submit a reclassification request in writing to the HRD. Such request shall include the specific basis or bases for the request and a NPCC.
 - (a) If the HRD does not agree that a request for Reclassification should proceed, the HRD shall explain the basis of his or her non-agreement in writing and forward it to the Division Head and the Director of Compliance.
 - (b) If the HRD agrees that the request for Reclassification should proceed, the HRD shall send written notice of such agreement to the requesting Division Head, the Director of Compliance and the Deputy Recorder.
 - (iii) The Deputy Recorder in conjunction with Labor Counsel will decide whether to authorize a Desk Audit and the method to be used.
 - (iv) After any authorized Desk Audit, the Deputy Recorder in conjunction with Labor Counsel will decide whether to approve or not approve the Reclassification.
 - (v) If the Deputy Recorder and Labor Counsel approve the Reclassification, the Deputy Recorder – Finance shall authorize the Reclassification, provided the CCRD’s budget is sufficient to cover any salary increase that may result.
 - (vi) Reclassifications of Non-Exempt Positions may not be approved or denied based on Political Reasons or Factors.
 - (vii) An Employee whose job is reclassified to a lower classification shall continue to receive compensation at the same rate received immediately prior to Reclassification. Such action shall not change the Employee's Anniversary Date. If the salary rate received immediately prior to Reclassification is less than the last step rate of the lower classification, the Employee shall be entitled to further step advancement.
 - (viii) An Employee whose job is reclassified to a higher classification shall be placed in the first step of the higher grade which provides a salary at least one step above the salary received at the time of the Reclassification. Such action will change the Employee's Anniversary Date. In all cases of Reclassification, the Employee shall receive at least the first step of the grade to which the Position is reclassified.

iii) Salary Rates Based Upon Full-Time Employment: The salary rates prescribed in Salary Schedules I are fixed on the basis of full-time service for normal work weeks of 40 hours. The salary rates of Salary Schedules II through X are likewise fixed on the basis of full-time service, with designations as to the constitution of a normal work week left to the Deputies involved. For Positions which are professional, Supervisory, or executive in character, the normal work week of 40 hours generally applies, but the compensation is intended to be appropriate for the class regardless of variations in the time that may be required to satisfactorily fulfill the responsibilities of the Positions.

d) Promotions:

- i) Promotional Examination Positions:** Unless provided otherwise under the terms of an applicable CBA, current Employees may be promoted to higher level Non-Exempt Positions only pursuant to the General Hiring Process and the Internal Posting Application Process described in subpart 5.b.ii.
- ii) The HRD, in consultation with the Division Head, shall determine criteria for Promotion except as provided otherwise in an applicable CBA.**
- iii) Promotional examination criteria may comprise any or all of the following job-related parts as determined by HRD:** evaluation of training and experience; written, oral or performance tests or other measures of fitness; evaluation of work performance and/or promotional potential based upon past work performance; seniority in the classification from which Promotion is sought.
- iv) Promotional Salary Grade:** An Employee who is promoted to a job in a higher salary grade shall be entitled to placement in the step of the new salary grade which will provide a salary increase at least two steps above the salary received at the time the Promotion is made, provided that:
 - (a) The new salary does not exceed the maximum established for the grade to which the Employee is promoted.
 - (b) The new salary is not below the first step established for the grade to which the Employee is promoted.
 - (c) Years of service requirements are fulfilled concerning longevity step placement.
 - (d) A previous Promotion has not been given within the same Fiscal Year.
 - (e) In all cases, an Employee must spend at least six months in the job classification from which he or she is being promoted.
 - (f) If an Employee has been given a previous Promotion within the same Fiscal Year, the Employee shall be entitled to placement in the step of the new salary grade which

will provide a salary increase at least one step above the salary received at the time the Promotion is made. However, in all cases such salary will be in conformity with the provisions of (a), (b), (c), (d) and (e) above.

(g) In all cases of Promotion, the effective date will set a new Anniversary Date.

- e) **Transfer Policy:** A “Transfer” is the change in assignment of an Employee from a Position in one Section to a Position in another Section without changing the grade for the Position held by the Employee. The Transfer is made without a change to salary or qualifications and may entail similar duties and responsibilities as the Employee’s current Position.
- i) All Transfers of Employees shall be decided based on the operational goals and business needs of the CCRD. Transfers of Employees will not be based on Political Reasons or Factors. Where Transfer Positions are posted using ATAS, the Internal Position Application Process shall be utilized for Positions covered by a CBA. *See* subpart 5.b.ii.
 - ii) **Non-Union Employees:** A non-union Employee may be transferred to an assignment of the same or similar classification, as required by Section needs.
 - iii) **Bargaining Unit Employees:** A bargaining unit Employee Transfer shall be made in accordance with any applicable CBA.
 - iv) A Division Head may request a Transfer of an Employee by completing the Transfer Request Form and submitting the same to the Deputy Recorder with a copy to the DOC and the RCA, while acting. Should the proposed Transfer require training, the written request must explain what training will be provided to the Employee.
 - v) The Deputy Recorder and HRD will review the submitted Transfer Request Form and may approve the same if the Deputy Recorder and HRD conclude that:
 - (a) The operational needs of the Section require the Transfer;
 - (b) The Employee who will be transferred is eligible to be assigned to the Position to which the Transfer is contemplated; and
 - (c) The Transfer is not based on Political Reasons or Factors.
 - vi) The Deputy Recorder will determine the Employee’s eligibility for the Transfer by comparing the Employee’s abilities, qualifications, and job history at the CCRD to the Job Description of the Position into which the Employee may be transferred. Should no Job Description exist for the new Position, a Job Description must be created by HRD prior to the determination of the Employee’s eligibility.
 - vii) If the Deputy Recorder concludes that one or more of the above criteria is not met, he or she will note on the Transfer Request Form, deny the request, and sign and return the Form to the Division Head with a copy to the DOC and the RCA, while acting. If the Deputy Recorder concludes that all criteria are satisfied, he or she will then sign the

Transfer Request Form, indicating that the request is approved, and return to the Division Head with a copy to HR, DOC and RCA, while acting.

viii) Notice: At least three days prior to the Transfer, HRD will send notice of the approved Transfer to the Employee, Employee's union representative (if applicable), former and current Supervisors, the DOC, and the RCA, while acting. The Notice should include a copy of the applicable Job Description.

ix) Transfer Probationary Period: On the effective date of the Transfer, the Employee will begin a 60-day Performance Evaluation Period. During such time, the Employee will receive a Performance Evaluation upon reaching the 30-day and 60-day mark. During this Performance Evaluation Period, the Employee will be provided with any predetermined training. The Supervisor and/or Division Head will counsel the Employee on his or her new Position without subjecting that Employee to Disciplinary Action concerning Poor Work Performance, unless the Employee engages in activity of willful and wanton disregard. Should the Employee's work performance not be satisfactory at the end of the 60-day Probationary Period, he or she will be returned to his or her prior Position.

x) Inter-Jurisdictional Transfers Incident to Shared Services Initiatives: Transfers or sharing of CCRD Employees with other governmental units shall be done in accordance with any applicable inter-governmental agreements or shared services agreement and may be done without complying with the hiring provisions provided for in Section V of the CCRD's Employment Plan provided such Transfers are not based on Political Reasons or Factors. Notice to the Employee, Employee's union representative (if applicable), the CCRD's Director of Human Resources, the DOC, and the RCA, while acting, must be provided immediately upon the initiation of the Inter-Jurisdictional Transfer.

f) Assignment or Change in Job Duties Not Involving a Transfer:

i) Assignments or changes in an Employee's job duties that do not involve a Transfer of the Employee shall be based on the operational goals and business needs of the CCRD and will not be based on Political Reasons or Factors.

ii) Approval: If the Deputy Recorder, or Division Head desires to change the job duties of an Employee, he or she shall request in writing and provide a copy of the request to the DOC and RCA, while acting. The Deputy Recorder will review the request and may approve of the same if the change in job duties:

(a) Is required by the operational needs of the CCRD;

(b) Is relevant to the Job Description for the Employee;

(c) Will not require the Employee to change Sections; and

- (d) Is not based on Political Reasons or Factors.
- iii) Should the proposed additional duties require training, the written request must explain what training will be provided to the Employee. Should no Job Description exist for the new Position, a Job Description must be created by HRD Section prior to the review and approval by the Deputy Recorder.
- iv) If the Deputy Recorder concludes that one or more of the above criteria is not met, he or she will deny the request in writing, with a copy to the DOC and the RCA, while acting. If the Deputy Recorder concludes that all criteria are satisfied, he or she will then approve the request in writing, with a copy to the HRD, DOC and RCA, while acting.
- v) Notice: At least three days prior to the implementation, notice of the approval of the Assignment or changes in job duties must be provided to the Employee, Employee's union representative, the HRD (if applicable), the DOC, and the RCA, while acting. The Notice should include a copy of the applicable Job Description.
- vi) Should training be necessary to allow the Employee to learn any new duties given to him or her, unless the Employee engages in activity of willful and wanton disregard, that Employee will not be subject to Disciplinary Action for Poor Work Performance related to his or her execution of the new duties until the Employee has received the designated training.
- g) **Temporary Assignments:** Temporary Assignments shall be decided based on the operational and business needs and goals of the CCRD in accordance with any applicable CBA and this Manual. A Temporary Assignment may not exceed 120 days in a calendar year. Temporary Assignments of Employees will not be made based on Political Reasons or Factors.
 - i) Approval: If the Deputy Recorder desires to temporarily assign an Employee, he or she shall request in writing to HRD and a copy of the request shall be provided to the DOC, and the RCA, while acting. The HRD will review the request and may approve if the Temporary Assignment:
 - (a) Does not exceed 120 days in a calendar year;
 - (b) Includes a list of job duties separate from the applicable Job Description; and
 - (c) Is not based on Political Reasons or Factors.
 - ii) At the commencement of a Temporary Assignment, the individual serving in that roll shall be provided with written expectations – separate and apart from a Job Description – of duties to be performed during the term of the Temporary Assignment. A copy of the same shall be provided to the DOC and RCA, while acting.

- (a) An individual's service in a Temporary Assignment in any Position shall not be used as a factor in considering that individual for such Position, unless the individual received notice of poor work performance in accordance with the above written expectations and/or this Manual while the individual was in the Temporary assignment. Such notice shall be provided to the DOC and RCA, while acting. If the individual's poor work performance during a Temporary Assignment is considered when the individual later applies for that same Position, HRD will provide notice and a copy of the evaluations to the DOC and the RCA, while acting. The DOC will review the evaluation and conduct any additional investigation he or she deems necessary to ensure that the evaluation complies with the Employment Plan. *See* Appendix 1 at Section XII.B for additional details.
 - iii) Temporarily Assigned Employees will receive written notification from HRD upon start and ending dates, as well as the approval of any extensions.
- h) Cross -Training:**
- i) Cross-Training assignments shall be utilized for the teaching of an Employee assigned to perform the functions of one Position the skills required to perform a different Position. Cross-Training assignments will not be based on Political Reasons or Factors.
 - ii) From the effective date of the Cross-Training, the Employee will begin an evaluation period. During such time, the Employee will receive a Performance Evaluation upon reaching the 30-day, 60-day, and 90-day mark. These Evaluations shall only be utilized for the purposes of assessing whether an Employee has completed the Cross-Training and whether repeated or additional Cross-Training in the Position may be needed. Should the Employee's Cross-Training work performance not be satisfactory, at the end of the Cross-Training period the Employee receives a Performance Evaluation with an average score of less than 2.0, the Employee will be deemed not to have completed the Cross-Training and may be called to repeat or for additional Cross-Training in the Position.
 - (a) For union Employees: Cross-Training assignments do not exceed six months. The Cross-Training period may be extended for a period based upon the operational needs of the CCRD, upon consultation with the union. *See* the applicable CBA for additional information.
 - (b) For non-unions Employees: Cross-Training periods may be set and extended for a period based upon the operational needs of the CCRD.
 - iii) Approval: If the Deputy Recorder desires to Cross-Train an Employee, he or she shall request in writing to HRD and a copy of the request shall be provided to the DOC, and the RCA, while acting. The HRD will review the request and may approve if:
 - (a) The applicable time period, not to exceed six months, is provided and deemed appropriate;

- (b)The Cross-Training will teach an Employee assigned to perform the functions of one Position the skills required to perform a different Position; and
- (c)Is not based on Political Reasons or Factors.
- iv) Cross-Training Employees will receive written notification from HRD upon start and ending dates, as well as the approval of any extension.
- i) **Demotions:** Demotions will be given in accordance with any applicable CBA, this Manual and applicable law. Demotions of Employees will not be based on Political Reasons or Factors. The following shall apply to Demotions from one grade to another:
 - i) A Demotions is appropriate only after it has been determined that an Employee is unable, as opposed to unwilling or refusing, to perform the job duties of a Position to which he or she has recently been promoted. An Employee may be demoted to a previously held Position in accordance with the following requirements:
 - (a)The Employee's most recent Performance Evaluation, if applicable, in the previously held Position was at least satisfactory, the Employee received a Performance Evaluation with an average score of 2.0 or above.
 - (b)The Employee has been in the new Position for a period of at least one month but less than six months, and
 - (c)The Employees immediate Supervisor has given the Employee at least two written notices that document the Employee's inability to perform the duties of the new Position, including any inability to complete job responsibilities in a timely manner.
 - (d)In the event a Division Head determines there is a need for an employee to be demoted, he or she shall submit a demotion request in writing to the HRD, along with a copy of the Supervisor's documentation of the Employees inability to perform and a NPCC.
 - (e)The HRD in conjunction with Labor Counsel shall approve or deny the request and send notice of the determination to the Division Head, with a copy to the Director of Compliance.
 - (f)Employees may not be demoted in any other circumstances.
 - ii) **Salary Adjustments Incident to a Demotion:**
 - (a)An Employee performing the duties of a job continuously and demoted to a job in a lower salary grade shall have the salary adjusted in the new job to the same step of the new salary grade as was received in the salary grade of the job from which demoted. The Employee's Anniversary Date does not change.

- (b) An Employee promoted to a job in a higher salary grade and subsequently demoted to a job in a lower salary grade shall have the salary adjusted to the step of the salary grade to which the Employee would be entitled had the Employee remained in the salary grade from which he or she was promoted.

j) Employee Separation:

- i) Retirement:** As of this writing, Cook County has no mandatory retirement age. Anyone who is planning on retiring must give written notice to the CCRD and to the HRD. Employees should contact the Cook County Pension Fund for additional information.
- ii) Resignation:** Any Employee who is planning on resigning must give written notice to the CCRD and HRD.
- iii) Termination:** An Exit Interview shall be provided by HRD upon termination. Copies of the Exit Interview Form are available in HRD.

k) Employment Compliance

i) Shakman Compliance

- (a) Employment Plan:** The CCRD's Employment Plan sets forth the general principles that govern hiring and other employment policies and procedures of the CCRD. This Employment Plan is one of the requirements of the Supplemental Relief Order ("SRO") issued on September 14, 2010 in the *Shakman* Case. The Employment Plan applies to current Employees of the CCRD as well as all Applicants and Candidates of the CCRD. Except as specifically provided therein, the Employment Plan does not apply to any Employment Action concerning Employees holding Exempt Positions.
- (b) Recorder Compliance Administrator:** The RCA is appointed by the court and is not an Employee of the CCRD, and is not employed by Cook County. By court order, the RCA, while acting, has the right to monitor any and all aspects of the Employment Plan and Employment Actions specified in this Personnel Policy and Procedures Manual, in order to assess the CCRD's progress toward substantial compliance with the SRO.
- (c) Director of Compliance:** The DOC's primary goal is to facilitate the CCRD's compliance with the legal prohibitions against Unlawful Political Discrimination as described in the CCRD's Employment Plan and this Manual.

For additional information see the CCRD's Employment Plan attached as Appendix 1.

ii) Political Activities

- (a) No Official or Employee shall compel, coerce or intimidate any CCRD or County Official or Employee to make or refrain from making any political contribution or to participate or refrain from participating in political activities. Nothing in this section shall be construed to prevent any Official or Employee from voluntarily making a contribution or from receiving a voluntary contribution or from voluntary participation in political activities.
- (b) Political preference, contributions to political campaigns, political activities or political sponsorship shall not be required as a condition to employment or Promotion in the CCRD and may not be used as a cause for Disciplinary Action or discharge. *See* Disciplinary Policy.
- (c) Nothing herein shall affect the right of such Employee to hold membership in and support a political party or candidate, to vote as he/she chooses, to express his/her opinions, to attend political meetings or to maintain political neutrality.
- (d) Employees shall not use or attempt to use political influence in order to secure preferential treatment in Employment Actions for himself/herself or other persons.
- (e) Notwithstanding the provisions herein, the judgment and Consent Decrees entered in *Shakman* Case empower the Recorder to designate Positions as exempt from certain hiring procedures and permit political factors to influence the hiring and retention of Employees occupying those Positions.
- (f) No Employment Actions Influenced By Political Reasons or Factors: No Employment Action affecting Positions that are not exempt shall be influenced by any Political Reasons or Factors.
- (g) Notice of Exemption: An Employee holding a Position that is to become an Exempt Position will be given a minimum of 30 days advance notice of such change and will be given the opportunity to Transfer to any then available funded Position for which he or she may be qualified in lieu of remaining in his or her Position and holding an Exempt Position.
- (h) All CCRD Employees are required to follow the procedures regarding Unlawful Political Discrimination Reporting and Unlawful Political Contact Reporting. *See* CCRD's Employment Plan at Appendix 1.
- (i) Unlawful Political Contact Reporting: Any Employee who receives or has reason to believe a Political Contact has occurred or is occurring is required to complete a Contact Log Reporting Form and submit it immediately to the OIIG during the SRO Term and thereafter to the DOC.

- (j) Any Employee of the CCRD who learns of or has a reasonable belief that Unlawful Political Discrimination has occurred or is occurring during the SRO Term, is required to report such matter to the OIIG directly and without delay, on an anonymous or credited basis, in person, by phone or in writing. Any Employee of the CCRD who learns of or has a reasonable belief that Unlawful Political Discrimination has occurred or is occurring after the SRO Term, is required to report such matter to the DOC directly and without delay, on an anonymous or credited basis, in person, by phone or in writing.
- (k) Duty to Cooperate: All Employees of the CCRD are required to cooperate fully in any investigation conducted by the OIIG or the DOC. Any Employee who fails to report and/or cooperate as required under SRO will be subject to Disciplinary Action, up to and including Termination. *See CCRD's Employment Plan at Appendix 1 for additional guidelines relating to the Unlawful Political Discrimination and Unlawful Political Contacts.*

6) PROHIBITED ACTIVITIES AND DISCIPLINE

a) Discipline Policy

- i) "Disciplinary Action" is defined as a process for dealing with job-related behavior that does not meet expected and communicated performance standards. The CCRD is committed to administering Discipline in a fair and impartial manner and will not act disparately or discriminate in the application of Disciplinary Action. The CCRD's goal is that imposition of Disciplinary Action will assist Employees to understand that a performance problem or opportunity for improvement exists. Through Disciplinary Action, the Employee may improve his or her performance and consequently avoid future Disciplinary Action.
- ii) **Scope:** This Conduct and Discipline of Personnel Policy does not apply to probationary and Shakman Exempt Employees, but applies to all other Employees under the jurisdiction of the CCRD. To the extent that this Discipline Policy conflicts with any provisions of an applicable CBA, the CBA will govern for those Employees subject to it.
- iii) **Adherence:** Supervisors will receive periodic training regarding appropriate procedures for disciplining employees, and they are responsible for disciplining employees in compliance with this Manual and any guidelines or training. Employees in Non-Exempt Positions shall not be disciplined based on Political Reasons or Factors.
- iv) **No Political Reasons or Factors:** No Disciplinary Action will be influenced by Political Reasons or Factors. In order to ensure the same, the DOC and the RCA, while acting, may monitor any and all steps of the disciplinary process.

v) **Infraction Types:** Employee behavior contrary to this Policy shall be subject to Disciplinary Action up to and including Termination, depending on the nature of the infraction. Infractions are divided into two categories: Major Cause Infractions and Minor Cause Infractions.

(a) **Major Cause Infractions:** A “Major Cause Infraction” is defined as the following behavior by an Employee while on duty and/or on the premises of any CCRD facility:

- (i) Seeking to work, reporting to work or being present on CCRD premises, in a CCRD vehicle, or engaged in CCRD activities while under the influence of illegal drugs, alcohol, or legal drugs which adversely affect safety or job performance.
- (ii) The unlawful or unauthorized manufacture, distribution, dispensation, possession or use of a controlled substance, including cannabis and unauthorized prescription drugs, drug paraphernalia or alcohol on CCRD premises, in CCRD vehicles, or while engaged in CCRD activities.
- (iii) Violence in the workplace including fighting or disruptive behavior.
- (iv) Employee Harassment of Employees or visitors as described in this Manual.
- (v) Unauthorized possession of weapons on County property.
- (vi) Willful destruction of CCRD or County property.
- (vii) Gross insubordination.
- (viii) Theft or unauthorized possession of Employee, CCRD, or County property.
- (ix) Misusing timekeeping facilities or records by:
 - (a) Intentionally signing or swiping in for another Employee; and/or
 - (b) Altering or falsifying time sheets, time cards, or other time-related records.
- (x) Absence for three consecutive work days without notifying the immediate Supervisor or Division Head (excluding situations where an Employee is unable to provide notification due to an Emergency).
- (xi) Post-hiring with the CCRD, any conviction of a felony or plea of *nolo contendere* to a felony charge, regardless of whether or not on duty or on the premises of any CCRD facility.

- (xii) Falsifying employment records or any other CCRD record through misstatement or omission of pertinent facts or information.
 - (xiii) Loss of professional certification or other license, or failing to attain the pre-requisites necessary to obtain or renew the license when such a license is required to meet the Minimum Qualifications of the Position.
 - (xiv) Knowingly or willfully interfering in or not cooperating in an investigation or knowingly or willfully providing false information during an investigation.
 - (xv) Conduct including dishonesty or that otherwise reflects negatively on the CCRD.
- (b) **Minor Cause Infractions:** A “Minor Cause Infraction” is defined as the following behavior by an Employee while on duty and/or on the premises of any CCRD facility:
- (i) Failing to follow instructions, failing to follow the organizational hierarchy, or failing to work in accordance with written CCRD policies, procedures or practices.
 - (ii) Unauthorized Absence including, leaving assigned place or area of work during working hours without permission of the Supervisor, and being absent without leave (“AWOL”).
 - (iii) Tardiness, as defined in this Manual, or lost or forgotten swipe cards.
 - (iv) Loitering or remaining on CCRD premises outside of duty hours without authorization, absent use of CCRD facilities for established business purposes.
 - (v) Littering, creating or contributing to inappropriate and unsanitary conditions.
 - (vi) Smoking in prohibited areas.
 - (vii) Engaging in gambling on CCRD premises.
 - (viii) Intimidating or coercing another Employee through physical or verbal threats.
 - (ix) Poor Work Performance in any job classification including sleeping or inattention to duty during working hours.
 - (x) Violating security rules and regulations of the CCRD as defined in this Manual.
 - (xi) Creating an unsafe condition or failing to abide by safety and/or fire prevention regulations.

- (xii) Using any information technology or CCRD instrumentality, including, without limitation, e-mail, Internet services or telephone, in a non-Emergency situation, for an unauthorized purpose. Employees are forbidden from installing or using unlicensed computer software on CCRD-issued computers. *See* Technology section of this Manual.
- (xiii) Using personal cell phone or other personal electronic equipment on CCRD premises during the work day, during working hours for any non-approved or unauthorized CCRD related reasons or purposes. Electronic equipment shall not interfere with the working environment or performance of duties. *See* Technology section of this Manual.
- (xiv) Using any CCRD office space or office equipment in an unauthorized manner.
- (xv) Misusing or abusing of time-off requests.
- (xvi) Misusing confidential or proprietary information, or any CCRD files, documents or data.
- (xvii) Posting or distributing unauthorized literature or pamphlets or removing authorized notices from bulletin boards without permission.
- (xviii) All other violations of this CCRD Policy Manual not separately listed above.

(c) **Disciplinary Action:**

All Discipline results will be documented on a Disciplinary Action Form and placed in the Employee's Personnel File after a Pre-Disciplinary Hearing.

- (i) Non-Union Employees: When Disciplinary Action is necessary, consideration is given to the seriousness and nature of the infraction. In general, Disciplinary Actions will include the following progressive steps:

- Verbal Reprimand*
- Written Reprimand*
- Suspension of one to three days*
- Suspension of five to ten days, or*
- Discharge.*

- (a) Disciplinary Action, however, may begin, or advance to any step specified above dependent upon whether the infraction is Major Cause or Minor Cause. In assessing the proper Discipline to be imposed, the Hearing Officer will take into consideration the following factors:

- i. the Employee's disciplinary record;
- ii. mitigating factors provided by the Employee or witnesses;
- iii. Disciplinary Action issued historically for infractions of comparable type;
and
- iv. Severity and circumstances of the particular offense committed.

Political Reasons or Factors may not influence the issuance of Disciplinary Action. Discipline for Major Cause Infractions need not be progressive.

(ii) For Bargaining Unit Employees:

- (a) For Minor Cause Infractions, Disciplinary Action must be timely and follow Progressive Discipline as explained below. For Major Cause Infractions, Disciplinary Action must be timely as provided by the applicable CBA, but need not follow Progressive Discipline.
- (b) Progressive Discipline. Progressive Discipline will be issued when an Employee commits the same Minor Infraction more than once in an 18-month period. "Progressive Discipline" is Disciplinary Action issued for the same infraction in the following sequential order:
 - i. Verbal Reprimand.
 - ii. Written Reprimand.
 - iii. Suspensions.
 - iv. Discharge.

Excluding resolutions as a result of grievances, settlements and/or court orders, Suspensions may include the following options: one to three days, five to ten days, or fifteen days, in accordance with the applicable CBA.

- (c) In assessing the proper Discipline to be imposed, the Hearing Officer will take into consideration the following factors:
 - i. the Employee's disciplinary record;
 - ii. any mitigating factors provided by the Employee or any witnesses;
 - iii. Disciplinary Action issued historically for infractions of comparable type;
and
 - iv. Length of service with the CCRD.

Political Reasons or Factors may not influence the issuance of Disciplinary Action. Discipline for Major Cause Infractions need not be progressive.

- (d) Discipline and Previous Suspension for Similar Infraction. When an Employee commits the same Minor Infraction that previously had resulted in a suspension within the last four years, the next disciplinary step identified

above must be taken. When an Employee commits the same Minor Infraction that previously had resulted in a suspension more than four years prior, the Employee shall receive the same suspension that the Employee received for that previous similar infraction, and shall not progress to the next disciplinary step.

(iii) Emergency Suspension: An Emergency Suspension may be given prior to any step of a Disciplinary Action when the presence of the Employee is dangerous or will result in the disruption of operations. Labor Counsel must memorialize any Emergency Suspension in a Disciplinary Action Form and include a detailed explanation why Labor Counsel believes the Emergency Suspension is necessary. Labor Counsel must provide a copy of that Disciplinary Action Form to the Employee, Employee's union representative (if applicable), Supervisor, the DOC, and the RCA, while acting.

(a) Emergency Suspensions must be followed by notice of Pre-Disciplinary Hearing within thirty days of the start of the Emergency Suspension. Emergency Suspensions may not exceed thirty days without a Pre-Disciplinary Hearing.

(iv) Incident Reports: When a Division Head or Supervisor witnesses or has reason to believe that an Employee has committed either a Minor Cause Infraction or a Major Cause Infraction, that Division Head or Supervisor will follow the below process:

(a) The Division Head/Supervisor will complete an Office Incident Report detailing: 1) the name of the Employee; 2) date of occurrence; 3) date of any conference with the Employee concerning the alleged infraction; and 4) a detailed description of the Infraction (including which section of this Disciplinary Policy was violated). The Division Head/Supervisor will attach any relevant supporting documentation to the Incident Report. To the extent the Office Incident Report is completed by a Supervisor who is not a Division Head, the Supervisor will submit the Office Incident Report with the relevant supporting documentation to the Division Head and provide a copy to the DOC and RCA, while acting. After reviewing the documentation, the Division Head will make the determination about whether the alleged infraction is proper grounds for the submission of an Office Incident Report. An approved and/or unapproved Office Incident Report is not considered Disciplinary Action. Unapproved Office Incident Reports will be noted as such and retained for consistency purposes by Labor Counsel.

(b) To the extent that the Division Head approves the Office Incident Report, the Supervisor/Division Head will provide a copy of the Incident Report and any attachments to the Employee, the Employee's representative (if any), the DOC and the RCA, while acting. Incident Reports must issue in a timely fashion as provided in any applicable CBA, but is otherwise understood to be

no more than 30-days from the occurrence of the infraction or discovery thereof.

- (c) The Division Head/Supervisor will meet with the Employee, and the Employee's representative, if applicable, and the Employee's Supervisor (if applicable). The Division Head or Supervisor will provide notice to the DOC and the RCA, while acting, at least 24 hours before any such meeting and all may attend this meeting.
 - (d) At the meeting, the Division Head/Supervisor will present the Incident Report to the Employee for his or her acknowledgment. Where the incident involves a Supervisor, the Division Head and either the Chief Deputy Recorder, Deputy Recorder or their Designee will present the completed Office Incident Report to the Supervisor for his or her review and signature. Should an Employee refuse to sign, a notation of "refused to sign" will be noted.
 - (e) At the conclusion of the meeting, the Division Head/Supervisor will forward the completed Incident Report to the Labor Counsel with copies to the Employee, Employee's representative (if any), DOC and RCA, while acting. All approved Office Incident Reports will result in either Counseling or the issuance of a Pre-Disciplinary Hearing Notice.
- (v) "Counseling" is defined as a Division Head or Supervisor's grant of advice or direction to an Employee concerning an alleged Minor Cause Infraction in an attempt to prevent any future similar infractions.
- (a) Counseling only will be given when an Employee has allegedly committed a Minor Cause Infraction and has no record of committing the same Minor Cause Infraction within the preceding 18 -month period. Where Counseling is warranted, the Division Head/Supervisor will be notified by Labor Counsel. The Employee, Employee's union representative (if applicable), Supervisor, the DOC, and the RCA, while acting, will be notified at least 24 hours before Counseling. The Incident Report evidencing the issuance of a Counseling will then be placed in the Employee's file.
 - (b) Should Disciplinary Action be considered, the Labor Counsel will issue to the Employee a Notice of Pre-Disciplinary Hearing. The Employee is expected to appear for his or her Pre-Disciplinary Hearing as provided in Section VI below.
- (vi) Pre-Disciplinary Hearing Procedure:
- (a) Pre-Disciplinary Hearing Notice. When Disciplinary Action is considered, after Labor Counsel receives a completed Office Incident Report, Labor Counsel shall schedule a Pre-Disciplinary Hearing before imposing any Disciplinary Action. Labor Counsel shall serve notice of the Pre-Disciplinary

Hearing to the Employee that includes the nature of the alleged Infraction and the possible Disciplinary Action that might be imposed should the charges be sustained. This Pre-Disciplinary Hearing Notice shall be provided to the Employee, Employee's representative (if applicable), DOC and RCA, while acting, at least 48 hours before the Pre-Disciplinary Hearing.

- (b) Pre-Disciplinary Hearing Time Limits. Labor Counsel shall issue the Notice of a Pre-Disciplinary Hearing within 30 days of the time the Incident Report issues or the alleged infraction became reasonably known to the Labor Counsel. This time limit will be waived if the Employee or the Employee's representative requests a delay of the hearing or if the hearing is delayed due to the Employee's unavailability or Labor Counsel's inability to effect service of the hearing notice. Such time limits shall not apply to charges of job abandonment, unauthorized absence or failure to return from a Leave of Absence when the Employee is absent when the Disciplinary Action commences. Should an Employee fail to appear at a hearing after proper notice without showing good cause, that Employee shall forfeit any right to appeal any Disciplinary Action imposed.
- (c) Hearing Officer. All Disciplinary Actions will be heard by a Hearing Officer. The Hearing Officer shall be the Employee's Division Head, subject to the following exceptions. In the Division Head's absence, or to the extent Labor Counsel determines there is a conflict, the Hearing Officer will be the Deputy Recorder assigned to the Employee's Section, a separate Deputy Recorder, or the Chief Deputy Recorder/Designee, as determined by Labor Counsel. Where the Employee alleged to have committed the infraction is a Division Head, the Hearing Officer shall be the Labor Counsel.
- (d) Employee Representation. Employees are entitled to bring a representative to the Pre-Disciplinary Hearing. *See* above Pre-Disciplinary Hearing Notice. If the Employee is represented by a union, that union shall have the exclusive right of representation. Union Employees are entitled to representation by duly elected or appointed union representation, or designated union counsel, but may not insist upon representation by a specific union official or steward. If a union Employee desires not to have union representation he or she shall complete the proper forms waving such rights as provided by a union representative.
- (e) Pre-Disciplinary Hearing. The Hearing Officer will conduct the Pre-Disciplinary Hearing and allow the Employee, or the Employee's representative, to respond to the alleged infraction(s) listed in the Pre-Disciplinary Hearing Notice. The Hearing Officer may hear statements from or ask questions of any relevant witnesses to the underlying alleged infraction(s). The Hearing Officer will conduct the Pre-Disciplinary Hearing in a professional and unbiased manner.

- (f) Disciplinary Action Form. At the conclusion of the Pre-Disciplinary Hearing, the Hearing Officer will complete the Disciplinary Action Form. The Disciplinary Action Form must include the following:
 - i. A statement of the charges, copy and explanation of evidence supporting the charges, a list of all suspensions and any previous Disciplinary Action committed within the prior 18-month period, and a copy of the underlying Office Incident Report;
 - ii. If the Employee was found to have committed a Minor Cause Infraction, a statement that committing the same, or similar, Minor Cause Infraction will result in the next Progressive Discipline step up to and including Termination; and
 - iii. The dates that any issued Suspension will be served, if applicable.
- (g) The Disciplinary Action Form will be signed by the Hearing Officer, the Employee's direct Supervisor, and the Employee. If the Employee refuses to sign the Disciplinary Action Form, the refusal will be noted in the space designated for the Employee's signature.
- (h) Copies of the Disciplinary Action Form will be distributed as follows:
 - i. The Employee;
 - ii. The Employee's representative, including a union representative, if applicable;
 - iii. The HRD to be placed in the Employee's Personnel File;
 - iv. The DOC; and
 - v. The RCA, while acting.
- (vii) HRD is responsible for maintaining accurate records of all Disciplinary Action issued to Employees, including copies of the disciplinary charges and the documents relied upon to support the charges. Copies will be offered as stated in this Manual.
- (viii) At any time prior to the announcement of findings and decision the Hearing Officer may accept the Employee's resignation in lieu of Suspension or Termination; however, at no time shall any Employee be pressured to resign in lieu of facing potential Suspension, Termination or other Disciplinary Action.
- (ix) Grievance Procedure. Union Employees may grieve a Disciplinary Action subject and pursuant to their respective CBA. Non-union Employees may not grieve a Disciplinary Action.

b) Reporting Accidents, Illness and Malfunctioning Equipment

- i) All Supervisors must ensure that all Employees receive proper safety instructions. Should additional training be necessary Supervisors should contact the Training Coordinator.

- ii) The Employee, as well as his/her Supervisor, must immediately report to HRD any injury or illness incurred by an Employee during the course of employment.
- iii) If the Employee is hospitalized or sent home, the Employee must report to HRD and County Medical thereafter to receive a release prior to returning to work.
- iv) If an ambulance is called for an Employee, regardless of whether or not the Employee left in the ambulance, a release must be retained from County Medical prior to returning to work.
- v) Use of any equipment that is believed to be malfunctioning or operating inappropriately is prohibited. Notifications of malfunctioning or equipment inappropriately operating must be made to the Employee's immediate Supervisor and reported to Purchasing.

c) Misuse and Abuse of CCRD or County Property

- i) Unauthorized actions, misuse, abuse and loss of CCRD property increase replacement and repair costs. These actions cause a negative impact on our budget and adversely affect our operation.
- ii) All repair and replacement requests should be reported to the Employee's immediate Supervisor and then directed to the attention of Purchasing.
- iii) Employees are prohibited from removing, relocating, re-issuing, abusing all CCRD equipment.
- iv) **Personal Mail:** No personal mail will be accepted at the CCRD. Any personal mail that comes to the office will be forwarded back to the sender.

v) Personal Workstations:

- (a) Employees must minimize the number of personal items at and around their workstation to no more than a total of four personal items, which include but are not limited to: pictures, framed items, (on the Employee's desk or wall) artificial flowers, vases, etc. All items in excess of four are to be removed and taken home.
- (b) Minimize the number of storage containers under or around the Employee's desk to one container only, which is properly closed and clean.
- (c) Employees may not pour liquids in the garbage container at their desk.
- (d) Employees must refrain from the accumulation of staples on the floor; use both hands when extracting staples, which will minimize the amount that fall on the floor.
- vi) **Eating in Office:** Employees may not eat at their workstations. Employees may eat in one of the designated lunch rooms during their scheduled break or lunch time. All

beverages must be in a container with a closed lid. Any spills that damage CCRD property will be the responsibility of the Employee and may result in disciplinary action.

d) Technology Usage

i) Telephone Use: Courtesy and efficiency are essential to the functioning of the CCRD. The telephone is a significant means of communicating with customers. Personal calls are prohibited. County telephones are to be used for CCRD business. Employees should:

(a) Promptly answer the telephone with the following response: Good morning/afternoon/evening, Cook County Recorder's Office, this is (Employee's name), How may I help you?

(b) Obtain accurate facts. If you must leave the telephone during a conversation, explain why.

ii) Other Electronic Devices:

(a) Personal cell phone use is prohibited in all areas of the CCRD unless otherwise specified.

(b) Unauthorized photographs, including those taken with personal electronic devices are strictly prohibited.

iii) Technology Security:

(a) **Purpose:** The purpose of the Technology Security Policy Section is to provide CCRD and Section Heads information to help protect the County and Employees of the CCRD from liability and business interruptions due to inappropriate use of computers and breaches of computer security. Division Heads and Supervisors are responsible for ensuring that their Employees follow this policy.

This policy documents the computer users' responsibility to safeguard computer equipment and information from accidental or deliberate unauthorized access, tampering, snooping, distribution or destruction. It sets forth what is and is not appropriate use of CCRD computers. Users may be disciplined for non-compliance with this policy. This policy does not purport to address every computer operation and security issue. It is the Employee's responsibility to use sound judgment; should the Employee identify an issue or situation that he or she is not certain how to deal with, inquire of the Technology Section Head.

(b) **Definitions:**

- (i) **Authorized User** – A user that is using a computer that is approved by their Division Head and is logged in using their own credentials provided by the Technology Section.
 - (ii) **Secure location** – The areas of the CCRD facilities that are not open to the public. This term also includes official County and/or CCRD equipment that should be locked and/or attended by authorized personnel.
 - (iii) **Mobile Computer** – Laptops, netbooks, smartphones, tablets or any other computing devices that are designed to be portable.
 - (iv) **Network Drive** – A hard drive or shared file space that is accessible to several users over the local area network.
 - (v) **Malware** – Short for “malicious software” is software designed to infiltrate a computer system without the owner's informed consent. The expression is a general term used to mean a variety of forms of hostile, intrusive or annoying software or program code.
 - (vi) **Remote Access** – Any means by which a computer located in a non-secure area attempts to access the internal resources of the CCRD.
 - (vii) **Public Access Terminal**— Any computer or phone that is designated for use by the general public for a limited or specific purpose.
 - (viii) **Content Management System** - The collection of procedures used to manage work flow in a collaborative environment that allow for a large number of people to contribute to and share stored data.
 - (ix) **Records Management Systems**— Records management is a systematic and controlled process of managing or tracking the life cycle of records.
- (c) **Privacy:** The CCRD maintains the right and the ability to enter into any system and to inspect and review any and all data as allowed by any applicable law(s). The CCRD reserves the right to obtain access to all voicemail and electronic mail messages left on or transmitted over these systems. Employees should not assume that such messages are private and confidential or that the CCRD or its designated representatives will not have a need to access and review this information. Individuals using County and/or CCRD equipment should have no expectation that any information accessed through or stored on their computers – whether the information is contained on a computer hard drive, computer disks, or in any other manner – will be private.
- (i) Audits to verify that CCRD computers are clear of malware and used in accordance with County and/or CCRD policy may be performed. The CCRD will investigate complaints about inappropriate images on computers, inappropriate e-mail or other inappropriate conduct.

- (ii) The CCRD may monitor internet activity to see what sites are frequented, the duration of time spent, what files are downloaded and what information is exchanged.
- (d)**Confidential Data:** The following is a list of requirements to ensure that data remains confidential:
- (i) Users must lock their screen or logoff when leaving their computers.
 - (ii) When possible, monitors containing confidential data shall not be located in an area that is visible from a non-secure location.
 - (iii) Users must exit all applications (Cashiering, Indexing, Search, etc) before going to lunch or break. Note: Employees should not turn off or power their computer. Employees are only authorized to turn off or power down their computer at the end of their shift or if instructed to do so by Technology Section staff or a Supervisor.
 - (iv) Only authorized users are allowed access to any CCRD computer systems, phones, faxes or any other resources, except when the resource is specifically designated as a public access terminal.
 - (v) Printers will be located in secure locations whenever possible.
 - (vi) Theft of any equipment or media must be reported immediately to the Technology and Security Sections. This includes but is not limited to: computers, laptops, external hard drives, compact discs and USB drives.
 - (vii) Data should never be transmitted over fax, telephone, or internet unless authorized by the Employee's Supervisor.
 - (viii) Computers that must remain in a non-secure location must be monitored by CCRD staff.
- (e)**User Accounts:**
- (i) Password Policy:
 - (a) Passwords expire every 30 days. Employees should be sure to change their password before it expires.
 - (b) Passwords shall be a minimum length of six (6) characters
 - (c) Passwords shall contain a combination of three of the following: uppercase or lowercase letters, numbers or symbols.
 - (d) When passwords are lost or forgotten the Technology Section must be notified immediately.
 - (e) Passwords should never be written down and kept in an area that will be visible or easily accessible.

(ii) User Account Policy:

- (a) User Accounts are created by the Technology Section and credentials are transferred to new users at the time of employment. Three (3) failed login attempts will enable lockout period in which the user will not be able to login to their account. Once called and the user is verified, the Technology Section will unlock the account.
- (b) Users are prohibited from attempting to access another user's account. User accounts are never shared among users.

(f) **General Security:**

- (i) Updates: The Technology Section is responsible for all operating system updates on CCRD computers. This includes but is not limited to: Windows updates, anti-malware updates and other various software updates. These updates are set to automatically download and install without user intervention. Users are prohibited from altering the automatic update settings of the operating system, anti-malware programs or any other application.
- (ii) Local Firewall: All computers on the CCRD's network will have the local Windows firewall enabled. The firewall shall not be altered without approval from the Technology Section.
- (iii) Avoiding Malware: The most important defense against malware infection is user prevention. Anti-malware programs only work to limit damage after a computer is already infected. The following is a list of recommendations to follow to help keep an Employee's computer running free of malware:
 - (a) Don't open email attachments from un-trusted sources;
 - (b) Don't click links in email;
 - (c) Don't download files from places you aren't absolutely sure are safe;
 - (d) Stay within well-known websites; and
 - (e) Do not plug in unauthorized devices to your computer (USB drives, external hard drives, phones, etc).
- (iv) If an Employee suspects his or her computer has been infected, stop usage and immediately contact the Technology Section. Do not click on unfamiliar icons or attempt to close any pop-ups or warning messages as this will likely infect the machine further.
- (v) Avoiding Network Security Breach: Never give any information about computer systems, County or CCRD networks, or security policies out over the telephone, in person or in any other form. If someone requests such information, get their name, title and phone number and tell them someone will get back to them. Report the incident immediately to the Technology and Security Sections. Users

should be aware that every login attempted is traced and can be traced back to the computer, login used and time of entry into the system.

(vi) **Personal Computer Equipment:** No personal equipment, including laptops, computers, switches, routers, or any other network ready device shall be connected to the CCRD network without prior approval and inspection by the Technology Section. **If equipment is approved for connection to the CCRD network, the data on the device is no longer considered private data and will be subject to all of the privacy policies stated in this document.**

(vii) **Proper Computer Use:**

(a) No personal information, data, photos, music, or messages should be stored on CCRD equipment. Such data, if found, will not be treated as personal or private and may subject the Employee to discipline.

(b) Do not alter or tamper with a CCRD computer physically. Users are prohibited from opening the computer case, removing or adding components, or accessing the inside of a computer for any reason. Please contact the Technology Section for any issue that might require physical access to the inside of a computer.

(c) Users are prohibited from installing or running software. Certain areas of the computer's operating system have been administratively disabled. Attempting to access these areas and circumvent the restriction is strictly prohibited.

(d) Users are prohibited from accessing or attempting to gain access to any area of the County and/or CCRD network that they are not specifically authorized to access.

(viii) **Software Duplication:** Users shall not produce unauthorized copies of any software. Software must only be utilized for intended purpose and shall not be altered. Technology Section shall be solely responsible for the download/upload of any software.

(g) Internet and Website:

(i) **Appropriate Internet Activity:** Internet activity shall be confined to CCRD business. Supervisors are responsible for monitoring usage and alerting the Technology Section and Deputies of possible misuse. The Technology Section reserves the ability to stop any network activity that may cause a drain on performance.

(h) Various Systems:

(i) **Data Backup:** A backup of all CCRD data and systems must be performed regularly. Computer users should refrain from storing CCRD data on their local computer. In the event data is stored locally, an Employee must save a backup must to their Section's shared drive no less than once per month. The Technology Section will provide users with any assistance or training necessary to ensure a

proper backup is kept of data that is otherwise stored locally on a user's computer.

- (ii) Email and Voicemail: Employees using CCRD or County messaging services are representing CCRD. These messages are not private. As such, Employees must ensure that all electronic information, whether sent internally or to third parties, is written or spoken courteously and in a professional manner. Moreover, Employees should not include anything in an email or voicemail message that they would not include in a formal business letter.
- (i) Users are prohibited from accessing or attempting to access another user's account, email or voicemail.
- (j) Telephone Systems: All CCRD telephones and faxes should only be used for CCRD business.
- (k) Power Surge Protectors: Employees may not plug any personal items into the power surge protectors. These are to be used for equipment authorized by the Technology Section only.
- (l) Network Drives: Network drives may be provided as a means of storing important files and sharing files within a Section. Storage space is limited so please do not store non-essential files on a network drive.
- (m) Help Desk: All technology-based issues must be entered into the Help Desk. A Supervisor, Division Head or Deputy can enter in a ticket. Employees must provide a detailed description of the problem including any error message, along with location, user, and any other information related to the issue.
- (n) Computer Stations: Employees must keep their work stations and the area around the computers free from personal items and clutter.
- (o) Internal Equipment Relocations: Computer and other technology/electronic equipment may only be relocated by the Technology Section with approval by the Division Head. Requests must be put in writing via the Help Desk or email including but not limited to computers, monitors, printers, and scanners. Employees should include in their request an item description, current location and desired location. Equipment that is out of service must be reported to the Technology Section for any needed repairs or transfers.
- (p) Employee Separation: All information on user computers is considered CCRD property. Deleting, shredding, altering, or sharing confidential, proprietary or any other information upon separation is prohibited.
 - (i) The following activity is prohibited upon separation and will be prosecuted to the fullest extent of the law:
 - (a) Accessing or attempting to access a CCRD computer or network.

- (b) Providing third parties access or information that may help them to obtain access to County systems or networks.
- (c) Taking computer files, data, programs, or computer equipment.
- (d) Sharing any confidential data or knowledge the Employee has gained while in employment.

(q) Policy Violations

- (i) Computer Policy Violations: Violations of the Technology Security Policy Section can result in Disciplinary Action up to and including termination. This policy and its contents are subject to all State and Federal laws and rules that may apply. Violations of this policy or misuse of computer systems that are of a criminal nature may be referred for criminal prosecution.
- (ii) Reporting Policy Violations: Employees are required to immediately report violations, or suspected violations, of this policy to the Security Section and the Technology Section. Employees that assist with investigation and/or report violations or suspected violations of this policy will be protected from retaliation.

7) SAFETY

a) Safety Guidelines

- i) **Electrical Appliances:** Small personal appliances, i.e. coffee makers, toaster ovens, microwave ovens, and hotplates may only be used in approved kitchen areas and must be certified UL approved. Approved electrical appliances must never be left unattended while in operation.
- ii) **Space Heaters/Portable Radiators:** Space heaters and radiators are not allowed in the CCRD.
- iii) **Open Flames/Gas Ovens:** Open flames of any type are restricted from use inside all buildings. This includes candles of any type. Absolutely under no circumstances are gas ovens allowed.
- iv) **Smoking:** Smoking is not allowed in any building or within fifteen feet of the building entrance.
- v) **Holiday Decorations:** Only certified UL approved holiday decorations will be allowed with Division Head approval. Decorations may be allowed, but should not be hung from the ceiling as this may impair the operation of fire suppression system.
- vi) **Wall Heaters:** For those areas attached with wall heating units, please be reminded that it is unsafe to store any items on, under, or near the heaters.
- vii) **Storage:** Nothing should be stored within 18” from the ceiling.
- viii) **Unauthorized Entrance/Exit:** Do not obstruct or otherwise hinder Ingress and Egress by blocking entrances and exits or by opening doors designated for use in non-Emergency situations.
 - (a) Per Facilities Management and CCRD Safety procedures, Employees should not obstruct the opening or closure of designated doors. These doors are primarily located on the lower level of the office, but any door could be designated, at any time.
 - (b) Any Employee observed violating this safety procedure will be subjected to discipline, as doing so could jeopardize the individual and collective safety of this work place.

b) Security Issues

- (a) **Emergencies:**

- (i) **Emergency Phone Numbers:**
 - (a) **Police/Fire/Paramedic.....911**
 - (b) **Cook County Sheriff.....312-603-2701 (3-2701)**
 - (c) **CCRD Security.....312-603-5009 (3-5009)**
- (ii) NOTE: An AED unit is located at the Sheriff’s post in the building and may be accessed in the event of cardiac arrest/heart attack.
- (iii) In the event of an Emergency or evacuation, Security Personnel’s instructions must be followed. Additional instructions may be given by the County.
- (iv) Assisting Security: If it is safe to do so, ask security if you can be of assistance. Security will direct you to:
 - (a) Remain for a stated purpose,
 - (b) Call for assistance, or
 - (c) Go to a designated safe area.

(b) Emergency Evacuations:

- (i) In the event of a situation that requires an Emergency evacuation:
 - (a) Notify – Authorities, CCRD Security and Supervisory Staff, Sound any necessary alarms.
 - (b) Mitigate – If safe to do so, mitigate damage.
 - (c) Leave and report to designated safety area.
- (ii) Evacuation Procedures:
 - (a) Staging Captain: A Staging Captain is a person who assumes a post in a pre-determined location when a drill or Emergency arises. The Staging Captain is responsible for the following duties:
 - i. Be the first to arrive at staging location.
 - ii. Display/wear a garment readily identifiable to CCRD Employees.
 - iii. Collect Employee information.
 - iv. Report Employee information to authorized CCRD staff and Safety and Security Personnel.
 - v. Give direction to Employees.

(b) **Employee Responsibilities:** During a drill or Emergency evacuation Employees are advised to stage at Daley Plaza. Employees are to report to the CCRD Staging Captain(s) to note their attendance and safety concerns. Employees are encouraged to follow the instructions from the Staging Captain(s). Employees are reminded to remain calm and cooperative. The Staging Captain(s) will perform all duties in a manner that address the concerns of the Employees and the CCRD. Employees should:

- i. Report to Staging Area.
- ii. Identify Staging Captain(s).
- iii. Follow safety instructions given by Staging Captain(s).
- iv. Stay calm and cooperate.
- v. Do not return to the County Building until authorized.

(iii) **Employee Emergency Hotline: All Employees should call the Employee Emergency Hotline to report their status and for dismissal and or return instructions. Call: 312-603-5009**

(c) Suspicious Persons or Threats of Violence:

(i) **Notification of Suspicious Persons:** If an Employee observes an unusual act by a suspicious person, they should make an immediate attempt to notify security. If the Employee is involved in a transaction with a person and suspects there is a problem, the Employee should do the following:

- (a) Stay calm
- (b) Make a mental note of the physical description of the person(s). (See below details)
- (c) Secure documents used for the transaction. (Identify customer name if safe to do so)
- (d) Excuse himself or herself as a necessity to complete the transaction and walk away from the person(s).
- (e) Notify a Supervisor and/or security.

(ii) **How to Give Physical Descriptions:** When a description is needed for a report the following descriptors should be noted:

Gender	Shoe color and shoe type
Race	Tattoos
Height	Accent(s)
Weight	Scars, Moles, Freckles
Age	Teeth, Missing Teeth
Hair length, color, style or bald	Gait

Outer Garments, Top and Bottom
Direction of Travel

Mode of Transportation
Accomplice(s)

(iii) Considering the detail involved and the tense nature of such a situation, it might seem overwhelming to be able to remember and give a detailed description. Knowing what things are required in advance with a little practice will greatly improve your ability to give an accurate description and increase the chances the suspicious person(s) will be caught.

(iv) Threats of Violence:

- (a) Remain calm and do not aggravate the situation.
- (b) Try to remove yourself from the hostile individual(s) and notify your Supervisor or security personnel.
- (c) Contact 911 if there is a weapon involved or a threat of physical violence.
- (d) Save any evidence of threat (documents, voicemails or emails).
- (e) If necessary arrange for a Security/Sheriff's escort when leaving.

ii) Hazardous Materials and Suspicious or Hazardous Packages:

- (a) Do not handle the item or substance.
- (b) Notify 9-911 and give the following information:
 - (i) Address
 - (ii) Phone
 - (iii) Your name
 - (iv) Location of Hazardous material, if possible.
- (c) Notify your immediate Supervisor
- (d) Contact CCRD Security Personnel
- (e) Leave the immediate area; close the area off by closing doors in the area, if possible.

iii) Lost and Found

- (a) Any Employee who finds an item that has been left in a common area of the CCRD Office shall present the item to their Supervisor and describe the location and time when the item was found. The Supervisor will present the item as soon as possible to a Security staff member. The Supervisor will be required to fill out a Lost and Found Submission Form.

(b) Examples of appropriate items that may be turned in to Lost and Found include (but are not limited to) cell phones, keys, articles of clothing, mail or other personal papers, and items of personal grooming.

(c) **SUSPICIOUS PACKAGES ARE NOT TO BE TURNED IN TO LOST AND FOUND.** Examples of suspicious packages may include (but are not limited to) wrapped and unwrapped boxes where the contents are not visible, containers, back packs, suitcases, handbags, or any other medium to large container that may contain an explosive or hazardous device.

Appendix 1: CCRD Employment Plan

Appendix 2: CCRD Ethics Policy

CCRD Ethics Policy

(1) Definitions. The following words, terms and phrases, when used herein shall have the meanings ascribed to them as provided below, except where the context clearly indicates a different meaning:

- i) *Absolutely necessary* means that another means of identification, such as Employee identification number, cannot be substituted for the social security number without frustrating the purpose of the request.
- ii) *Campaign for elective office* means any activity in furtherance of an effort to influence the selection, nomination, election, or appointment of any individual to any Federal, State, or local public office or office in a political organization, or the selection, nomination, or election of Presidential or Vice-Presidential electors, but does not include activities:
 - (1) Relating to the support or opposition of any executive, legislative, or administrative action;
 - (2) Relating to collective bargaining; or
 - (3) That are otherwise in furtherance of the person's official duties.
- iii) *Candidate* means any person who has filed nominating papers or petitions for nomination or election to an elected office, or who has been appointed to fill a vacancy in nomination, and who remains eligible for placement on the ballot at either a general primary election or general election or who has raised or expended money in pursuit of elected office.
- iv) *Collective bargaining* has the same meaning as that term is defined in Section 3 of the Illinois Public Labor Relations Act (5 ILCS 5/1-3).
- v) *Compensated time* means any time worked by or credited to an Employee that counts toward any minimum work time requirement imposed as a condition of employment but does not include any designated holidays or any period when the Employee is on a Leave of Absence.
- vi) *Compensation* means money, thing of value or other pecuniary benefit received or to be received in return for, or as reimbursement for, services rendered or to be rendered.
- vii) *Compensatory time* means authorized time off earned by or awarded to an Employee to compensate in whole or in part for time worked in excess of the minimum work time required of that Employee as a condition of employment.
- viii) *Contract management authority* means personal involvement in or direct Supervisory responsibility for the formation or execution of a CCRD contract, including without limitation the preparation of specifications, evaluation of bids or proposals, negotiation of contract terms or supervision of performance.
- ix) *Contribution* has the same meaning as that term is defined in Section 9-1.4 of the Election Code (10 ILCS 5/9-1.4).
- x) *County* means Cook County.

- xi) *Economic interest* means any interest valued or capable of valuation in monetary terms; provided that economic interest is subject to the same exclusion as financial interest.
- xii) *Employee* means an individual employed by the CCRD whether part-time or full-time or by a contract of employment.
- xiii) *Financial interest* means any of the following:
 - (1) Any interest as a result of which the owner currently received or is entitled to receive in the future more than \$2,500.00 per year.
 - (2) Any interest with a cost or present value of \$5,000.00 or more.
 - (3) Any interest representing more than ten percent of a corporation, partnership, sole proprietorship, firm, enterprise, franchise, organization, holding company, joint stock company, receivership, trust, or any legal entity organized for profit; provided, however, the term "financial interest" shall not include any of the following:
 - (a) Any ownership through purchase at fair market value of inheritance of less than one percent of the shares of a corporation, or any value of or dividends of such shares, if such shares are registered on a securities exchange pursuant to the Securities Exchange Act of 1934 (15 U.S.C. § 78a et seq.);
 - (b) The authorized compensation paid to an official or Employee for his or her office or employment, or the authorized compensation paid to a board or commission appointee for his or her office or employment;
 - (c) Any economic benefit provided equally to all residents of the County;
 - (d) A time or demand deposit in a financial institution;
 - (e) An endowment or insurance policy or annuity contract purchased from an insurance company;
 - (f) Any accrued pension rights in the County fund; or
 - (g) With respect to a mutual fund, the individual securities of other instruments owned by the mutual fund.
- xiv) *Gift* means any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to government employment or the official Position or Employee.
- xv) *Leave of absence* means any period during which an Employee does not receive compensation for employment, service credit towards pension benefits, and health insurance benefits paid for by the employer.
- xvi) *Legislative action* means the introduction, sponsorship, consideration, debate, amendment, passage, defeat, approval, veto or other official action or non-action on any ordinance, resolution, motion, order, appointment, application or other matter pending or proposed in the County Board or any committee or subcommittee thereof.
- xvii) *Political activity* means any activity in support of or in connection with any campaign for elective office or any political organization, but does not include activities relating to the support or opposition of any executive, legislative or administrative action; relating to collective bargaining; or that are otherwise in furtherance of the person's official duties.

- xviii) *Political fundraising committee* means any fund, organization, political action committee or other entity that, for purposes of influencing in any way the outcome of any election, receives or expends money or anything of value or transfers money or anything of value to any other fund, political party, candidate, organization, political action committee, or other entity.
- xix) *Prohibited source* means any person or entity who:
- (1) Is seeking official action:
 - (a) By an official or appointee; or
 - (b) In the case of an Employee, by the Employee, CCRD or other Employee directing the Employee.
 - (2) Does business or seeks to do business:
 - (a) With the official or appointee; or
 - (b) In the case of an Employee, with the Employee, CCRD or other Employee directing the Employee.
 - (3) Conducts activities regulated:
 - (a) By the official or appointee; or
 - (b) In the case of an Employee, CCRD or other Employee directing the Employee.
 - (4) Has interests that may be substantially affected by the performance or nonperformance of the official duties of the official or Employee; or
 - (5) Is registered or required to be registered with the County pursuant to the Cook County Lobbyist Ordinance, except that an entity not otherwise a prohibited source does not become a prohibited source merely because a registered lobbyist is one of its members or serves on its board of directors.
- xx) *Publicly post* or *publicly display* means to intentionally communicate or otherwise intentionally make available to the general public.
- xxi) *Relative* means a person's Immediate Family as well as anyone related through blood, marriage, adoption, or by other legal action.
- xxii) *Single candidacy* means the time period during which a candidate is seeking office with primary election and general election being separate candidacies.
- xxiii) *Statement* means the disclosure of economic interest form required to be filed by the Illinois Governmental Ethics Act (5 ILCS 420/4A-101 et seq.).

2) Fiduciary duty.

Employees shall at all times in the performance of their public duties owe a fiduciary duty to the members of the public for which they have been employed to serve.

3) Improper influence.

- a) No official or Employee shall make, participate in making or in any way attempt to use their official Position to influence any CCRD-related governmental decision or action in which the

official or Employee knows, has reason to know or should know that the official or Employee has any economic interest distinguishable from that of the general public of the County.

- b) No official or Employee shall make, participate in making or in any way attempt to use their official Position to influence any County governmental decision or action including; decisions or actions on any Cook County Board Agenda Item, in exchange for or in consideration of the employment of said official's or Employee's Relatives, domestic partner or civil union partner by any other official or Employee.
- c) Bribery and Graft: Office policy prohibits Employees from giving, receiving, trading, offering or promising anything of value (business, service, etc.) to or from any person with the intent to influence or reward an officer, director, Employee, agent or attorney of the office in connection with any business or transaction of the CCRD.
- d) Betting and Gambling: The CCRD prohibits betting and office pools in the work environment. Employees are expected to perform CCRD business during working hours.

4) Dual employment.

- a) No official or Employee shall accept other employment which will impair his or her independence of judgment in the exercise of official duties.
- b) No official or Employee shall accept other employment which will impair his or her ability to perform CCRD duties and responsibilities.

5) Receiving and soliciting gifts and favors.

- a) *Gift ban.* Except as otherwise provided herein, no official or Employee shall intentionally solicit or accept any gift from any prohibited source or in violation of any Federal or State statute, rule, or regulation. This ban applies to all CCRD Employees and includes spouses of and Immediate Family living with the official or Employee.
 - i) *Exceptions.* The restriction in this Ethics Policy Subsection (a) does not apply to the following:
 - (1) *Opportunities, benefits, and services.* Opportunities, benefits, and services that are available on the same conditions as for the general public.
 - (2) *Market value paid.* Anything for which the official or Employee or his or her spouse or Immediate Family member living with him or her pays the market value.
 - (3) *Lawful contribution, fundraising event.* Any contribution that is lawfully made under the Election Code or under this Ethics Policy Section or activities associated with a fundraising event in support of a political organization or candidate.
 - (4) Training seminars and educational materials.
 - (5) Travel expenses for a meeting to discuss CCRD business.
 - (6) *Gift from Relative.* A gift from a Relative, meaning those people related to you.
 - (7) *Gift on basis of personal friendship.* Anything provided by an individual on the basis of a personal friendship unless the Employee has reason to believe that, under the circumstances, the gift was provided because of the official Position or employment of the Employee and not because of the personal friendship.

- (8) *Food or refreshments not exceeding \$75.00 per person.* Food or refreshments not exceeding \$75.00 per person in value on a single calendar day; provided that the food or refreshments are consumed on the premises from which they were purchased, prepared or catered.
 - (9) *Intra-governmental and inter-governmental gifts.* For the purpose of this Ethics Policy Section "intra-governmental gift" means any gift given to an official or Employee from another official or Employee of the CCRD; and "inter-governmental gift" means any gift given to an official or Employee of the CCRD by an official or Employee of another County agency or department, of a State of Illinois agency, of a Federal agency, or of any governmental entity.
 - (10) *Bequests.* Bequests, inheritances, and other transfers at death.
 - (11) *Items valued at less than \$100.00.* Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than \$100.00.
- ii) Each of the exceptions listed in this subsection is mutually exclusive and independent of one another.
- b) An official or Employee does not violate this Ethics Policy Section if the official or Employee promptly takes reasonable action to return the prohibited gift to its source or gives the gift or an amount equal to its value to an appropriate charity that is exempt from income taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as now or hereafter amended, renumbered, or succeeded.
 - c) Gifts which have a value of greater than \$100.00 (or a series of gifts with an aggregate value of greater than \$100.00 from one prohibited source during any twelve-month period) received by any official or Employee from a prohibited source shall be disclosed to the DOC by the recipient within ten business days of receipt. The disclosure shall include the name and government title of the recipient; the name, address, occupation and employer of the donor; a description of the gift and its value; and the intended use or disposition of the gift.
 - d) No official or Employee may be compensated or receive an honorarium for participating in speaking engagements, lectures, debates or organized discussion forums arising out of his or her CCRD employment. Any such compensation shall be disclosed to the HRD within ten business days of receipt.

6) CCRD or County-owned property.

No official or Employee shall engage in or permit the unauthorized use of property that is owned or leased by the CCRD or the County. Such property shall only be used for official CCRD or County business.

7) Conflicts of interest.

- a) No official or Employee shall make, or participate in making, any CCRD decision with respect to any matter in which the official or Employee has any economic interest distinguishable from that of the general public.

- b) Any Employee who has a Conflict of Interest as described above shall advise his or her Division Head in writing of the conflict or potential conflict. The Division Head, after advice from CCRD counsel shall either:
 - i) Assign the matter to another Employee; or
 - ii) Require the Employee to eliminate the economic interest giving rise to the conflict and only thereafter shall the Employee continue to participate in the matter.

8) Representation of other persons.

- a) No elected official or Employee may have an economic interest in the representation of any person in a formal or informal proceeding or transaction, in any judicial or quasi-judicial proceeding before any administrative agency, or court in which the CCRD or County is a party and that person's interest is directly adverse to that of the CCRD or County.
- b) For purposes of this Ethics Policy Section, the term "economic interest" shall not include the interest of the spouse, domestic partner or civil union partner of an official or Employee which interest is related to the independent occupation, profession or employment of the spouse.

9) Post-employment restrictions.

- a) No former official or Employee shall assist or represent any person in any business transaction involving the CCRD, if the official or Employee participated personally and substantially in that transaction during his or her term of office or employment.
- b) No former official or Employee may, for a period of one year after the termination of his or her term of office or employment, knowingly accept employment or receive compensation or fees for services from an employer if the Employee or official, during the year immediately preceding termination of CCRD employment and on behalf of the CCRD or County, participated personally and substantially in the decision to award CCRD or County contracts with a cumulative value of over \$25,000.00 to the person or entity, or its parent or subsidiary.

10) Political activity.

- a) No official or Employee shall compel, coerce or intimidate any CCRD official or Employee to make or refrain from making any political contribution. No official shall directly solicit any political contribution from his or her Employees, the spouses, domestic partners or civil union partners of or Immediate Family living with his or her Employees. Nothing in this subsection shall be construed to prevent any official or Employee from voluntarily making a contribution or from receiving a voluntary contribution.
- b) CCRD Employees shall not intentionally perform any prohibited political activity during any compensated time (other than vacation, personal, or Compensatory Time off). CCRD Employees or officials shall not intentionally misappropriate any CCRD property or resources by engaging in any prohibited political activity for the benefit of any campaign for elective office or any political organization.

- c) At no time shall any official or Employee intentionally misappropriate the services of any CCRD or County Employee by requiring that Employee perform any prohibited political activity:
 - i) As part of that Employee's CCRD duties.
 - ii) As a condition of CCRD employment.
 - iii) During any time off that is compensated by the CCRD (such as vacation, personal, or Compensatory Time off).
 - iv) A CCRD Employee shall not be required at any time to participate in any prohibited political activity in consideration for that Employee being awarded any additional compensation or Employee benefit, in the form of a salary adjustment, bonus, Compensatory Time off, continued employment, or otherwise.
 - v) Nothing in this Ethics Policy Section prohibits CCRD activities that are otherwise appropriate from engaging in on a voluntary basis as permitted by law.

11) Whistleblower protection.

- a) No complainant, or Employee acting on behalf of a complainant, shall be discharged, threatened or otherwise discriminated against regarding compensation, terms, conditions, location or privileges of employment because:
 - i) The complainant or Employee acting on behalf of the complainant reports or is about to report, verbally or in writing, a violation or suspected violation of this Manual; or
 - ii) The complainant or Employee acting on behalf of the complainant is requested to participate in an investigation, hearing or inquiry held pursuant to this Manual, or in any related court action.
- b) This Ethics Policy Section shall not apply to a complainant, or Employee acting on behalf of a complainant, who knowingly makes a false report.

12) Limitations of contributions to candidates and elected officials.

- a) No person shall make contributions to any elected officials or candidates for office exceeding the limits established by the Election Code (10 ILCS 5/9-1 et seq.).
- b) No person who does business with the CCRD or County or who has done business with the CCRD or County within the preceding four years or is seeking to do business with the CCRD or County or is a person required to register as a lobbyist with the CCRD or County shall make contributions in an aggregate amount exceeding \$750.00:
 - i) To any candidate for County office or elected County official during a single candidacy; or
 - ii) To any elected official of the government of the County during any nonelection year of his or her term.
 - iii) To any local, state, or federal campaign committee that is controlled by, or established in support of, a candidate for County office or an elected County official.

- c) The combined effect of these provisions is intended to permit total contribution up to, but not exceeding, \$1,500.00 in a year in which a candidacy occurs. A year, for purposes of this Ethics Policy Section, is from January 1 to December 31 of each year.
- d) For purposes of subsection (b) of this section, an entity and its subsidiaries, parent company or otherwise affiliated companies, and any of their Employees, officers, directors and partners who make a political contribution for which they are reimbursed by the entity or its affiliates shall be considered a single person. However, nothing in this provision shall be construed to prohibit such an Employee, officer, director or partner from making a political contribution for which he is not reimbursed by a person with whom he or she is affiliated, even if that person has made the maximum contribution allowed under Subsection (b) of this Ethics Policy Section.
- e) Any contributions made under this subpart shall be reported as required by the Election Code (10 ILCS 5/1-1 et seq).
- f) For purposes of subsection (b) of this Ethics Policy Section, "done business" or "doing business" means any one or any combination of sales, purchases, leases or contracts to, from or with the County or any County agency in excess of \$10,000.00 in any twelve consecutive months or during the previous four years. "
- g) For purposes of Subsection (b) of this Ethics Policy Section, "seeking to do business" means taking action within the past six months to obtain a contract or business with the County when, if such action were successful, it would result in the person doing business with the County as defined in Subsection (e) of this Ethics Policy Section.
- h) Any firm, or its officers, directors or partners, contracted by the County to provide financial audits of county finances are prohibited from making campaign contributions to any county official or candidate for county office.
- i) Any firm, or its officers, directors or partners, contracted by the County to act as financial, bond, underwriter's, legal counsel, or financial manager for the issuance of any bond is prohibited from making campaign contributions to any county official or candidate for county office.
- j) Any candidate for any county office or any current elected official in Cook County government shall return contributions found in excess of the limitations set forth in this Ethics Policy Section within thirty days of notification.

13) Newsletters, brochures, public service announcements, and promotional materials.

- a) County funds and resources may not be used by any elected County official to print or pay for the printing of any newsletters or brochures during the period beginning January 1 of the year of a general primary election and ending the day after such general primary election and during a period beginning September 1 of the year of a general election and ending the day after such general election if the elected County official is a candidate in such primary or general election. A County elected official may not mail, during the period beginning January 1 of the year of a general primary election and ending the day after such general primary election and during a period beginning September 1 of the year of a general election and ending the day after such general election, any newsletters or brochures that were printed at any time using County funds or resources if the elected County official is a candidate in such primary or general election.

- b) This Ethics Policy Section 14 does not apply to interoffice communications.
- c) This Ethics Policy Section 14 shall not apply to a brochure mailed to a constituent in response to that constituent's inquiry concerning the needs of that constituent or questions raised by that constituent.
- d) No public service announcement or advertisement that is on behalf of any County administered program and contains the proper name, image, or voice of any elected County official shall be broadcast or aired on radio or television or printed in a commercial newspaper or commercial magazine at any time on or after the date that the elected County official files nominating papers for any elected office, and for any time thereafter that the elected County official remains a candidate for any office.
- e) The proper name or image of any elected official may not appear on any:
 - i) Bumper stickers;
 - ii) Commercial billboards;
 - iii) Lapel pins or buttons;
 - iv) Magnets; or
 - v) Stickers, if designed, paid for, produced, and/or distributed with public funds.

14) Identity protection policy.

- a) *Prohibited activities.* No officer or Employee of the CCRD shall do any of the following:
 - i) Publicly post or publicly display in any manner an individual's social security number;
 - ii) Print an individual's social security number on any card required for the individual to access products or services provided by the person or entity;
 - iii) Require an individual to transmit his or her social security number over the internet, unless the connection is secure or the social security number is encrypted;
 - iv) Print an individual's social security number on any materials that are mailed to the individual, through the U.S. Postal Service, any private mail service, electronic mail, or any similar method of delivery, unless State or Federal law requires the social security number to be on the document to be mailed. A social security number that may be permissibly mailed under this Ethics Policy Section may not be printed, in whole or in part, on a postcard or other mailer that does not require an envelope or be visible on an envelope without the envelope having been opened;
 - v) Collect, use or disclose a social security number from an individual, unless (i) required to do so under State or Federal law, rules or regulations, or the collection, use or disclosure of the social security number is absolutely necessary for the performance of that agency's duties and responsibilities; (ii) the need and purpose for the social security number is documented before collection of the social security number; and (iii) the social security number collected is relevant to the documented need and purpose;
 - vi) Require an individual to use his or her social security number to access an internet website;

- vii) Use the social security number for any purpose other than the purpose for which it was collected.
- (1) *Exceptions.* The prohibitions in subsection (a) do not apply in the following circumstances:
- (a) The disclosure of social security numbers to agents, Employees, contractors or subcontractors of the CCRD or disclosure to another governmental entity or its agents, Employees, contractors or subcontractors if disclosure is absolutely necessary in order for the entity to perform its duties and responsibilities;
 - (b) The disclosure of social security numbers pursuant to a court order, warrant or subpoena;
 - (c) The collection, use or disclosure of social security numbers if it is absolutely necessary in order to ensure the safety of CCRD Employees.
 - (d) The collection, use or disclosure of social security numbers if it is absolutely necessary for internal verification or administrative purposes;
 - (e) The collection or use of social security numbers to investigate or prevent fraud, to conduct background checks, to collect a debt, to undertake any permissible purpose that is enumerated under the federal Gramm Leach Bliley Act, or to locate a missing person, a lost Relative, or a person who is due a benefit such as a pension benefit or an unclaimed property benefit.
- b) *Public Inspection and Copying of Documents.* All officers and Employees of the County must redact social security numbers from the information or documents before allowing the public inspection or copying of the information or documents.
- i) *Applicability.*
 - (1) This does not apply to the collection, use or disclosure of a social security number as required by State or Federal law, rule or regulation.
 - (2) This does not apply to documents that are required to be open to the public under any State or Federal law, rule or regulation, applicable case law, Supreme Court Rule, or the Constitution of the State of Illinois.
 - c) *Compliance with Federal Law.* If a Federal law takes effect requiring any Federal agency to establish a national unique patient health identifier program, the CCRD shall follow that law.
 - i) *Embedded Social Security Numbers.* No officer or Employee of the County may encode or embed a social security number in or on a card or document including, but not limited to, using a bar code, chip, magnetic strip, RFID technology, or other technology, in place of removing the social security number as required by this policy.
 - ii) *Identity Protection Requirements.* In accordance with the requirements of the Identity Protection Act, 5 ILCS 179/1 et seq.
 - d) All officers, Employees, and agents of the CCRD identified as having access to social security numbers in the course of performing their duties shall be trained to protect the confidentiality of social security numbers. Training shall include instructions on the proper handling of information that contains social security numbers from the time of collection to the time of destruction of such information.

- e) Only Employees who are required to use or handle information or documents that contain social security numbers shall have access to such information or documents.
- f) Social security numbers requested from an individual in permissible circumstances shall be provided in a manner that makes the social security number easily redacted if required to be released as part of a public records request.
- g) When collecting a social security number in permissible circumstances or upon request by the individual, a statement of the purpose(s) for which the CCRD is collecting and using the social security number shall be provided.

15) Financial Disclosure.

Officers and Employees shall file verified written statements of economic interests as required by the Illinois Governmental Ethics Act, 5 ILCS 420/4A-101 et seq.

16) Employment sanctions.

Any official or Employee found to have violated any provision herein, or to have knowingly furnished false or misleading information in any investigation, hearing or inquiry held pursuant to this Ethics Policy, shall be subject to employment sanctions outlined in the CCRD Disciplinary Policy, up to and including discharge. The provisions herein shall not limit the power of the CCRD to otherwise discipline Employees. *See* CCRD Disciplinary Policy.

17) Validity of contract.

Any contract negotiated, entered into, or performed in violation of any of the provisions of this Ethics Policy shall be voidable by the CCRD.

18) Authorization for additional information:

Notwithstanding any of the above provisions, the County Purchasing Agent with respect to contracts awarded by the chief procurement officer, may require any such additional information from any applicant which is reasonably intended to achieve full disclosure relevant to the application for action by the County Board of Commissioners or any other County agency.

19) Failure to comply.

Failure to comply with the provisions of this Ethics Policy shall render any ordinance, ordinance amendment, county board approval or other county action that involves the CCRD on behalf of the applicant failing to comply, voidable at the option of the CCRD.

20) Decisions Regarding Hiring and Contracting. ***

- a) No official or employee of the CCRD shall participate in a hiring decision, or shall employ or advocate for employment, in any Department over which such official or employee either serves or over which he or she exercises authority, supervision or control, any person who is a relative of said official or employee.

- b) No official or employee of the CCRD shall participate in a hiring decision, or shall employ or advocate for employment, any person in exchange for, or in consideration of, the employment of any said official's or employee's relatives or domestic partners, by any other official, board or commission appointee or employee.
- c) No official or employee of the CCRD shall participate in a decision regarding whether to contract with any person where the official or employee knows the person in question is a relative of said official or employee.
- d) No official or employee of the CCRD shall participate in a decision regarding whether to contract with any entity where the official or employee knows that a relative of said official or employee has a financial interest in the entity.
- e) No official or employee of the CCRD shall exercise contract management authority where any relative of the official or employee is employed by, or has a financial interest in, the entity doing County work over which the County official or employee has or exercises contract management authority.
- f) For the purposes of this section, relative shall mean a person who is related to an official or employee as spouse or any of the following, whether by blood, marriage or adoption: domestic partner, civil union partner, parent, child, brother, sister, aunt, uncle, niece, nephew, grandparent, grandchild, father-in-law, mother -in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother or half-sister.
- g) A violation of this section shall result in discipline consistent with the parameters established in the "Prohibited Activities and Discipline" section of the Policy Manual.

*** Section 6(a)(v)(b)(xviii) of the Policy Manual would cover an infraction of this type.